

Resolution R- 2004- 2101

RESOLUTION APPROVING A DEVELOPMENT OF REGIONAL IMPACT
PETITION OF PALM BEACH COUNTY BY
PBC FACILITIES & OPERATIONS, AGENT,

(PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK DRI)
DEVELOPMENT ORDER

WHEREAS, Palm Beach County (Applicant), a political subdivision of the State of Florida, has filed a Development of Regional Impact (DRI) Application for Development Approval (ADA) with Palm Beach County, Florida, in accordance with Section 380.06, Florida Statutes, for a 1,919.23 acre parcel of property located approximately one mile north of Northlake Boulevard on the east side of Seminole Pratt-Whitney Road, Palm Beach County, Florida described in the real property legally described in Exhibit A, attached hereto; and

WHEREAS, said Applicant proposes to construct a development consistent with the ADA for the Palm Beach County Biotechnology Research Park dated May 10, 2004; and

WHEREAS, the Board of County Commissioners as the governing body of Unincorporated Palm Beach County having jurisdiction, is the local government entity authorized and empowered by Chapter 380.06, Florida Statutes, to consider Applications for Development Approval for Developments of Regional Impact; and

WHEREAS, the County entered into a Memorandum of Agreement with the Florida Office of Tourism, Trade and Economic Development on November 18, 2004 to provide for the expedited permitting review of the DRI and other permits pursuant to Sec. 403.973, Florida Statutes; and

WHEREAS, the notice and hearing requirements of Section 380.06, Florida Statutes, have been satisfied; and

WHEREAS, copies of the ADA dated May 10, 2004 have been provided to all parties identified in Fla. Admin. Code R.9J-025; and

WHEREAS, copies of the Palm Beach County Comprehensive Plan and Unified Land Development Code and DRI related amendments to the Plan and Code have been provided to the Department of Community Affairs; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, on September 20, 2004 and October 13, 2004, the Board of County Commissioners held a duly noticed public hearings on the DRI ADA and has heard and considered the testimony taken there at; and

WHEREAS, the Board of County Commissioners has received and considered the assessment report and recommendations of the Treasure Coast Regional Planning Council; and

WHEREAS, the Board of County Commissioners made the following findings of fact and conclusions of law regarding the ADA:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Whereas clauses are true and correct and are incorporated herein.
2. The Board of County Commissioners is the governing body with legal description over the DRI property and is authorized and empowered by Chapter 380, Florida Statutes, to issue this Development Order.
3. The proposed Development is not in an area of critical state concern designated pursuant to the provisions of Section 380.06, Florida Statutes.
4. The proposed development, as conditioned, is consistent with the Palm Beach County Comprehensive Plan as amended in amendment round 2004-04-ERP, the Unified Land Development Code and other applicable regulations.
5. The proposed development, as conditioned, is consistent with the State Comprehensive Plan.
6. The proposed development, as conditioned, is consistent with the report and recommendations of the Treasure Coast Regional Planning Council submitted pursuant to Section 380.06(12)(a), Florida Statutes; and
7. The Board of County Commissioners has determined that all regional issues have been sufficiently addressed and that the proposed development is consistent with all regional and local comprehensive plans pursuant to Chapter 163, Florida Statutes; and
8. The information contained in the Palm Beach County Biotechnology Research Park Application for Development Approval May 10, 2004, is incorporated into this Development Order by reference and relied upon by the parties in discharging their statutory duties under Chapter 380, Florida Statutes.
9. The impacts of the project, as conditioned, by this development order are adequately addressed pursuant to the requirements of section 380.06, F.S.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, in a public meeting, duly constituted and assembled this Thirteenth Day of October, 2004, the Palm Beach County Biotechnology Research Park DRI is hereby APPROVED, subject to the conditions described in Exhibit C, attached hereto, and the following restrictions and limitations:

1. Any modification or deviations from the approval plans or requirements of this Development Order (DO) shall be submitted to the Palm Beach County Board of County Commissioners. Any such submittal shall be made according to and processed in compliance with the requirements of Section 380.06(19), Florida Statutes, and Department of Community Affairs Rule 9J-2, Florida Administrative Code.
2. The definitions found in Chapter 380, Florida Statutes, shall apply to this DO.
3. Reference herein to any governmental agency shall be construed to mean any future instrumentality that may be created or designated as a successor in interest to, or which otherwise possesses the powers and duties to any referenced governmental agency in existence on the effective date of the DO.

4. Palm Beach County hereby agrees that prior to termination date of the DRI for the Palm Beach County Biotechnology Research Park , the DRI shall not be subject to down zoning, unit density reduction, or intensity reduction, unless a) the County demonstrates that substantial changes in the conditions underlying the approval of the DO have occurred, or b) that the DO was based on substantially inaccurate information provided by the developer, or c) that the change is clearly established by the County to be essential to the public health, safety, or welfare, or d) that termination pursuant to the DRI Agreement occurs.
5. This DO shall be binding upon the developer and its assignees or successors in interest.
6. The approval granted by this DO is conditional and shall not be construed to obviate the duty of the developer to comply with all other applicable local, state, and federal permitting requirements.
7. If any portion or section of this DO is deemed to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, then this development shall be required to obtain a substantial deviation determination.
9. This DO shall become effective upon the effective date of the amendments to the Palm Beach County Comprehensive Plan adopted in amendment round 2004-04-ERP.
10. Certified copies of this DO shall be transmitted by certified mail to the Department of Community Affairs, the Treasure Coast Regional Planning Council, and Bevin Beaudet, on behalf of the Palm Beach County Biotechnology Research Park.
11. This DO is approved concurrent with Zoning Petitions Z2004-351 and PDD/R/W2004-352.

Commissioner **KOONS** 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:

Karen T. Marcus, Chair	-	AYE
Tony Masilotti, Vice Chairman	-	ABSENT
Jeff Koons	-	AYE
Warren H. Newell	-	AYE
Mary McCarty	-	AYE
Burt Aaronson	-	ABSENT
Addie L. Greene	-	AYE


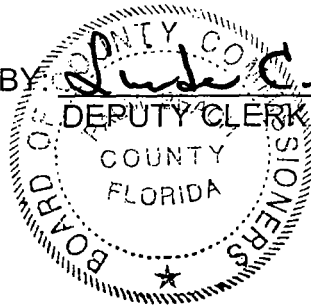
The Chair thereupon declared that the resolution was duly passed and adopted on October 13, 2004.


APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK


STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on October 13, 2004
DATED at West Palm Beach, FL on 10-22-04
DOROTHY H. WILKEN, Clerk
By:  D.C.

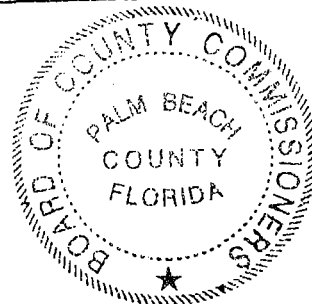


EXHIBIT A
LEGAL DESCRIPTION

THE WEST ½ OF SECTION 5, ALL OF SECTIONS 6 AND 7, AND THE WEST ½ OF SECTION 8, ALL LYING IN TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE RIGHT OF WAY OF THE C-18 CANAL AS RECORDED IN DEED BOOK 1097, PAGE 261, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 1,919.23 ACRES, MORE OR LESS.

BEARINGS BASIS: N89°56'58"E ALONG THE NORTH LINE OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 41 EAST.

EXHIBIT B
VICINITY SKETCH



EXHIBIT C

CONDITIONS OF APPROVAL

NOTE: Conditions, which are not specific, shall apply to the entire project.

GENERAL PROVISIONS

1. The Palm Beach County Biotechnology Research Park Development of Regional Impact Application for Development Approval dated May 10, 2004, and the Palm Beach County Biotechnology Research Park Design Guidelines submitted with the Application for Development Approval are incorporated herein by reference. It is relied upon, but not to the exclusion of other available information, by the parties in discharging their statute duties under Chapter 380, Florida Statutes. Substantial compliance with the representations contained in the Application for Development Approval and Design Guidelines, as modified by Development Order conditions, is a condition for approval. (ONGOING:MONITORING-TCRPC)

COMMENCEMENT AND PROCESS OF DEVELOPMENT

2. The development order will become effective upon the effective date of the Comprehensive Plan amendment and approval of the Development of Regional Impact (DRI). If the property owner fails, within one year from the effective date, to commence significant physical development beyond the development in existence on the approval date of the Development Order, the development approval shall terminate and the development shall be subject to further Development of Regional Impact review by the Treasure Coast Regional Planning Council, Department of Community Affairs, and Palm Beach County pursuant to Section 380.06, Florida Statutes. For the purpose of this paragraph, construction shall be deemed to have initiated after placement of permanent evidence of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation or a land clearing, or construction of a permanent access road. This time limitation will be tolled during the pendency of any challenge to a permit or approval necessary for development. (DATE:MONITORING-Bldg/Eng)

PHASING

3. The phasing of the development is approved as follows:

Phase	Years	Industrial Square feet	Retail Square feet	Residential Dwelling units	Cumulative Net External AM Peak Hour Entering Trips
1	2004-2010	1,635,000	132,000	300	1,564
2	2010-2015	2,700,000	132,000	640	3,905
3	2016-2020	1,505,000	83,000	500	5,675
4	2021-2025	2,207,000	0	560	7,179
5	2026-2030	453,000	83,000	-	Remainder balance
6	Total	8,500,000	430,000	2000	

- a. Includes the Scripps Research Institute (TSRI)/Research & Development/Biotechnology and other industrial uses;

- b. Includes the Town Center, which includes workforce housing/retail/commercial and neighborhood commercial.
 - c. Concurrency equivalency studies may be performed to allow for the reallocation or conversion of uses within each phase at the time of Site Plan approval. Ultimate build-out shall be in compliance with the use/intensity/density limitations established in the Mecca Farms EDC Land Use Amendment. (ONGOING-ENG-Eng/Planning/Zoning)
4. Any modifications or deviation from the approved plans or requirements of this Development Order shall be made according to and processed in compliance with the requirements of Section 380.06(19), Florida Statutes and Rule 9J-2, Florida Administrative Code. (ONGOING:DRO-Zoning)
 5. The definitions found in Chapter 380, Florida Statutes shall apply to this Development Order. (ONGOING:DRO-Zoning)
 6. Reference herein to any governmental agency shall be construed to mean any future instrumentality that may be created or designated as a successor in interest to, or which otherwise possesses the powers and duties to any referenced governmental agency in existence on the effective date of this Development Order. (ONGOING: DRO-Zoning)
 7. This Development Order shall be binding upon the property owner and its assignees or successors in interest and shall run with the land. (ONGOING: DRO-Zoning)

BUILD-OUT

8. This Project shall have a build-out date of December 31, 2030, unless otherwise amended pursuant to the conditions of this Development Order and Section 380.06, Florida Statutes. (DATE:MONITORING-TCRPC)

TERMINATION DATE

9. This Development Order shall expire on December 31, 2035. (DATE: MONITORING-TCRPC)

BIENNIAL REPORT

10. The biennial report required by subsection 380.06(18), Florida Statutes, shall be submitted on October 13, 2005, and shall be continued on a biennial basis to the Treasure Coast Regional Planning Council, the Florida Department of Environmental Protection, the Florida Department of Transportation, the South Florida Water Management District and such additional parties as may be appropriate or required by law. The contents of the report shall include those items required by this Development Order and Rule 9J-2.025(7), Florida Administrative Code. The Palm Beach County Planning and Zoning Divisions shall be the local official assigned the responsibility for monitoring the development and enforcing the terms of the Development Order. (DATE:MONITORING-Planning/Zoning)

PHASING

11. Buildings constructed under the Phase 1 development program for the Palm Beach County Biotechnology Research Park shall be limited to the Phase 1 area identified by Palm Beach County in revised Exhibit MP-4 of TCRPC Council's Development of Regional Impact Assessment Report for Palm Beach County Biotechnology Research Park entitled Infrastructure Phase 1 Construction Area pursuant to Exhibit

MP-4. Additional phases shall be constructed upon compliance with phasing related Conditions of Approval contained herein.

REGIONAL PLANNING

12. When reviewing the Sector Plan for this area of the County, Palm Beach County shall consider the impacts and change that the PBC Biotechnology Research Park will bring to this area. (ONGOING:PLANNING-Planning)

TRANSPORTATION

Roadway Improvements - Traffic Phase 2

- 13a. No building permits shall be issued for development that generates more than 1,564 net external AM peak hour entering trips or after December 31, 2010, whichever occurs first, 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) contracts have been let for the construction of Beeline Highway as a six-lane median divided section from Jog Road to Blue Heron Boulevard plus the appropriate paved tapers and the construction of PGA Boulevard as a minimum four-lane median divided section from Seminole Pratt-Whitney Road to East Mecca Boulevard. (BLDG PERMIT/DATE: MONITORING – Eng)
- 13b. Prior to December 31, 2007, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 14a. No building permits shall be issued for development that generates more than 1,564 net external AM peak hour entering trips or after December 31, 2011, whichever occurs first, until either:
- 1) a CRALLS designation is still in effect for the following roadway improvement; 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) contracts have been let for the construction of Northlake Boulevard to a six-lane divided cross section from Coconut Boulevard to SR 7 plus the appropriate paved tapers. (BLDG PERMIT/DATE: MONITORING – Eng)
- 14b. Prior to December 31, 2008, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 15a. No building permits shall be issued for development that generates more than 1,593 net external AM peak hour entering trips or after December 31, 2010, whichever occurs first, 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) contracts have been let for the construction of CR 711 as a four-lane median divided section from CR 76A to CR 708 plus the appropriate paved tapers. (BLDG PERMIT/DATE: MONITORING – Eng)
- 15b. Prior to December 31, 2007, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 16a. No building permits shall be issued for development that generates more than 1,750 net external AM peak hour entering trips or after December 31, 2011, whichever occurs first, 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) contracts have been let for the construction of turn lane improvements on Orange Boulevard at all appropriate intersecting streets along the existing two lane section from 140th Avenue to Royal Palm Beach Boulevard. (BLDG PERMIT/DATE: MONITORING – Eng)
- 16b. Prior to December 31, 2008, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 17a. No building permits shall be issued for development that generates more than 2,447 net external AM peak hour entering trips or after December 31, 2012, whichever occurs first, 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) contracts have been let for the construction of Indiantown Road as a six-lane median divided section from Jupiter Farms Road to the Florida Turnpike. (BLDG PERMIT/DATE: MONITORING – Eng)
- 17b. Prior to December 31, 2009, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 18a. No building permits shall be issued for development that generates more than 2,524 net external AM peak hour entering trips or after December 31, 2012, whichever occurs first, 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) contracts have been let for the construction of Seminole Pratt-Whitney Road as a four-lane median divided section from Beeline Highway to Indiantown Road plus the appropriate paved tapers. (BLDG PERMIT/DATE: MONITORING – Eng)
- 18b. Prior to December 31, 2009, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)

- 19a. No building permits shall be issued for development that generates more than 2,774 net external AM peak hour entering trips or after December 31, 2013, whichever occurs first, 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) contracts have been let for the construction of Beeline Highway as a four-lane median divided section from Indiantown Road to SR 76 in Martin County. (BLDG PERMIT/DATE: MONITORING – Eng)
- 19b. Prior to December 31, 2010, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 20a. No building permits shall be issued for development that generates more than 2,848 net external AM peak hour entering trips or after December 31, 2013, whichever occurs first, 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) contracts have been let for the construction of Okeechobee Boulevard to a four-lane divided cross-section from 140th Avenue (E Road) to Crestwood Boulevard. (BLDG PERMIT/DATE: MONITORING – Eng)
- 20b. Prior to December 31, 2010, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 21a. No building permits shall be issued for development that generates more than 3,071 net external AM peak hour entering trips or after December 31, 2014, whichever occurs first, 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) contracts have been let for the construction of SR 7 as a four-lane median divided section from Okeechobee Boulevard to 60th Street. (BLDG PERMIT/DATE: MONITORING – Eng)
- 21b. Prior to December 31, 2011, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 22a. No building permits shall be issued for development that generates more than 3,694 net external AM peak hour entering trips or after December 31, 2014, whichever occurs first, 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) contracts have been let for the construction of Beeline Highway to a six-lane median divided section from PGA Boulevard to Northlake Boulevard plus the appropriate paved tapers. (BLDG PERMIT/DATE: MONITORING – Eng)
- 22b. Prior to December 31, 2011, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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 - Traffic Phase 3

- 23a. No building permits shall be issued for development that generates more than 4,011 net external AM peak hour entering trips or after December 31, 2016, whichever occurs first, 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) contracts have been let for the construction of PGA Boulevard as a six-lane median divided section from Seminole Pratt-Whitney Road to East Mecca Road. (BLDG PERMIT/DATE: MONITORING – Eng)
- 23b. Prior to December 31, 2013, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 24a. No building permits shall be issued for development that generates more than 4,195 net external AM peak hour entering trips or after December 31, 2016, whichever occurs first, 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) contracts have been let for the construction of Florida Turnpike to a six-lane median divided section from Okeechobee Boulevard to Beeline Highway. (BLDG PERMIT/DATE: MONITORING – Eng)
- 24b. Prior to December 31, 2013, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 25a. No building permits shall be issued for development that generates more than 4,255 net external AM peak hour entering trips or after December 31, 2016, whichever occurs first, 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) contracts have been let for the construction of Seminole Pratt-Whitney Road to a six-lane median divided section from Northlake Boulevard to PGA Boulevard. (BLDG PERMIT/DATE: MONITORING – Eng)

- 25b. Prior to December 31, 2013, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 26a. No building permits shall be issued for development that generates more than 4,475 net external AM peak hour entering trips or after December 31, 2017, whichever occurs first, 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) contracts have been let for the construction of CR 711 to a four-lane median divided section from CR 708 to Palm Beach County line. (BLDG PERMIT/DATE: MONITORING – Eng)
- 26b. Prior to December 31, 2014, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 27a. No building permits shall be issued for development that generates more than 4,493 net external AM peak hour entering trips or after December 31, 2017, whichever occurs first, 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) contracts have been let for the construction of CR 708 (Bridge Road) to a four-lane median divided section from CR 711 to I-95. (BLDG PERMIT/DATE: MONITORING – Eng)
- 27b. Prior to December 31, 2014, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
- 28a. No building permits shall be issued for development that generates more than 5,130 net external AM peak hour entering trips or after December 31, 2018, whichever occurs first, 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) contracts have been let for the construction of CR 711 to a six-lane median divided section from CR 76A to CR 708. (BLDG PERMIT/DATE: MONITORING – Eng)
- 28b. Prior to December 31, 2015, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)

- 29a. No building permits shall be issued for development that generates more than 5,452 net external AM peak hour entering trips or after December 31, 2019, whichever occurs first, 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) contracts have been let for the construction of CR 708 (Bridge Road) to a six-lane median divided section from I-95 to Powerline Avenue. (BLDG PERMIT/DATE: MONITORING – Eng)
- 29b. Prior to December 31, 2016, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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 - Traffic Phase 4

- 30a. No building permits shall be issued for development that generates more than 6,200 net external AM peak hour entering trips or after December 31, 2022, whichever occurs first, 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) contracts have been let for the construction of Okeechobee Boulevard to a six-lane divided cross section from Crestwood Boulevard to Royal Palm Beach Boulevard. (BLDG PERMIT/DATE: MONITORING – Eng)
- 30b. Prior to December 31, 2019, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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)
31. No building permits shall be issued for development that generates more than 7,000 net external AM peak hour entering trips or December 31, 2025, whichever occurs first, until either:
- a. a CRALLS designation is adopted for the following roadway improvement;
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. contracts have been let for the construction of Northlake Boulevard from I-95 to Congress Avenue to an eight-lane cross section. (BLDG PERMIT/DATE: MONITORING – Eng)

Roadway Improvements - Traffic Phase 5

- 32a. No building permits shall be issued for development that generates more than 7,384 net external AM peak hour entering trips or after December 31, 2027, whichever occurs first, 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) contracts have been let for the construction of CR 76A (Loop Road) to a four-lane divided median divided section from CR 728 to Kanner Highway. (BLDG PERMIT/DATE: MONITORING – Eng)
- 32b. Prior to December 31, 2024, acceptable surety for the road construction listed above shall either be provided in the Land Development Division 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 - Traffic Phase 1

33. No building permits shall be issued for development that generates more than 1,547 net external AM peak hour entering trips or December 31, 2010, whichever occurs first, until either:
- a. contracts have been let for the construction of the following improvements: Add second left-turn lane, east approach at Indiantown Road and Jupiter Farms intersection and appropriate receiving lanes: 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.
 - c. prior to April 13, 2005, surety shall be provided to the satisfaction of either Palm Beach County or the Florida Department of Transportation that sufficient funds will be available to complete the intersection improvements, including signalization modifications as warranted by City, County or State criteria or the improvements shall be included in the Palm Beach County 5 Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT/DATE: MONITORING-Eng)
34. No building permits shall be issued for development that generates more than 861 net external AM peak hour entering trips or after December 31, 2008, whichever comes first, until either:
- a. contracts have been let for the construction of the following improvements: Add second left turn lane, north approach and free –flow right turn lane, east approach to PGA Boulevard and Beeline Highway intersection;
 - 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.
 - c. prior to April 13, 2005, surety shall be provided to the satisfaction of either Palm Beach County or the Florida Department of Transportation that sufficient funds will be available to complete the intersection improvements, including signalization modifications as warranted by City, County or State criteria or the improvements shall be included in the Palm Beach County 5 Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT:MONITORING-Eng)
35. No building permits shall be issued after December 31, 2007 until either:
- a. contracts have been let for the construction of the following improvements: Maintain free-flow right-turn lane, west approach; add fourth through lane, west approach; add third through lane, east approach; and add third left-turn lane, south approach at Northlake Boulevard and Beeline Highway intersection; 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. prior to April 13, 2005, surety shall be provided to the satisfaction of either Palm Beach County or the Florida Department of Transportation that sufficient funds will be available to complete the intersection improvements, including signalization modifications as warranted by City, County or State criteria or the improvements shall be included in the Palm Beach County 5 Year Road Program or the State Transportation Improvement Program.(DATE:MONITORING -Eng)
36. Recommended intersection improvements included in Condition 35 will not be necessary if:
- a. contracts have been let for the construction of PGA Boulevard with a minimum two-lane cross section from Beeline Highway to East Mecca Road; OR
 - b. a CRALLS designation is adopted by Palm Beach County with approval by FDOT. (ONGOING:ENG-Eng)
37. At a minimum, the following lane geometry shall be provided at the intersection of PGA Boulevard and Seminole Pratt-Whitney Road by December 31, 2009:
- | | | |
|----|----------------|--|
| a. | East approach | Two left-turn lanes
One right-turn lane |
| b. | South approach | One through lane
One right-turn lane |
| c. | North approach | Two left-turn lanes
One through lane |
- (DATE:MONITORING-Eng)
38. At a minimum, the following lane geometry shall be provided at the intersection of Northlake Boulevard and SR-7, at the time of construction of SR 7 extension to Northlake Boulevard or prior to December 31, 2010, whichever occurs first:
- | | | |
|----|----------------|--|
| a. | West approach | Three through lanes
One right-turn lane |
| b. | East approach | One left-turn lane
Two through lanes |
| c. | South approach | One left-turn lane
One right-turn lane |
- (DATE:MONITORING-Eng)
39. At a minimum, the following lane geometry shall be provided at the intersection of Northlake Boulevard and Seminole Pratt-Whitney Road by December 31, 2009 or at the time of construction of Seminole Pratt Whitney Road as a minimum 4-lane median divided section from Northlake Boulevard to PGA Boulevard, whichever occurs first:
- | | | |
|----|----------------|--|
| a. | East approach | Two left-turn lanes
One right-turn lane |
| b. | South approach | Two through lanes
One right-turn lane |
| c. | North approach | Two left-turn lanes
Two though lanes |
- (DATE:MONITORING-Eng)

40. Commencing in January 2006, signal warrant analyses shall be performed at the intersection of Beeline Highway and Indiantown Road. The signal warrants analyses shall be continued on a biennial basis until this signal is warranted. The analysis shall be performed during the peak season and presented to and approved by Palm Beach County and the Florida Department of Transportation, as applicable.
- a. Additional certificates of occupancy shall not be issued after one year of the analysis showing a traffic signal is warranted until contracts are let for installation of the warranted signal.(DATE:MONITORING-Eng)
41. No building permits shall be issued for development that generates more than 1,251 net external AM peak hour entering trips or December 31, 2009, whichever occurs first, 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; OR
 - b. contracts have been let for the following improvements at the Northlake Blvd / Seminole Pratt-Whitney Road intersection.
 - 1) Addition of second left turn lane, east approach
 - 2) Addition of second through lane, south approach
 - 3) Addition of second left turn lane and second through lane, north approach
 - c. prior to April 13, 2005, acceptable surety for the intersection construction listed above shall either be provided to the Land Development Division or construction of these improvements shall be included in Palm Beach County's 5-Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT/DATE: MONITORING – Eng)
42. No building permits shall be issued for development that generates more than 1,404 net external AM peak hour entering trips or after December 31, 2010, whichever occurs first, until either:
- a. contracts have been let for the construction of the following improvements: Restripe the north approach as an exclusive left-turn lane and a shared through-right-turn lane at Orange Boulevard and Coconut Boulevard intersection; 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.
 - c. prior to April 13, 2005, surety shall be provided to the satisfaction of either Palm Beach County or the Florida Department of Transportation that sufficient funds will be available to complete the intersection improvements, including signalization modifications as warranted by City, County or State criteria or the improvements shall be included in the Palm Beach County 5 Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT:MONITORING-Eng)

Intersection Improvements - Traffic Phase 2

43. No building permits shall be issued for development that generates more than 1,564 net external AM peak hour entering trips or December 31, 2010, whichever occurs first, until either:
- a. a CRALLS designation is adopted for the following intersection; 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. contracts have been let for the construction of the following improvements at the Indiantown Road / Turnpike intersection.
 - 1) Addition of third and fourth through lanes, east approach
 - 2) Addition of third through lane, west approach
 - 3) Addition of right turn lane, north approach
 (BLDG PERMIT/DATE: MONITORING – Eng)
44. No building permits shall be issued for development that generates more than 1,564 net external AM peak hour entering trips or December 31, 2010, whichever occurs first, until either:
- a. a CRALLS designation is adopted for the following intersection; 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. contracts have been let for the construction of the following improvements at the PGA Boulevard / Turnpike intersection.
 - 1) Addition of second and third left-turn lane, third and fourth through lane, west approach including appropriate receiving lanes
 - 2) Addition of second and third left-turn lane, fourth through lane, second right turn lane, east approach including appropriate receiving lanes
 - 3) Addition of second through lane and free-flow right turn lane, south approach
 - 4) Addition of third and fourth left-turn lane, north approach including appropriate receiving lanes. (BLDG PERMIT/DATE: MONITORING – Eng)
45. No building permits shall be issued for development that generates more than 1,564 net external AM peak hour entering trips or December 31, 2010, whichever occurs first, until either:
- a. a CRALLS designation is adopted for the following intersection; 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. contracts have been let for the construction of the following improvements at the PGA Boulevard / Central Boulevard intersection.
 - 1) Addition of third left-turn lane, fourth through lane, west approach including appropriate receiving lanes
 - 2) Addition of second left-turn lane, fourth and fifth through lane, east approach
 - 3) Addition of second and third left-turn lane and second right turn lane, north approach including appropriate receiving lanes
 (BLDG PERMIT/DATE: MONITORING – Eng)
46. No building permits shall be issued for development that generates more than 1,564 net external AM peak hour entering trips or December 31, 2010, whichever occurs first, until either:
- a. a CRALLS designation is adopted for the following intersection; 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. contracts have been let for the construction of the following improvements at the Northlake Boulevard / Beeline Highway intersection.
 - 1) Addition of third through lane, north approach. (BLDG PERMIT/DATE: MONITORING – Eng)

47. No building permits shall be issued for development that generates more than 1,564 net external AM peak hour entering trips or December 31, 2010, whichever occurs first, 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; OR
 - b. contracts have been let for the construction of the following improvements at the PGA Boulevard / Avenue of Champions intersection.
 - 1) Addition of second left-turn lane, east approach
 - c. prior to December 31, 2007, acceptable surety for the intersection construction listed above shall either be provided to the Land Development Division or construction of these improvements shall be included in Palm Beach County's 5-Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT/DATE: MONITORING – Eng)
48. No building permits shall be issued for development that generates more than 1,564 net external AM peak hour entering trips or December 31, 2010, whichever occurs first, 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; OR
 - b. contracts have been let for the following improvements at the Orange Boulevard / Royal Palm Beach Boulevard intersection.
 - 1) Addition of right-turn lane, west approach
 - 2) Addition of left-turn lane, south approach
 - c. prior to December 31, 2007, acceptable surety for the intersection construction listed above shall either be provided to the Land Development Division or construction of these improvements shall be included in Palm Beach County's 5-Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT/DATE: MONITORING – Eng)
49. No building permits shall be issued for development that generates more than 1,564 net external AM peak hour entering trips or December 31, 2010, whichever occurs first, 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; OR
 - b. contracts have been let for the following improvements at the Okeechobee Boulevard / Crestwood Boulevard intersection.
 - 1) Addition of second left-turn lane, east approach
 - 2) Addition of second through lane and right-turn lane, north approach
 - c. prior to December 31, 2007, acceptable surety for the intersection construction listed above shall either be provided to the Land Development Division or construction of these improvements shall be included in Palm Beach County's 5-Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT/DATE: MONITORING – Eng)
50. No building permits shall be issued for development that generates more than 1,564 net external AM peak hour entering trips or December 31, 2010, whichever occurs first, 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; OR
 - b. contracts have been let for the following improvements at the Okeechobee Boulevard / SR 7 intersection.
 - 1) Addition of third left-turn lane, south approach including appropriate receiving lanes
 - c. prior to December 31, 2007, acceptable surety for the intersection construction listed above shall either be provided to the Land Development Division or construction of these improvements shall be included in Palm Beach County's 5-Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT/DATE: MONITORING – Eng)
51. No building permits shall be issued for development that generates more than 1,564 net external AM peak hour entering trips or December 31, 2010, whichever occurs first, 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; OR
 - b. contracts have been let for the following improvements at the Beeline Highway / Seminole Pratt-Whitney Road intersection.
 - 1) Addition of right turn lane, west approach
 - 2) Addition of right turn lane, north approach
 - c. prior to December 31, 2007, acceptable surety for the intersection construction listed above shall either be provided to the Land Development Division or construction of these improvements shall be included in Palm Beach County's 5-Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT/DATE: MONITORING – Eng)

Intersection Improvements - Traffic Phase 3

52. No building permits shall be issued for development that generates more than 3,905 net external AM peak hour entering trips or December 31, 2015, whichever occurs first, until either:
- a. CRALLS designation is adopted for the following intersection; OR
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
 - b. contracts have been let for the construction of the following improvements at the PGA Boulevard / Military Trail intersection.
 - 1) Addition of third left turn lane, fourth and fifth through lane, east approach including appropriate receiving lanes
 - 2) Addition of third left turn lane, fourth and fifth through lane, west approach including appropriate receiving lanes
 - 3) Addition of third left turn lane, fourth and fifth through lane and right turn lane, north approach including appropriate receiving lanes
 - 4) Addition of third left turn lane, fourth and fifth through lane, south approach including appropriate receiving lanes
 (BLDG PERMIT/DATE: MONITORING – Eng)
53. No building permits shall be issued for development that generates more than 3,905 net external AM peak hour entering trips or December 31, 2015, whichever occurs first, until either:
- a. CRALLS designation is adopted for the following intersection; OR 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
- b. contracts have been let for the construction of the following improvements at the Northlake Boulevard / Beeline Highway intersection.
 - 1) Addition of second left-turn lane and fourth through lane, east approach
 - 2) Addition of fourth through lane, north approach
(BLDG PERMIT/DATE: MONITORING – Eng)

Intersection Improvements - Traffic Phase 4

- 54. No building permits shall be issued for development that generates more than 5,675 net external AM peak hour entering trips or December 31, 2020, whichever occurs first, 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; OR
 - b. contracts have been let for the construction of the following improvements at the PGA Boulevard / Beeline Highway intersection:
 - 1) Addition of third through lane, west approach
 - 2) Addition of third through lane, east approach
 - 3) Addition of third left turn lane, north approach including appropriate receiving lanes; OR
 - c. contracts have been let for the construction of a grade separated interchange at the PGA Boulevard / Beeline Highway intersection.
 - d. prior to December 31, 2017, acceptable surety for the intersection construction listed above shall either be provided to the Land Development Division or construction of these improvements shall be included in Palm Beach County's 5-Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT/DATE: MONITORING – Eng)

- 55. No building permits shall be issued for development that generates more than 5,675 net external AM peak hour entering trips or December 31, 2020, whichever occurs first, 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; OR
 - b. contracts have been let for the following improvements at the PGA Boulevard / Avenue of the Champions intersection.
 - 1) Addition of third through lane, west approach
 - 2) Addition of third through lane, east approach
 - 3) Addition of second left-turn lane, north approach
 - c. prior to December 31, 2017, acceptable surety for the intersection construction listed above shall either be provided to the Land Development Division or construction of these improvements shall be included in Palm Beach County's 5-Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT/DATE: MONITORING – Eng)

Intersection Improvements - Traffic Phase 5

- 56. No building permits shall be issued for development that generates more than 7,179 net external AM peak hour entering trips or December 31, 2025, whichever occurs first, 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; OR
 - b. contracts have been let for the following improvements at the CR 708 (Bridge Road) / CR 711 (Pratt-Whitney Road) intersection.
 - 1) Addition of left-turn lane, east approach
 - 2) Addition of left-turn lane, north approach
 - c. prior to December 31, 2022, acceptable surety for the intersection construction listed above shall either be provided to the Land Development Division or construction of these improvements shall be included in Palm Beach County's 5-Year Road Program or the State Transportation Improvement Program. (BLDG PERMIT/DATE: MONITORING – Eng)
57. No building permits shall be issued for development that generates more than 7,179 net external AM peak hour entering trips or December 31, 2025, whichever occurs first, until either:
- a. a CRALLS designation is adopted for the following intersection; 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. contracts have been let for the construction of the following improvements at the Okeechobee Boulevard / Royal Palm Beach Boulevard intersection.
 - 1) Addition of third and fourth through lane and free-flow right turn lane, east approach
 - 2) Addition of third left-turn lane and fourth through lane, west approach including appropriate receiving lanes
 - 3) Addition of fourth left-turn lane, north approach including appropriate receiving lanes. (BLDG PERMIT/DATE: MONITORING – Eng)
58. The property owner shall fund the cost of signal installation or modification, if warranted, as determined by the County Engineer for the intersection improvements in Regional Conditions 33 through 57. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation. Should signalization not be warranted after 24 months of the final Certificate of Occupancy, this property shall be relieved of this condition of approval. (ONGOING:ENG-Eng)

On-Site Intersections

- 59a. No building permits for development that generates more than 1,564 net external AM peak hour entering trips or December 31, 2010, whichever occurs first, shall be issued until access driveways have been built to the following lane geometry including signalization as warranted by City, County or State criteria:
- a. PGA Boulevard and East Mecca Road
 - West approach One left-turn lane
 - Minimum of one through lane
 - One right-turn lane
 - South approach One left/through/right turn lane
 - North approach One left through/right turn lane
 - b. PGA Boulevard and West Mecca Road
 - West approach One left-turn lane
 - Minimum of two through lanes with appropriate tapers
 - One right-turn lane
 - East approach One left-turn lane

Minimum of two through lanes with appropriate tapers
One right turn lane
South approach One left-turn lane
One through/right-turn lane
North approach One left/through/right-turn lane

- c. Seminole Pratt-Whitney Road and University Road
East approach One left-turn lane
One right-turn lane
South approach One through lane
One right-turn lane
North approach One left-turn lane
One through lane
- d. Seminole Pratt-Whitney Road and South Mecca Road
West approach One left-turn lane
One right-turn lane
South approach One through lane
One right-turn lane
North approach One left-turn lane
One through lane
(BLDG PERMIT:MONITORING-Eng)

- 59b. The property owner shall fund the cost of signal installation if warranted as determined by the County Engineer for the intersection improvements in Regional Condition 59a. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation. Should signalization not be warranted after 24 months of the final Certificate of Occupancy, this property shall be relieved of this condition of approval.
(ONGOING:ENG-Eng)

Transit and Transportation Demand Management

- 60. Prior to issuance of the first building permit for development that generates more than 1,564 net external AM peak hour entering trips, a fixed route transit service, including night and weekend service, shall be extended to the site. (BLDG PERMIT:MONITORING-Palm Tran/Eng)
- 61. Prior to the issuance of the first building permit for the Town Center District (Pod O) or provision of fixed route transit service to the site, whichever occurs last, the first building permit for the Intermodal Center shall be issued and shall include, at a minimum, the following:
 - a. Accommodation for a minimum of two (2) Palm Tran buses & Community Shuttles (intermodal connections);
 - b. Shelter (convenience) and a covered waiting area of sufficient size to accommodate at least 2% of the employees of the Palm Beach County Biotechnology Research Park;
 - c. System schedule information (convenience);
 - d. Trash receptacles (convenience);
 - e. Lighting (safety);
 - f. Bicycle facilities (intermodal connections);
 - g. Seating (convenience); and,
 - h. Details regarding the optimal characteristics (Condition 61.a through 61.g) of the Intermodal Center shall be included in the Design Standards. Consideration shall be given to the use of parking strategies to optimize transit use and to encourage a "park once" approach. FDOT District 4 Office

of Modal Development shall have the opportunity to review and comment on the site plan and construction documents for the Intermodal Center. (BLDG PERMIT:MONITORING-Eng)

62. Prior to the first Certificate of Occupancy (CO) for development that generates more than 1,564 net external AM peak hour entering trips for the Palm Beach County Biotechnology Research Park, the developer shall either contract with the South Florida Commuter Services or designate a County employee or property owners association/district representative as an Employee Transportation Coordinator, whose responsibilities shall be dedicated for the purpose of coordinating the implementation of Transportation Demand Management strategies.

This position shall:

- a. create a Transportation Demand Management Program for all development initiated after January 1, 2007, which will apply to the Palm Beach County Biotechnology Research Park;
- b. function as a resource for other employee transportation coordinators at companies and/or buildings with significant concentrations of employees within the Palm Beach County Biotechnology Research Park;
- c. utilize data and analysis to determine the appropriate timing for the creation of a Transportation Management Initiative or Association;
- d. provide a report on Transportation Demand Management activities/commute trip reduction as part of the Biennial Development of Regional Impact Report;
- e. assist in the development of an annual plan to maximize internal trips to the Palm Beach County Biotechnology Research Park; and,
- f. actively coordinate with Florida Department of Transportation, and offer the opportunity to review and comment on Transportation Demand Management activities. (CO:MONITORING-Eng)

Land Use Conversion

63. The conversion of up to 50% of approved residential land use, 10% of approved research and development land use or 20% of any other approved non-residential land use to another land use is permitted without additional Regional review in accordance with the following table of land use equivalencies. The use of this trade-off mechanism in any given year will be reported in the Biennial Report required by Regional Condition 10. The land use conversion table is based on new external peak hour traffic. Therefore, any conversion must demonstrate that utilities and drainage capacities can be accommodated. (ONGOING-ENG-Eng/Planning/Zoning)

TO	Resid. Single Family Unit	Resid. Apt Unit	Resid. Townhouse Unit	1000 SF Res. & Devel.	1000 SF Retail	High School Stud.	Univ. Stud.	1000 SF Day Care	Park Acre	1000 SF Libr.	1000 SF Comm. Center	Util. Acre	Hosp. Bed	Fire Stat.	Hotel Room
FROM															
1 Resid. Single Family Unit	1.00	1.46	1.78	0.30	0.21	0.89	1.58	0.10	0.00	0.07	0.25	0.12	0.29	0.04	0.81
1 Resid. Apartment Unit	0.62	1.00	1.18	0.21	0.13	0.61	1.08	0.06	0.00	0.05	0.17	0.08	0.20	0.03	0.55
1 Resid. Townhouse Unit	0.53	0.82	1.00	0.17	0.11	0.50	0.89	0.05	0.00	0.04	0.14	0.07	0.16	0.02	0.45
1000 SF Research & Develop.	1.88	3.03	3.57	1.00	0.39	2.93	4.03	0.18	0.00	0.14	0.57	0.38	0.63	0.08	1.89
1000 SF Retail	1.36	1.99	2.42	0.41	1.00	1.21	2.14	0.15	0.00	0.35	0.34	0.16	0.39	0.05	1.10
1 High School Student	0.30	0.48	0.56	0.16	0.06	1.00	0.63	0.03	0.00	0.02	0.09	0.09	0.10	0.01	0.30
1 University Student	0.47	0.75	0.89	0.19	0.10	0.56	1.00	0.05	0.00	0.03	0.14	0.07	0.16	0.02	0.47
1000 SF Day Care	9.16	13.41	16.33	2.77	2.14	8.14	14.46	1.00	0.00	0.74	2.29	1.07	2.64	0.34	7.38
1 Park Acre	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.00	0.00	0.00	0.00	0.00	0.00	0.00
1000 SF Library	2.67	3.91	4.76	0.81	1.97	2.37	4.22	0.29	0.00	1.00	0.67	0.31	0.77	0.10	2.15
1000 SF Community Center	3.27	5.28	6.22	1.21	0.68	3.56	6.33	0.32	0.00	0.24	1.00	0.47	1.10	0.14	3.23
1 Utilities Acre	3.41	5.50	6.49	1.82	0.71	7.63	7.32	0.33	0.00	0.25	1.04	1.00	1.15	0.15	3.43
1 Hospital Bed	2.96	4.78	5.64	1.05	0.62	3.08	5.48	0.29	0.00	0.22	0.87	0.40	1.00	0.13	2.80
1 Fire Station	22.73	36.70	43.24	8.09	4.74	23.73	42.17	2.22	0.00	1.66	6.67	3.11	7.67	1.00	21.54
1 Hotel Room	0.99	1.61	1.89	0.38	0.21	1.10	1.96	0.10	0.00	0.07	0.30	0.14	0.34	0.04	1.00

Other Issues

64. a. Within two weeks prior to the opening for traffic of any segment of SR-7 between Persimmon Boulevard and Northlake Boulevard, 24-hour traffic counts shall be conducted at the following locations:
- 1) Northlake Boulevard from Seminole Pratt-Whitney Road to 140 Avenue;
 - 2) Northlake Boulevard from 140 Avenue to Coconut Boulevard;
 - 3) Northlake Boulevard from Coconut Boulevard to SR-7;
 - 4) Northlake Boulevard from SR-7 to Beeline Highway;
 - 5) Northlake Boulevard from Beeline Highway to Jog Road;
 - 6) Northlake Boulevard from Jog Road to Military Trail;
 - 7) Coconut Boulevard from Persimmon Boulevard to 60 Street;
 - 8) Coconut Boulevard from 60 Street to Orange Boulevard; and,
 - 9) Coconut Boulevard from Orange Boulevard to Northlake Boulevard. (ONGOING:ENG-Eng)
- b. Within six months after the opening for traffic of any segments of SR-7 between Persimmon Boulevard and Northlake Boulevard, 24 hour traffic counts shall be conducted at the locations indicated in Condition 64a. At the same time, turning movement counts shall be collected at the following intersections, as applicable, during both the AM and the PM peak hours:
- 1) SR-7 and Okeechobee Boulevard;
 - 2) SR-7 and Northlake Boulevard;
 - 3) SR-7 and Persimmon Boulevard; and,

Traffic counts shall be summarized to determine amount of traffic diversions due to SR-7. These diversions shall be summarized in a peak-hour directional basis. Traffic diversions due to the construction of SR-7 shall be compared with those utilized in the traffic study. (ONGOING:ENG-Eng)

65. On October 13, 2005, 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), Martin County 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 for Palm Beach County Biotechnology Research Park Development of Regional Impact 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)

ENVIRONMENTAL AND NATURAL AREAS

66. If it is determined by Environmental Resources Management (ERM) that any additional representative of a state or federally listed plant or animal species is significantly dependent upon the project site, the property owner shall cease all activities which might negatively affect that individual population and ERM shall notify the U.S. Fish and Wildlife Service and the Florida Game and Fresh Water Fish Commission. The property owner shall satisfy the recommendations of these agencies prior to continuing any development activities. These provisions shall be addressed in any land clearing permit(s) issued by Palm Beach County for the project. (ONGOING:ERM-Erm)
67. If Palm Beach County, in consultation with South Florida Water Management District determines, through the consumptive use permitting process, that the use of reclaimed water has become technically, economically, and environmentally feasible, the property owner shall be required to use reclaimed water, consistent with South Florida Water Management District criteria in effect at the time of permit application. All landscape irrigation systems constructed within the Palm Beach County Biotechnology Research Park are encouraged to be designed to accommodate reclaimed water. (ONGOING:SFWMD-SFWMD)
68. In order to reduce irrigation water demand, xeriscape landscaping shall be implemented throughout the project. At a minimum, sixty (60) percent of all areas requiring landscaping material shall be landscaped with native species drought-tolerant and adapted to soil and climatic conditions existing on site. (ONGOING:SFWMD-SFWMD)
69. The project is encouraged to utilize ultra-low volume water-saving plumbing fixtures, self-closing and/or metered faucets, and other water conserving devices as specified in the Water Conservation Act, Section 553.14, Florida Statutes, to reduce water use for future project development. These devices and methods shall meet the criteria outlined in the water conservation plan of the public water supply permit issued to Palm Beach County Water Utilities Department by the South Florida Water Management District. (ONGOING:SFWMD-SFWMD)

AIR QUALITY

70. Prior to January 1, 2006, the property owner shall meet with the Florida Department of Environmental Protection, Palm Beach County Health Department, and Treasure Coast Regional Planning Council to establish parameters for a Carbon Monoxide Air Quality Analysis. The analysis shall incorporate the methodology of the latest Florida Department of Environmental Protection guidelines and shall address worst-case carbon monoxide concentrations for each phase through build-out. In addition, the analysis shall be limited to consideration of LOS "E" or "F" intersections impacted by 5 percent or more project traffic and surface parking area of 1500 vehicle trips per hour or parking garage of 750 vehicle trips per hour. (DATE: MONITORING-Health)
71. Prior to April 1, 2006, the property owner shall submit a Carbon Monoxide Air Quality Analysis, based upon the agreed methodology, to the Florida Department of Environmental Protection, Palm Beach County Health Department, and Treasure Coast Regional Planning Council for their review approval. The analysis shall demonstrate that the National Ambient Air Quality Standards for Carbon Monoxide will not be violated as a result of this project and if necessary, shall include mitigation measures for which Developer shall be responsible. Remediation for any problems projected by the study shall be undertaken consistent with the Florida Department of Community Affairs Air Quality Uniform Standard Rule 9J-2.046,

Florida Administrative Code. Approval of the study by the Florida Department of Environmental Protection and Council must be obtained before receiving any final site plan approval. (DATE: MONITORING-Health)

HUMAN RESOURCE ISSUES

Housing

72. Prior to the issuance of a building permit for a development that generates more than 1,546 net external AM peak hour entering trips, the property owner/developer shall provide a new analysis of affordable housing demand, supply and need using methodology agreed to by the Department of Community Affairs and Treasure Coast Regional Planning Council. The analysis shall be for phases 2 through 5 of the project or may be done prior to and for each individual phase. The analysis shall be submitted to Palm Beach County (Engineering Department and Planning Division), the Department of Community Affairs and Treasure Coast Regional Planning Council for review and approval. If an affordable housing need is identified, the property owner/developer shall undertake the appropriate remedial actions to mitigate the need consistent with Rule 9J-2.048, Florida Administrative Code. (BLDG PERMIT:MONITORING-Eng/Planning)
73. Prior to undertaking development of Phase 2, the property owner/developer shall provide the following proportions of the total 300 units planned for Phase 1: 10% for very-low and low income households and 10% for moderate income households. Prior to undertaking development of Phase 2 and subsequent phases, the developer shall provide onsite affordable housing opportunities to meet the projected affordable housing demand of the project's very-low, low and moderate income employee households, that are not met by housing available within the housing supply area boundary defined by a 10-mile/20-minute commute, whichever is less, based on an analysis of affordable housing demand, supply and need as referenced in Condition 36, not to exceed 2,250 units onsite throughout the project's build out time frame, not to exceed the following amounts:

100 Very-low income
350 Low Income
1,800 Moderate Income

Rental units shall remain affordable as defined by Palm Beach County's Comprehensive Plan Housing Element for a period of no less than twenty (20) years from the issuance of the Certificate of Occupancy. Owner-occupied housing units shall remain affordable for a period of no less than ten (10) years from the issuance of the Certificate of Occupancy. (BLDG PERMIT:MONITORING-Planning)

74. In each pod with residential units, the required affordable housing units (very low, low and moderate income) shall be distributed equitably throughout the development so there is not a concentration of affordable housing in one area of the pod. (ONGOING:PLANNING-Planning)

Historic and Archaeological Sites

75. In the event of discovery of any archeological artifacts during project construction, the property owner shall stop construction in that area and immediately notify the Bureau of Historic Sites and Properties in the Florida Department of State. In addition, in accordance with Ordinance No. 93-4, Archaeological Site Protection Regulations, and ULDC Article 9, Chapter A, the PZB Executive Director and the Planning Director shall be contacted within one (1) working day of discovering the

artifacts. Proper protection, to the satisfaction of the County and the Bureau, shall be provided by the applicant. (ONGOING:PLANNING-Planning)

USE LIMITATIONS

76. Development on the site shall be limited as follows: research and development uses shall be a minimum of 8,000,000 square feet and a maximum of 8,500,000 square feet; retail uses shall be a minimum of 330,000 square feet and a maximum of 440,000 square feet; utility uses shall be a maximum of 392,040 square feet, not to exceed 20 acres (utility uses includes any building space which may be required to provide utilities, such as potable water, wastewater, electric, telephone, cable television and other utility services); educational uses shall be a minimum of 1,587,762 square feet and a maximum of 2,117,016 square feet, not to exceed 2,500 secondary, elementary, and/or high school students and 2,000 university students; recreation/community facility uses shall be a minimum of 150,000 square feet and a maximum of 487,872 square feet, (recreation/community facility uses could include a range of uses including, but not limited to, community centers, fire stations, sheriff substations, libraries and recreational structures); clinic/hospital uses shall be a maximum of 529,254 square feet, not to exceed 300 beds; and residential uses shall be at least 2,000 dwelling units, and may only exceed 2,000 units through the Transfer of Development Rights (TDR) and/or Workforce Housing programs. (ONGOING:PLANNING-Planning)
77. No administrative time extension shall be allowed. If the Scripps Research Institute does not move forward on the Mecca Site, County staff shall bring to the Board of County Commissioners (BCC) for initiation an amendment to consider returning the property to the Rural Residential, 1 unit per 10 acres (RR-10) designation or another appropriate land use designation. (ONGOING:PLANNING-Planning)