

RESOLUTION NO. R-2006-0517.1

RESOLUTION APPROVING ZONING PETITION DOA2005-304
(CONTROL NO. 1984-130)
DEVELOPMENT ORDER AMENDMENT
APPLICATION OF ATHENA VISTA LTD.
BY JURAN CONSULTING INC, AGENT
(VISTA CENTER DRI PARCELS 21N, M & S)

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, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition DOA2005-304 was presented to the Board of County Commissioners at a public hearing conducted on March 23, 2006; and

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

WHEREAS, this approval is subject to Article 2.E (Compliance with Time Limitations), 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 has considered the findings that the request is not a Substantial Deviation:

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 consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
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. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.

6. This Development Order Amendment meets applicable local land
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development regulations.

7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Development Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.
9. 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.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.
11. This Development Order Amendment with conditions as adopted, will not result in a substantial deviation.

WHEREAS, Article 2.K.3.b 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 Petition DOA2005-304, the petition of Athena Vista Ltd., by Juran Consulting Inc, agent, for a Development Order Amendment to add an access point and make a finding that the request is not a substantial deviation 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 March 23, 2006, subject to the conditions of approval stated herein, as follows:

Commissioner Koons moved for the approval of the Resolution.

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

Tony Masilotti, Chairman	Aye
Addie L. Greene, Vice Chairperson	Aye
Karen T. Marcus	Absent
Jeff Koons	Aye
Warren H. Newell	Absent
Mary McCarty	Aye
Burt Aaronson	Aye

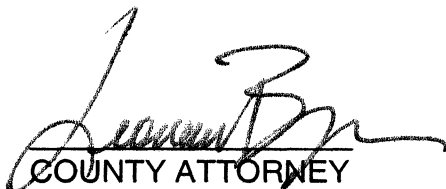
The Chair thereupon declared that the resolution was duly passed and adopted on March 23, 2006.

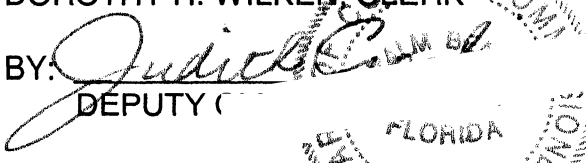
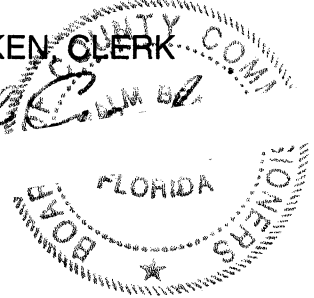
Filed with the Clerk of the Board of County Commissioners on 23rd day of March, 2006.

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

BY: 
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK


Applica^t 2005-304
Con^t 1984-130
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EXHIBIT A

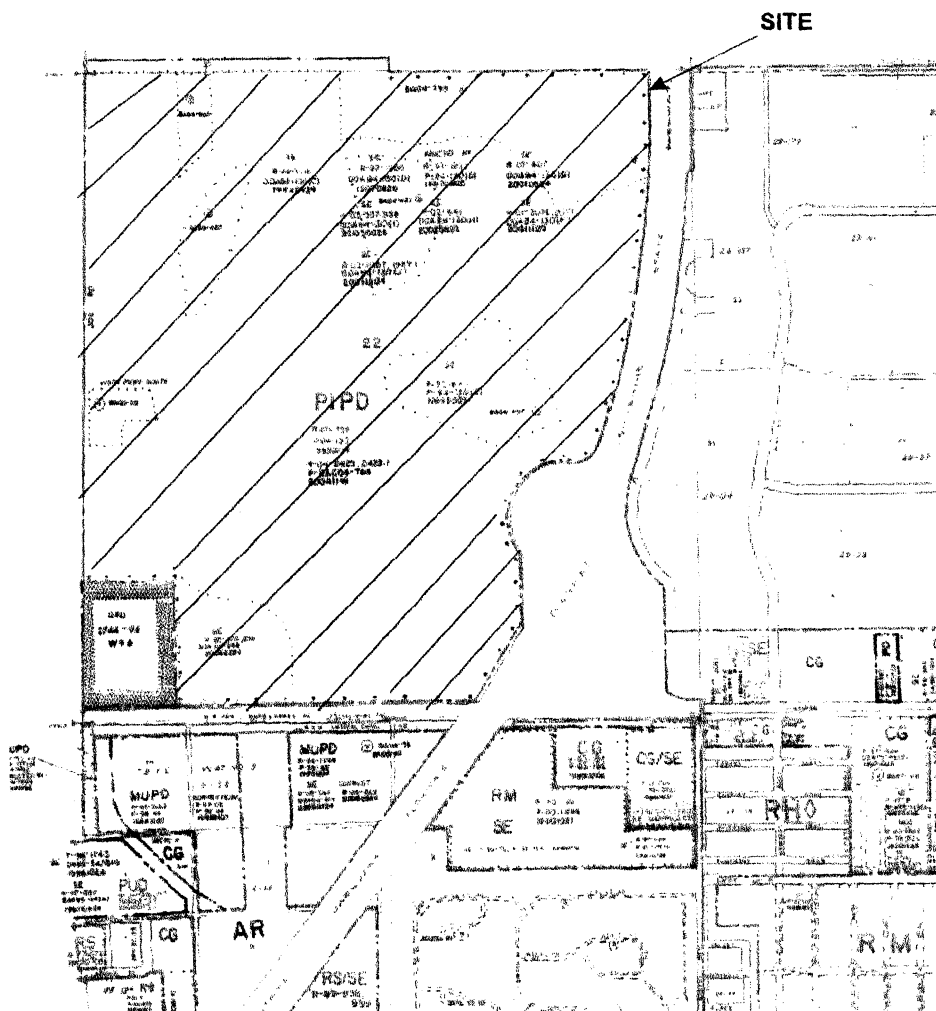
LEGAL DESCRIPTION

The south 100.00 feet less the West 60.00 feet thereof, of the West 2 of Section 15, Township 43 South, Range 42 East, Palm Beach County, Florida, and all that part of Section 22, Township 43 South, Range 42 East, Palm Beach County, Florida, lying West of the Westerly right-of-way line of the Sunshine State Parkway (Florida Turnpike), excepting therefrom the South 170.00 feet thereof, also excepting therefrom the West 60.00 feet thereof and also excepting therefrom the following described parcel: Commencing at the intersection of the said North line of the South 170.00 feet of Section 22 with the East Line of the West 60.00 feet of Section 22, run thence North 3 degrees 27' 29" East, along the said East line of the West 60.00 feet of Section 22, a distance of 980.74 feet to a line parallel with and 1150.01 feet Northerly from, as measured at right angles to, the South line of said Section 22; thence South 88 degrees 45' 24" East along said parallel line, a distance of 749.35 feet; thence South 01 degree 14' 36" West, a distance of 980.01 feet to a point in the North line of the said South 170.00 feet of Section 22; thence North 88 degrees 45' 24" West along said North line of the South 170.00 feet of Section 22, a distance of 787.25 feet to the Point of Beginning; Containing 493.687 acres, more or less.

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EXHIBIT B
VICINITY SKETCH

PALM BEACH COUNTY ZONING QUAD/VICINITY SKETCH



Application No. 2005-304
Zoning Quad 31
Date March 2, 2006



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NOTE: All previous conditions of approval are shown in **BOLD** and will be carried forward with this petition unless expressly modified.

SECTION I. PREVIOUS RESOLUTIONS CONSOLIDATED; ORIGINAL APPROVAL DATE AND CONDITIONS OF APPROVAL RATIFIED.

1. **The following Resolutions relating to this development are hereby consolidated:**
 - a. **Resolution R-89-847, Zoning Petition 84-130(A), adopted by the Board of County Commissioners on May 9, 1989, confirming action taken on July 28, 1988, entitled "RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA: ADOPTING A REVISED DEVELOPMENT ORDER FOR VISTA CENTER PLANNED INDUSTRIAL PARK DISTRICT, A DEVELOPMENT OF REGIONAL IMPACT; REPEALING PREVIOUS RESOLUTIONS AND RATIFYING PREVIOUS WHEREAS CLAUSES, FINDINGS OF FACT, ETC; ESTABLISHING AN OFFICIAL APPROVAL DATE; SPECIFYING CONDITIONS OF APPROVAL; PROVIDING FOR AN ANNUAL REPORT; PROVIDING FOR TRANSMITTAL OF COPIES OF THIS RESOLUTION; AND PROVIDING FOR SEVERABILITY"; and (Previous Condition 1.a of Section I of Resolution R-2004-2425, Application EAC2004-744.)**
 - b. **Resolution R-92-695, Zoning Petition 84-130(B), adopted by the Board of County Commissioners on May 12, 1992, confirming action taken on February 27, 1992, entitled "RESOLUTION APPROVING ZONING PETITION NO. 84-130(B) SUBSTANTIAL DEVIATION DETERMINATION AND SPECIAL EXCEPTION PETITION OF PALM BEACH COMMERCE CENTER, ASSOC. LTD." (Previous Condition 1.b of Section I of Resolution R-2004-2425, Application EAC2004-744.)**
 - c. **Resolution R-94-1318, Zoning Petition DOA84-130(C), adopted by the Board of County Commissioners on September 29, 1994, confirming action taken on September 29, 1994, entitled RESOLUTION APPROVING ZONING PETITION DOA84-130(C) SUBSTANTIAL DEVIATION DETERMINATION DEVELOPMENT ORDER AMENDMENT PETITION OF PALM BEACH COMMERCE CENTER, ASSOCIATION, LTD.@ (Previous Condition 1.c of Section I of Resolution R-2004-2425, Application EAC2004-744.)**
 - d. **Resolution R-97-1086, Zoning Petition DOA84-130(D), adopted by the Board of County Commissioners on August 28, 1997, confirming action taken on August 28, 1997, entitled A RESOLUTION APPROVING ZONING PETITION DOA84-130(D) DEVELOPMENT ORDER AMENDMENT PETITION OF PALM BEACH COMMERCE CENTER, ASSOCIATION, LTD.@ (Previous Condition 1.d of Section I of Resolution R-2004-2425, Application EAC2004-744.)**
 - e. **Resolution R-97-1299, Zoning Petition DOA84-130(D), adopted by the Board of County Commissioners on September 25, 1997, confirming action taken on September 25, 1997, entitled A**

RESOLUTION AMENDING RESOLUTION R-97-1086 RESOLUTION APPROVING ZONING PETITION OF PALM BEACH COMMERCE CENTER, ASSOCIATION, LTD". PETITION 84-130(D) (Previous Condition 1.e of Section I of Resolution R-2004-2425, Application EAC2004-744.)

- f. **Resolution R-2001-0807, Zoning Petition DOA1984-130(G), adopted by the Board of County Commissioners May 24, 2001, entitled "RESOLUTION APPROVING ZONING PETITION DOA1984-130(G) DEVELOPMENT ORDER AMENDMENT PETITION OF PALM BEACH COMMERCE CENTER, ASSOCIATION, LTD"** (Previous Condition 1.f of Section I of Resolution R-2004-2425, Application EAC2004-744.)
 - g. **Resolution R-2001-2076 and R-2001-2077, Zoning Petition DOA1984-130(F), adopted by the Board of County Commissioners, on November 29, 2001, entitled "RESOLUTION APPROVING ZONING PETITION DOA1984-130(F) DEVELOPMENT ORDER AMENDMENT PETITION OF PALM BEACH COMMERCE CENTER, ASSOCIATION, LTD"** . (Previous Condition 1.g of Section I of Resolution R-2004-2425, Application EAC2004-744.)
 - h. **All conditions of approval contained in Resolution R-2002-0842, Petition 1984-130(H) are hereby revoked, and all previous conditions under Resolution R-2003-0987 Zoning Petition DOA1984-130(I) are hereby consolidated. The approved DRI Master Plan is dated September 9, 2003. (ONGOING: MONITORING - Zoning)** (Previous Condition 1.h of Section I of Resolution R-2004-2425, Application EAC2004-744.)
2. **The purpose of this action is to consolidate the various resolutions relating to this development into one Development Order which can be more easily administered. This consolidation will eliminate scrivener's errors and minimize confusion over the terms of the conditions of the original development approval. Unless otherwise provided in this resolution, no substantial changes are made in the conditions of approval currently in force. Except as provided by Zoning Petition 84-130(C), this consolidation of resolutions is not intended to and shall not constitute an amendment of the development's original date of approval. Consolidation shall not affect the substantive requirements of any condition or prior action, including dates for performance and repeal of earlier resolutions. The original whereas clauses, findings of fact and conclusions of law, approval date, and conditions of approval are hereby ratified and shall remain in effect as if restated in this Resolution in their entirety.** (Previous Condition 2 of Section I of Resolution R-2004-2425, Application EAC2004-744.)
 3. **This Resolution shall constitute the Development Order for the Vista Center Development of Regional Impact.** (Previous Condition 3 of Section I of Resolution R-2004-2425, Application EAC2004-744.)

SECTION II. LEGAL DESCRIPTION OF PARCEL OF LAND SUBJECT TO DEVELOPMENT ORDER.

1. **The legal description of the parcel of land to which this Resolution applies is found in Exhibit A, which is attached hereto and made a part**

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hereof, and located as shown on a vicinity sketch attached hereto as **EXHIBIT B** and made a part hereof. (Previous Section II of Resolution R-2004-2425, Application EAC2004-744.)

SECTION III. DEVELOPMENT'S OFFICIAL APPROVAL DATE.

1. **The official approval date for this development shall remain July 23, 1985.** (Previous Section III of Resolution R-2004-2425, Application EAC2004-744.)

SECTION IV. CONDITIONS OF APPROVAL

1. **INCORPORATION BY REFERENCE:** the Gould Science and Technology Campus Application for Development Approval is incorporated herein by reference and relied upon by the parties discharging their statutory duties under Chapter 380, Florida Statutes. Substantial compliance with the representations contained in the Application for Development Approval is a condition for approval unless waived or modified by agreement among the parties, as defined in subsection 380.07 (2), Florida Statutes. For the purpose of this condition, the application for Development Approval (ADA) shall include the following items:
 - a. **ADA submitted April 6, 1984 as amended; and revised August 7, 2001.**
 - b. **Response to Informational Sufficiency Report submitted May 17, 1984.**
 - c. **A revised buildout date of November 29, 2011, for all phases.** (ONGOING:MONITORING-Zoning/Cty Atty) (Previous Condition 1 of Section IV of Resolution R-2004-2425, Application EAC2004-744.)
2. **COMMENCEMENT OF DEVELOPMENT:** In the event the developer fails to commence significant physical development within three (3) years from the effective date of the Development Order, development approval shall terminate and the development shall be subject to further consideration pursuant to Section 380.06, Florida Statutes. Significant physical development shall mean site preparation work for any portion of the project. (ONGOING:MONITORING-Zoning) (Previous Condition 2 of Section IV of Resolution R-2004-2425, Application EAC2004-744.) [COMPLETED].
3. **HISTORIC AND ARCHEOLOGICAL SITES:** In the event of discovery of any archeological artifacts during project construction, the applicant 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 Section 7.13.2.b., the PBC 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) (Previous Condition 3 of Section I of Resolution R-2004-2425, Application EAC2004-744.)
4. **HABITAT, VEGETATION AND WILDLIFE:**
 - a. **In the event that it is determined that any representative of a plant or animal species designated as endangered or threatened**

on Federal, State of Florida, or Florida Committee on Rare and Endangered Plants and Animal lists is resident on, or otherwise is significantly dependent upon the Gould Science and Technology Campus property, the developer shall cease all activities which might negatively affect that individual or population and immediately notify both the Florida Game and Freshwater Fish Commission and the U.S. Fish and Wildlife Service. Proper protection, to the satisfaction of both agencies, shall be provided by the developer. (ONGOING:ERM-Erm) (Previous Condition 4.a of Section IV of Resolution R-2004-2425, Application EAC2004-744.)

5. **DRAINAGE AND HAZARDOUS WASTE:**

- a. For water quality enhancement purposes, the developer shall design and construct the surface water management system to detain the runoff from a one-hour, three-year storm event. Further, the system shall incorporate filtering or skimming devices such as grease traps, baffles, and skimmers to remove pollutants from parking lots, roads, and other impervious surfaces. Special attention should be given in the final drainage design to assure that existing water tables will not be lowered off-site. (ONGOING:ENG-Eng) (Previous Condition 5 of Section IV of Resolution R-2004-2425, Application EAC2004-744.)

6. **WASTEWATER:** Generation and disposal of hazardous effluents into the sanitation sewer system shall be prohibited unless adequate pretreatment facilities, approved by the Florida Department of Environmental Regulation and the agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents. (ONGOING:ERM-Erm) (Previous Condition 6 of Section IV of Resolution R-2004-2425, Application EAC2004-744.)

7. **ENERGY:** In the final site plans, the developer shall incorporate those energy conservation measures identified on pages 25-4 of the Gould Science and Technology Campus Application for Development Approval and, to the extent feasible, measures identified in the Treasure Coast Regional Planning Council's Regional Energy Plan. (ONGOING:ERM-Erm) (Previous Condition 7 of Section IV of Resolution R-2004-2425, Application EAC2004-744.)

8. **TRANSPORTATION AND MAJOR ROAD IMPROVEMENTS:**

PHASE I OF PROJECT

- a. The Developer shall not receive building permits for buildings (excluding temporary structures associated with construction and site related work) in Phase I (as defined in the Application for Development Approval Page 31-9) of the project until such time as the Developer has assured funding by cash, bond, or irrevocable letter of credit for the design and construction of the following improvements:

- 1) Two additional lanes to the existing segment of Okeechobee Boulevard from the west side of the intersection with Golden Lakes Boulevard east to the existing four-lane section of Okeechobee Boulevard east of the Florida Turnpike as identified in the construction

plans which received technical approval from the Florida Department of Transportation in approximately May 1988 and as specified in the Tri-Party Agreement between the Developer, Palm Beach County, and the Florida Department of Transportation; and [COMPLETED]

- 2) A new three-lane bridge over the Florida Turnpike on Okeechobee Boulevard. The construction in (a) (1) and (2) above shall be designed and constructed in contemplation of a future eight-lane section. The Developer shall provide construction plans for said road improvements to the Florida Department of Transportation (DOT) and to the South Florida Water Management District (SFWMD) for their review. Construction of (a) (1) and (2) improvements shall be completed within 18 months from the date of issuance of the construction permit by DOT. Furthermore, construction of buildings undertaken pursuant to any building permits issued (excluding those for temporary structures associated with construction, and site related work) under this provision shall be limited to footings and foundations until such time as construction has commenced on the improvements specified in (a) (1) and (2) above. The Developer shall award the contract(s) for construction of said improvements by July 15, 1988. (DATE:ENG-Eng) (Previous Condition 8.a of Section IV of Resolution R-2004-2425, Application EAC2004-744.) [COMPLETED]

- b. By the completion of construction in Phase I of the project (or of construction generating an equivalent number of vehicle trips per day), the Developer shall have completed the construction of a two-lane section of Jog Road running north along the west side of the project from Okeechobee Boulevard to the north property line of the project to Palm Beach County Thoroughfare Plan standards including the ultimate drainage for a multiple lane road. Developer shall complete construction of this two-lane section of Jog Road within 15 months from the date of issuance of a construction permit for the Jog Road Construction by the County. This construction shall commence by September 1990 and be completed in no case later than July 1991. (DATE:ENG-Eng) (Previous Condition 8.b of Section IV of Resolution R-2004-2425, Application EAC2004-744.) [COMPLETED]

PHASE II OF PROJECT

- c. The developer shall not receive building permits for buildings (excluding temporary structures associated with construction and site related work) for Phase II of the project until the following have occurred:

A Contract (or Contracts) for the commencement of construction of an eight-lane section of roadway on Okeechobee Boulevard from the Florida Turnpike to Palm Beach Lakes Boulevard has been awarded. To expedite this construction, the developer shall provide all necessary funds toward the purchase of the right-of-way necessary to 6-lane Okeechobee Boulevard between Haverhill Road and the Florida Turnpike. This shall include all studies, appraisals, court costs, etc. This amount shall not be less than \$800,000. Palm Beach County shall contribute road

impact fees to the Florida Department of Transportation toward this right-of-way acquisition. These impact fee funds shall be (\$196,000). Developer funds shall be made available when requested by Florida Department of Transportation. The developer shall also provide the right-of-way map and all associated documents required for the taking of this right-of-way. Florida Department of Transportation shall acquire this right-of-way. (BLDG PERMIT:ENG-Eng) (Previous Condition 8.c of Section IV of Resolution R-2004-2425, Application EAC2004-744.) [COMPLETED]

- d. The property owner shall make available to Palm Beach County he mount of \$648,482 which is the residual amount from the \$1,000,000 funding for road improvements. These funds shall be paid as follows:
- 1) \$324,241 shall be paid prior to August 1, 2001.
 - 2) The remaining \$324,241 shall be paid prior to July 1, 2002, plus interest payment at the rate of 3% per year on the total unpaid balance of \$648,482 which shall be calculated from the date of May 12, 1993. (DATE: MONITORING - Eng) [COMPLETED].

In addition the Property owner shall contribute an additional amount of \$200,000 funding for road improvements. These funds shall be paid prior to October 31, 2001. (DATE: MONITORING - Eng) (Previous Condition 8.d of Section IV of Resolution R-2004-2425, Application EAC2004-744.)

- e. Developer and the County shall make good faith efforts to achieve the agreements and improvements specified under subsections (c) and (d) above. (ONGOING:ENG-Eng) (Previous Condition 8.e of Section IV of Resolution R-2004-2425, Application EAC2004-744.)
- f. The County shall make application in 1984 to the Florida Department of Commerce for a grant of funds to help meet the costs of the road improvements required by this section. Developer shall assist and support the County applying for and obtaining said funds. If such a grant is received, it shall be applied to the cost of the right-of-way acquisition described under subsection (c) above, or to the improvements described under subsection (a) above. These monies shall be used prior to Palm Beach County impact funds being used. (ENG/IMPACT FEE COORD-Eng) (Previous Condition 8.f of Section IV of Resolution R-2004-2425, Application EAC2004-744.) [COMPLETED].
- g. The following strategies shall be implemented and shall be coordinated with the County Engineer and shall include but not be limited to:
1. facilitation of mass transit usage through
 - provision of bus stop signs
 - distribution of bus schedules
 - coordination with PALMTRAN and other mass transit services within the business in the park
 2. encourage staggered work hours on the employers and their employees within the Park under the authority of protective covenants;

3. **coordination with South Florida Commuter Services to facilitate a education in the number of vehicle trips by employees at Vista Center. (ENG/PALM TRAM-Eng) (Previous Condition 8.g of Section IV of Resolution R-2004-2425, Application EAC2004-744.) [ONGOING]**
9. **TRANSPORTATION; SITE RELATED ROAD IMPROVEMENTS: The following site related road improvements shall be undertaken as specified below:**
- a. **The Developer shall convey to Palm Beach County, within ninety (90) days of adoption of the PIPD Rezoning Resolution by the Board of County Commissioners, the ultimate right-of-way for:**
 - 1) **Okeechobee Boulevard, 200 feet north of the north right-of-way line of the Lake Worth Drainage District L-1 Canal through the project's limits (approximately an additional eighty-two (82) feet. [COMPLETED]**
 - 2) **Jog Road, sixty (60) feet through the project's limits. [COMPLETED]**
 - 3) **The "Special Intersections" as shown on the Thoroughfare Right-of-Way Protection Map. [COMPLETED]**
 - a) **Sixty-four (64) feet from centerline for Jog Road. COMPLETED]**
 - b) **The necessary right-of-way for the Okeechobee Overpass over the Florida Turnpike. (DATE:ENG-Eng) (Previous Condition 9.a of Section IV of Resolution R-2004-2425, Application EAC2004-744.) [COMPLETED]**
 - b. **The Developer shall complete, within twelve (12) months of the approval date by the Board of County Commissioners, the engineering plans for a three-lane bridge on Okeechobee Boulevard over the Florida Turnpike. Surety is to be submitted to the County Engineer for the design cost within ninety (90) days from the date of special exception approval. (DATE:ENG-Eng) (Previous Condition 9.b of Section IV of Resolution R-2004-2425, Application EAC2004-744.) [COMPLETED]**
 - c. **The developer shall ensure that access for the entire site onto Okeechobee Boulevard shall be limited to three street connections into the site from Okeechobee Boulevard. The requested eastern access shall be limited to right turn movement only. (ONGOING:ENG-Eng) (Previous Condition 9.c of Section IV of Resolution R-2004-2425, Application EAC2004-744.) [ONGOING]**
 - d. **The Developer shall construct, concurrent with the construction of the project's entrance road at its intersection with Okeechobee Boulevard:**
 - 1) **Right turn lane, east approach; [COMPLETED]**
 - 2) **Right turn lane, north approach; [COMPLETED]**
 - 3) **Dual left turn lanes, north approach; [COMPLETED]**
 - 4) **Dual left turn lanes, west approach; and[COMPLETED]**
 - 5) **Signalization when warranted, as determined by the**

County Engineer. (ONGOING:ENG-Eng) (Previous Condition 9.e of Section IV of Resolution R-2004-2425, Application EAC2004-744.)

e. The Developer shall construct, concurrent with the construction of Jog Road onto Okeechobee Boulevard:

- 1) **Right turn lane, north approach;**
- 2) **Dual left turn lanes, north approach;**
- 3) **Dual left turn lanes, west approach;**
- 4) **Right turn lane, east approach; and**
- 5) **Signalization when warranted, as determined by the County Engineer.** (ONGOING:ENG-Eng) (Previous Condition 9.f of Section IV of Resolution R-2004-2425, Application EAC2004-744.) [COMPLETED]

f. The Developer shall construct, concurrent with the construction of Jog Road at the project's entrance road:

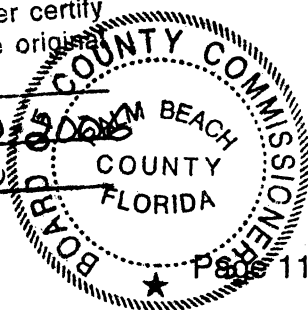
- 1) **Right turn lane, south approach;**
- 2) **Left turn lane, north approach; [COMPLETED]**
- 3) **Right turn lane, east approach; [COMPLETED]**
- 4) **Left turn lane, east approach; and [COMPLETED]**
- 5) **Signalization when warranted, as determined by the County Engineer.** (ENG-Eng) (Previous Condition 9.g of Section IV of Resolution R-2004-2425, Application EAC2004-744.)

10. **BEST MANAGEMENT PRACTICES FOR WATER QUALITY: The Developer shall adhere to Best Management Practices (BMP) to enhance water quality incorporated into the surface water management system as per South Florida Water Management District's (SFWMD) requirements.** (ONGOING:ERM/ENG/HEALTH-Eng) (Previous Condition 10 of Section IV of Resolution R-2004-2425, Application EAC2004-744.)
11. **POLLUTION OF SURFACE WATERS: Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.** (ONGOING:HEALTH-Health) (Previous Condition 11 of Section IV of Resolution R-2004-2425, Application EAC2004-744.)
12. **OPEN BURNING: Burning due to land clearing operations shall not be conducted during periods when the surface wind is from the western quadrant.** (ONGOING:HEALTH-Health) (Previous Condition 12 of Section IV of Resolution R-2004-2425, Application EAC2004-744.)
13. **STATUS OF HEALTH DEPARTMENT: All references to environmental regulatory agencies shall include Palm Beach County Health Department.** (ONGOING:HEALTH-Health) (Previous Condition 13 of Section IV of Resolution R-2004-2425, Application EAC2004-744.)

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, SHARON R. BOCK, Clerk & Comptroller certify
this to be a true and correct copy of the original
filed in my office on MAR 23 2006

dated at West Palm Beach, FL on 4-20-2006

By: Judith Croshaw
Deputy Clerk



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