

PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY

Meeting Date: December 21, 2021 (X) Consent ( ) Regular  
( ) Workshop ( ) Public Hearing

Department: Environmental Resources Management

I. EXECUTIVE BRIEF

**Motion and Title: Staff recommends motion to approve:** a release and replacement of a conservation easement "Preserve #14," where the northern 1.1942 acre portion of the current 1.916 acres under conservation easement will be relocated and replaced with 1.2286 acres immediately adjacent and to the south of the current conservation easement for "Preserve #14," recorded in Official Records Book 24145, Page 660 within the Palm Beach Park of Commerce Planned Industrial Park (Park).

**Summary:** In 2010, in accordance with Resolution No. R2005-1419.1, the Park of Commerce was required to preserve a total of 31.90 acres as preserve area. A Conservation Easement over a 1.916 acre area known as Preserve #14 was established. On February 27, 2020, the Board of County Commissioners (BCC) approved Resolution Nos. R2020-0180 and 0181 in order to reconfigure the Master Plan to redesignate pods from commercial to industrial, and amend/delete conditions and the approval of a Type 2 Waiver to eliminate the requirement for a wall in a Type 3 buffer along Beeline Highway. The property owner has requested that a 1.1942 acre portion of Preserve #14 be relocated adjacent to Preserve #14 to provide a right-of-way connection to an internal roadway, Park of Commerce Blvd. The remainder of the original Conservation Easement for Preserve #14 will remain in place, and the relocated portion of Preserve #14 will now consist of 1.2286 acres. Overall, Preserve #14 will increase from 1.916 acres to 1.950 acres. The change in preserve location and added area fulfills the preserve criteria for the Park and is compliant with ULDC, Article 14, Chapter C, Vegetation Preservation and Protection, Section 7.B.4. The new preserve area is more environmentally advantageous because it is comprised of a more mature tree canopy, has a greater diversity of understory species, creates contiguous preserve area, and provides a buffer between development and environmentally sensitive lands. The proposed Conservation Easement provides language that releases and replaces a portion of the original easement and ensures that the new location is subject to the same land use restrictions as the original location. District 1 (SS)

**Background and Justification:** On August 17, 2005, the BCC adopted Resolution No. R2005-1419.1 that required a total preserve area dedication for the Park of 31.90 acres that includes the 1.916 acre preserve known as Preserve #14. ULDC, Article 14, Chapter C, Vegetation Preservation and Protection, Section 7.B.4 allows an applicant to propose relocating a preserve under dedication if it does not create multiple preserves that are smaller in size than the original preserve. The Preserve #14 Proposed Relocation Analysis concluded that the proposed preserve relocation creates a slightly larger Preserve #14 that contains higher quality upland vegetation, more usage by wildlife, and better ecological benefits than the current location of the proposed right-of-way connection to Park of Commerce Boulevard. The Park of Commerce Proposed Preserve Relocation Aerial Map provides the new preserve location within the Park. Staff is recommending approval of the new Conservation Easement.

**Attachments:**

1. Preserve #14 Proposed Relocation Analysis
2. One proposed Conservation Easement
3. Resolution No. R2005-1419.1 and Resolution Nos. R2020-0180 and 0181
4. Park of Commerce Proposed Preserve Relocation Aerial Map

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Recommended by:  11-24-2021 SAS 11/16/21  
Department Director Date

Approved by:  12/13/21  
Assistant County Administrator Date

