

**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**

Application No.: ABN/PDD/R-2013-00499
Application Name: Highland Dunes PUD
Control No.: 2005-00394
Applicant: PBA Holdings Inc - Enrique Tomeu
Owners: Palm Beach Aggregates Inc
Agent: Urban Design Kilday Studios - Kieran J Kilday
Telephone No.: (561) 366-1100
Project Manager: Carrie Rechenmacher, Senior Site Planner

TITLE: a Development Order Abandonment **REQUEST:** to abandon a Class A Conditional Use for a Bona Fide Agricultural Use approved under Resolution R-2008-1146 **TITLE:** an Official Zoning Map Amendment to a Planned Development District **REQUEST:** to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.

APPLICATION SUMMARY: Proposed is the rezoning of a 1,209.96-acre site from the Residential Transitional (RT) Zoning District to a Planned Unit Development (PUD) Zoning District to allow for the development of 2,000 dwelling units at a gross density of 1.65 units per acre. The site was last approved by the Board of County Commissioners (BCC) on June 30, 2008 to rezone the site from the PUD Zoning District to the RT Zoning District and a Class A Conditional Use to allow Bona Fide Agricultural in the RT Zoning District through Resolution R-2008-1146, which will be abandoned with this request.

The Preliminary Master Plan indicates 1,209.96 acres of development area which includes 1,252 Single Family Units; 628 Zero Lot Line Units; 120 Townhouse Units, which are designated as Workforce Housing; a 5.68-acre Commercial Pod to allow a maximum of 50,000 square feet of commercial or retail uses; a 24.22-acre Public Civic Pod which includes a 20-acre Park and 50,000 square feet of Offices for Government Services; and, a 15.66-Civic Pod to allow a 970-student Public Elementary School. Also proposed is 516.37 acres of open space which includes 96.51 acres of Lake Management tracts, 17.71 acres of Public Trails, and 13.61 acres of Private Recreation area. Two access points to the development will be from Southern Boulevard to the south, one access to the future extension of Okeechobee Boulevard to the north, and one cross access to a future development to the east from Via Arezzo.

SITE DATA:

Location:	Approximately 2.5 miles west of Seminole Pratt Whitney Road on the north side of Southern Boulevard (Highland Dunes PUD)
Property Control Number(s)	00-40-43-21-00-000-5000; 00-40-43-22-00-000-7000 00-40-43-27-00-000-3000; 00-40-43-28-00-000-9000 00-40-43-33-00-000-1000; 00-40-43-34-00-000-3000
Existing Land Use Designation:	Low Residential (LR-2)
Proposed Land Use Designation:	No change proposed
Existing Zoning District:	Residential Transitional (RT)
Proposed Zoning District:	PUD
Acreage:	1,209.96 acres
Tier:	No Tier- Limited Urban Service Area
Overlay District:	Glades Area Protection Overlay (GAPO)
Neighborhood Plan:	NA
CCRT Area:	NA
Municipalities within 1 Mile	Wellington
Future Annexation Area	NA

RECOMMENDATION: Staff recommends approval subject to 42 Conditions of Approval as indicated in Exhibit C.

ACTION BY THE ZONING COMMISSION: At the September 16 ZC hearing, this application was on the consent agenda. No one from the public was present to speak on the application. The Requested Use for a Public Elementary School was withdrawn as the use does not require approval by the Board of County Commissioners. The Zoning Commission recommended approval, as amended, by a vote of 7-0.

PUBLIC COMMENT SUMMARY: At the time of publication, staff had received 2 phone calls from the public asking additional information on the request.

PROJECT HISTORY:

Application No.	Resolution	Request	Approval Date
89-00052	R-89-2225	Special Exception to permit excavation and the removal of muck, sand, rock, shell, soil or other extractive materials (mining of shell rock)	June 29, 1989
89-00052	R- 90-1568	Corrective of R-89-2225 for Special Exception to permit excavation and the removal of muck, sand, shell rock	September 11, 1990
89-00052	R- 97-248	Class A Conditional Use of a Type III B Excavation in the Special Agricultural District and to modify/delete Engineering Conditions of Approval	January 30, 1997
89-00052	R- 00-0419	Development Order Amendment to modify/delete Engineering Conditions of Approval in Resolution R-97-0248	July 27, 2000
89-00052	R-00-1235	Development Order Amendment to modify/delete Hours of Operation, and Lighting Conditions of Approval in Resolution R-97-0248	August 24, 2000
89-00052	R- 97-248	Class A Conditional Use of a Type III B Excavation in the Special Agricultural District and to modify/delete Engineering Conditions of Approval	January 30, 1997
89-00052	R- 02-0496	Status Report to amend Maintenance and Monitoring Conditions of Approval in Resolution R-2002-0009	April 04, 2002
89-00052	R- 02-1472	A Development Order Amendment to add land area, expand excavation and reconfigure phasing	August 22, 2002
89-00052	R- 03-0324	Development Order Amendment Expedited Application Consideration to modify/delete Engineering Conditions of Approval	February 27, 2003
89-00052	R-04-0401	Development Order Amendment Expedited Application Consideration to modify/delete Engineering Conditions of Approval	February 26, 2004
LGA 2004-0047	Ordinance 2004-066	Changed the Future Land Use from Rural Residential, 1 unit per 10 acres (RR10) to Low Residential, 2 units per acre (LR-2)	December 13, 2004
05-00394	06-0028	Official Zoning Map Amendment from the Specialized Agricultural Zoning District to the Residential Planned Unit Development District	January 05, 2006
05-00394	06-0029	Requested Use to allow a secondary or Elementary School in the PUD Zoning District	January 05, 2006
05-00394	06-0030	Waiver to allow deviation from cul-de-sac and dead-end restrictions in a PUD	January 05, 2006
05-00394	08-1144	Revoke Requested Use granted under Resolution R-2006-029 and the Waiver of Objectives and standards granted under Resolution R-2006-030	June 30, 2008
05-00394	08-1145	Rezoning from the Residential Planned Unit Development Zoning District to the Residential Transitional Zoning District	June 30, 2008
05-00394	08-1146	Class A Conditional Use to allow Bona Fide Agricultural in the Residential Transitional Zoning District	June 30, 2008

SURROUNDING LAND USES:

BCC
 Application No. ABN/PDD/R-2013-00499
 Control No. 2005-00394
 Project No. 05168-000

September 26, 2013
 BCC District 6

NORTH:

FLU Designation: Rural Residential (RR-5)

Zoning District: Agricultural Residential District (AR) Supporting: Residential – Single Family Residential (Deer Run)

SOUTH:

FLU Designation: Conservation (CON)

Zoning District: Preservation/Conservation District (PC)

Supporting: Conservation

EAST:

FLU Designation: Rural Residential (RR-10)

Zoning District: Agricultural Residential District (AR) Supporting: Agriculture

WEST:

FLU Designation: Rural Residential (RR-10)

Zoning District: Special Agricultural District (SA)

Supporting: Excavation, FPL Power Plant and SFWMD Reservoirs (Palm Beach Aggregates Control No. 1989-00052)

FINDINGS:

Rezoning Standards:

When considering a Development Order application for an Official Zoning Map Amendment to a Standard Zoning District or a rezoning to a PDD or TDD, the BCC and ZC shall consider Standards 1-7 listed under Article 2.B.1.B of the ULDC. The Standards and Staff Analyses are indicated below. An Amendment, which fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved.

1. **Consistency with the Plan** - *The proposed amendment is consistent with the Plan.*

The Planning Division has reviewed the request has determined the request is consistent with the LR-2 future land use designation and the GAPO. The site was subject to the following previous land use amendment with conditions.

Previous Land Use Amendment

The site was the subject of a previous Large Scale Land Use Amendment known as LGA 2004-047 Palm Beach Aggregates II that was approved via Ordinance 2004-066. The request amended the land use from Rural Residential 10 units/acre (RR-10) to LR-2 with 6 Conditions of Approval that read as follows:

1. The subject site shall be limited to a maximum of 2,000 dwelling units and a minimum of 30,000 square feet and a maximum of 50,000 square feet of PUD-Commercial.
2. Prior to Final DRO Master Plan approval, the applicant shall abandon all previous zoning approvals and mining permits on the subject site. [Complete: see Zoning Resolution R-2006-027]
3. Prior to Public Hearing DRO Certification, the applicant shall reserve right-of-way for potential connections to Okeechobee Blvd. on the north and shall provide interconnectivity to the adjacent site to the east if developed with an employment center. [Complete: see PMP-1 and PMP-3]
4. Prior to adoption of this site specific amendment and consistent with the purpose of the Glades Area Protection Overlay (GAPO), the applicant shall provide the County Attorney an executed restrictive covenant, approved by the County Attorney, which shall be recorded in the public records subsequent to the adoption of this site specific amendment, limiting the use of the property owned by

the applicant or affiliated entities within the area covered by the GAPO to uses already approved by the County as listed in the application and in LU Policy 2.10-b of the GAPO. No development orders will be certified until after this restrictive covenant is recorded. [Complete:ORB17900 PG257-270]

5. Prior to adoption of this site specific amendment the applicant shall provide the County Attorney an executed restrictive covenants, approved by the County Attorney, which shall be recorded in the public records subsequent to the adoption of this site specific amendment, prohibiting the property owned by the applicant or affiliated entities within the area covered by the GAPO from voluntarily annexing into a municipality, signing annexation petitions or otherwise consenting to annexation. No development orders will be certified until after this restrictive covenant is recorded. [Complete: ORB17900 PG 257-270]

6. Prior to Public Hearing DRO Certification, the applicant shall provide and indicate on the master plan a 50 foot wide open space trail corridor for the entire northern and western boundaries of the property that can link to the planned CWC Sector Plan integrated trail network. In addition, a PUD buffer shall be required to utilize the Rural Tier ULDC landscape buffer requirements for compatibility purposes. [Complete: see PMP-1]

The request is generally consistent with the conditions of the land use amendment. The request is for 2,000 units and meets the commercial requirement; future Okeechobee Boulevard is shown; all Restrictive Covenants have been recorded and the Open Space trail corridor has been provided and is shown.

Density and Workforce Housing Program (WHP)

The applicant is requesting a total of 2,000 units, which is equal to the maximum density permitted by condition 1 of the 2004 FLUA amendment. The site is obligated to provide 120 WHP units because it is located within the Limited Urban Service Area. Density and WHP calculation are as follows:

Standard Units 1,814 x %5 = 90.70 WHP obligation
PUD units 186 x 16% = 29.76 WHP obligation
2,000 Total units 120.46 WHP obligation

Housing Element Policy 1.5-g.4. states, "Workforce units built onsite can be clustered or integrated within the development." The applicant has chosen to cluster the WHP obligation within Pod K.

SPECIAL OVERLAY DISTRICT/NEIGHBORHOOD PLAN/PLANNING STUDY AREA: The request is located within the Glades Area Protection Overlay. The subject site is specifically identified by FLUE Policy 1.8-b.b., as being limited to the LR-2 Land Use designation, as well as by FLUE Policy 1.8-c as being a Limited Urban Service Area.

Policy 1.8-b.b. states, East of the L-8 Canal: Future Land Use Designation: Low Residential 2 (LR-2) and related complementary uses as approved by the Board of County Commissioners.

Policy 1.8-c: The area within the Overlay located east of the SFWMD L-8 Canal shall be designated as a Limited Urban Service Area (LUSA) based on the area meeting the criteria for a LUSA designation in FLUE Objective 3.3. The boundaries of the LUSA shall be depicted in the "Service Areas Map" contained in the Comprehensive Plan Map Series.

2. **Consistency with the Code** - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The proposed PUD meets and exceeds the requirements of Article 3, Chapter E, Section 2 of the ULDC. The proposed PUD exceeds the required minimum land area of 12 acres and is limited to the maximum dwelling unit number of 2,000 dwelling units by FLU ORD 2004-066. Grading of the site will be required to create building pads, roadways, flow ways, and dry detention areas. The site has been filled and berms created as part of a previous excavation operation.

- o Exemplary Standards

Article 3.E.2.A requires that a rezoning to the PUD Zoning District shall only be granted to a project exceeding the goals, policies and objectives in the Plan, the minimum requirements of this Code, and the design objectives and performance standards in this Article which include, but are not limited to, sustainability, trip reduction, cross access, buffering, aesthetics, creative design, vegetation preservation, recreational opportunities, mix of uses, mix of unit types, safety, and affordable housing. The proposed PUD and Preliminary Master Plan also exhibit the following attributes.

- Perimeter landscape buffers far in excess of minimum ULDC width requirements and that incorporate amenities for public access and benefit;
- Upgraded plant materials within perimeter landscape buffers;
- Promote the use of bicycle routes and other non-vehicular modes of transportation by providing an internal pedestrian transportation system and linkages to external systems;
- Incorporation of a 12-foot wide stabilized pathway to provide pedestrian access on the north and west perimeter of the site and throughout the site. The pedestrian trails in the northern and western perimeter buffers are proposed tie into a proposed Trail System in the County's Northeast Everglades Natural Area (NENA);
- Site design in a manner that includes minimal back-to-back units and that allows the vast majority of units to be adjacent to a landscape buffer, lake tract, and/or other open space feature;
- Incorporating significant open space acreage within each Residential Pod;
- Allocating land to commercial use to serve community residents and promote interconnectivity;
- Substantial civic uses within the proposed development program to serve the regional population;
- Decorative paving treatment at the point of entry from Southern Boulevard and at other strategic locations throughout the site;
- Focal points within all of the cul-de-sac and roundabout islands;
- Multiple access points into select Residential Pods;
- Recreation acreage (13.61 acres) in excess of the minimum ULDC requirement (12 acres);
- Incorporation of an internal drainage system (i.e. 200-750 foot wide flow way) that provides a significant amenity, open space, and potential recreation opportunities for community residents;
- Cross-access to the adjacent property to the north and the east;
- Density of 1.7 units per acre is consistent and below the maximum Comprehensive Plan's LR-2 Land Use Designation- (ORD Requirement);
- Lake and flow way area totaling over 350 acres; and,
- Providing a percentage of open space acreage (43%) that exceeds the minimum ULDC requirement of 40%.

To further the PUD exemplary design objective, staff is recommending that the following elements be incorporated into the final site design and development:

- 2 water fountains as a focal feature within the 96.51-acre lake tract;
- Upgraded amenities within the neighborhood recreation areas and alongside a planned 8-foot wide internal pathway system;
- Landscape focal points within cul-de-sac islands, median islands, and at the terminus of dead-end streets; and,
- Additional elements (shade structures, benches, and trash receptacles) incorporated into the 50-foot wide peripheral public trail corridor.

o Civic Pod

Pursuant to requirements of Table 3.E.2.C.15 of the ULDC, a 24-acre civic site is required to comply with the 2% civic land use requirement. To satisfy this requirement, 3.3% or 39.88 acres is being provided for a 15.66-acre Elementary School Site for 970 students and a 24.22-acre civic site which may become a future park. The use of the 17.71-acre public trails system to satisfy civic site requirements is not required.

o Commercial Pod

Pursuant to the Comprehensive Plan Amendment ORD 2004-066, the site is required to provide a minimum of 30,000 square feet and a maximum of 50,000 square feet of PUD-Commercial building area. In compliance with this condition, the Preliminary Master Plan indicates a 5.68-acre Commercial Pod, for future development internal to the PUD. The applicant states that the specific design, uses, or the development timing for this commercial area has not been determined at this time.

o Recreation Pod

PUD standards require a recreation area totaling 12 acres. The 13.6-acre Recreational Pod will be centrally located connecting to the greenways and jogging trails around the community. The Preliminary Master Plan illustrates the two Recreation Pods are located on each side of the flow way as it meets the large lake area tract, which is located in the southeast corner of the site. A pedestrian bridge is proposed over the flow way to connect the Recreation Pods.

A detailed site plan for the Recreation Pod will be submitted for Final Site Plan approval subsequent to the application approval. The applicant states that facilities such as tennis courts, basketball courts, a swimming pool, hot tub, wading pool, tot lot, and a small fitness center will be provided; in addition, a clubhouse with an outdoor garden and grill area will be located in this recreational area. Additional recreation amenities that exceed the minimum Parks and Recreation Department recreation requirements will be provided as follows:

- Passive park areas and trails along the flow way and throughout the site.
- Neighborhood parks, pursuant to the requirements of ULDC Article 3.E.2.B.2.e., will be located within each Residential Pod.
- Open space trail corridor for the entire boundary of the site.
- Bike lanes within all rights-of-way.

o Lake Area

To create building pads, roadways, flow ways, and dry detention areas grading of the site will be required. The site has been filled and berms created as part of a previous excavation operation. A lake currently exists on site, which will be maintained as part of the community.

The lake will be approximately 96 acres and improved with littoral plantings, soft circuitous edges, and water tolerant vegetation that will be planted around the outer edges. The existing lake will generally remain in its current shape with bank slopes and existing islands reshaped or re-sloped to meet current design requirements. If possible, opportunity will be provided for non-motorized recreational activities on the lake including canoeing, kayaking, and wind surfing.

o Open Space

The community will include over 350 acres of greenway/open space that will be provided throughout the entire development to serve as both an aesthetic element and as dry detention area for storm water runoff. Open space on the Preliminary Master Plan exceeds the minimum 40% (484-acres) with the provision of 43% or 516.37 acres of open space. Numerous lots are preliminarily designed so that they front on the lake areas or open space tracts. An additional 112.81 acres of open space areas not included in this figure are proposed within the individual Residential Pods.

o Pedestrian Trails

A large portion of the open space/greenway areas will be interconnected via internal eight foot wide pedestrian trails, and will link to the various amenities throughout the development including parks, the river/flow way, the perimeter berm, the central recreational area, the civic site, the elementary school, and the commercial center. The applicant has included a Pedestrian System Plan that illustrates the trail system proposed throughout this development.

The perimeter buffers and berm will average 200-foot in width along all four perimeters and will meet the Rural Tier ULDC landscape buffer requirements. These buffers will provide a landscape buffer for the adjacent surrounding uses. Along the northern and western boundaries, a pedestrian trail is proposed as required by Ordinance 2004-066. This trail will provide a recreational amenity to both residents of the community and to the public.

The top of the berm will consist of an approximate 50-100 foot wide flat surface (plateau), which will be landscaped with the required vegetation. Also, a 50 foot wide meandering trail will be designated and platted as a continuous public access easement intended to serve as a pedestrian walkway and

public recreational corridor. Along the trail in northern and western perimeter buffers, other pedestrian features including shade structures and benches are proposed, (Landscape Condition 12.) and a 12 foot stabilized path will be provided.

The trail originally linked to the planned Central Western Corridor Sector Plan integrated trail network, consistent with Condition 6 of Ordinance 2004-066. With the Central Western Corridor Sector Plan no longer in existence, the trail network will now link to the Northeast Everglades Natural Area (NENA).

o Model Row

The Preliminary Master Plan indicates that a model row will be located within Pod E of the proposed PUD, located east of the access drive from Southern Boulevard. Pursuant to ULDC Article 3.E.1.G., a model row is permitted for Planned Developments with 300 or more units; shall consist of a maximum of 16 units; shall be located within a Residential Pod; shall be limited to the sale of units within the project only; and shall be designated on the site plan at time of BCC approval. As proposed, the model row meets all ULDC requirements.

o Cul-de-sac and Dead-end Restrictions

Pursuant to the Planned Development District (PDD) Performance Standards of ULDC Article 3.E.1.C.2.a.5), and Ordinance 2008-037, no more than 40 percent of the local streets in a PDD shall terminate in a cul-de-sac or a dead-end unless waived by the BCC. This limitation is directly related to the purpose, intent, and design objectives of the various Planned Development Districts to promote sustainable living, encourage alternative modes of transportation, and create logical street and transportation networks. The applicant is not requesting that the BCC waive these criteria. The Code was modified from 25% to 40% since the time of the 2005 PUD original approval. The applicant has provided 22 cul-de-sacs or 39.3% in order to accommodate the conceptual site design and therefore is in compliance with this ULDC provision. To further the exemplary standards of a PUD staff recommends Landscape Condition 6 consistent with the Regulating Plan provided Figure 9, which requires a landscape focal point in any cul-de-sac, roundabout, T- intersection, or terminus of any dead end street.

o Alternative Landscape Plan (ALP) – Perimeter Buffer

Condition 6 of the FLU ORD 2004-066 amending the FLU from the RR-10 to LR-2 requires the proposed PUD to comply with the ULDC Rural Tier landscape requirements. The Rural Tier ULDC landscape buffer requirements do not allow berms without an ALP approval. The proposed perimeter buffer will incorporate existing berms which vary from 30 to 40 feet from an average finished grade of 13 to 22 feet. The berms are existing due to 'fill' received from the adjacent Comprehensive Everglades Restoration Plan (CERP) Project. The proposed perimeter buffer width varies from 188 to 200 feet (Figure 8) and entirely surrounds the 1,209.96-acre site with the exception of the 39.88-acre Civic Pods located on the southwest portion of the site. The Preliminary Master and Regulating plans provide a 20-foot wide right-of-way landscape buffer along the Southern Boulevard frontage of the proposed public civic sites. Staff recommends a condition for the required right-of-way buffer to be a minimum of 25 feet in width with no easement overlap, a 1 to 3 foot berm and to be landscaped in accordance with standard ULDC regulations and with an additional pine or palm tree every 30 linear feet.

Along the north and west perimeter buffers, a 50-foot wide path will be designated and platted as a continuous public access easement intended to serve as a pedestrian walkway and public recreational corridor. Other pedestrian features including a 12-foot stabilized path, shade structures, and benches are proposed (Landscape Condition 12.) within the 50-foot wide meandering trail corridor.

Staff is recommending that the ALP be submitted at time of Final DRO approval (Landscape Condition 1) to ensure consistency between the landscape plan, master/site/regulating plans, and the recommended conditions of approval. The applicant met with the staff Landscape Inspectors to coordinate the components and future submission of the ALP. Review and approval by the Landscape Section shall accommodate flexibility in the final landscape design and ensure an appropriate quantity of landscape materials and appearance that respects existing vegetation and character in the vicinity of the site.

The design and site layout of the proposed PUD minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands. Subject to the Conditions of Approval and use limitations, any potential impact that may generate from the proposed use will be mitigated.

3. Compatibility with Surrounding Uses - *The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.*

To the north of the site are single-family residences within the Deer Run and White Fences subdivisions. The adjacent property to the east is undeveloped. At one time this area was anticipated to potentially accommodate a future employment center consisting of office and industrial uses as part of the area that at one time was classified as the Central Western Communities Sector Plan. This parcel is currently utilized as a sod farm bordering, further to the east, large lot residential subdivisions and Lion Country Safari. To the south, across Southern Boulevard/SR 80 (220-foot wide right-of-way), is conservation land within the Village of Wellington that is owned by South Florida Water Management District and utilized for regional water management purposes. To the west, across the L-8 Canal (500-foot wide right-of-way) and a 400-foot wide wildlife corridor, is the Palm Beach Aggregates excavation site, future FPL electric power plant, and South Florida Water Management District reservoirs.

The 400 foot wide wildlife corridor was created at the time of the original excavation approval to provide a critical connection between publicly owned Conservation areas to the north and south as well as to provide a buffer between the excavation activities and the established residential communities that are located north of the site on the east side of the L-8.

4. Effect on the Natural Environment – *The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

The site has been utilized for agricultural purposes (sod farming, and currently tree farm) and excavation (existing lake area) for a number of years. No significant environmental resources have been located on the site.

Additionally the lake system will provide littoral planting areas that will provide sanctuary for wildlife habitat. It should be noted that the development site is not located in a well field protection zone. A minimum 10 foot wide landscaped median will be included as part of the central access driveway. Drought tolerant and Florida Friendly landscape principles will be considered when designing the planting throughout the community. Where appropriate the Property Owner will provide native species in an effort to reduce the reliance on heavy watering and which will maintain a high quality appearance throughout the year.

An Alternative Landscape Plan addressing any deviations from code requirements based on the proposed plantings on the perimeter buffers will be provided to the County for review at the time of site plan review.

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS:

WELLFIELD PROTECTION ZONE: The property is not located with a Wellfield Protection Zone.

IRRIGATION CONSERVATION CONCERNS AND SURFACE WATER: All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Water and Irrigation Conservation Ordinance No. 93 3. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93 15.

ENVIRONMENTAL IMPACTS: There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements

5. Development Patterns – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The site is strategically located at the juncture of two significant geographic features (i.e. Southern Boulevard and the L-8 Canal), and the proposed development establishes a logical transition from existing, approved and/or anticipated uses in the vicinity of the site and on the north side of Southern Boulevard/SR 80. The proposed development also establishes both a logical terminus and density for future development and continued westward expansion.

The trail originally linked to the planned Central Western Corridor Sector Plan integrated trail network, consistent with Condition 6 of Ordinance 2004-066, which approved the current land use designation for the site. With the Central Western Corridor Sector Plan no longer in existence, the trail network will now link to the Northeast Everglades Natural Area (NENA).

The flow way system, as proposed, extends to the north side of the site at 2 locations. It is intended that pipe connections will be included at these locations connecting to the future Okeechobee Boulevard right-of-way. The surface water management system for this project will be designed to include the expected run off from the Okeechobee Boulevard right-of-way as required by the County.

Inasmuch, the requests have no adverse impacts on a logical, timely and orderly development pattern.

7. Adequate Public Facilities – *The proposed amendment complies with Art. 2. F, Concurrency.*

ENGINEERING COMMENTS:

The Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code.

The Property Owner shall obtain a R/W Permit from the Palm Beach County Engineering Department, Permit Section, for any work within the R/W of the future east west road along the project's north property line; and, the Property Owner shall obtain a permit from FDOT for any work within the R/W of Southern Boulevard.

PALM BEACH COUNTY HEALTH DEPARTMENT:

No Staff Review Analysis

PARKS AND RECREATION:

Based on the proposed 2,000 dwelling units 12.00 acres of on site recreation is required. The plan submitted indicates there will be 13.61 acres of recreation provided, therefore, the Parks and Recreation Department standards have been addressed.

The Parks and Recreation Department requests the park civic site dedication be increased from 24.22 acres to 25 acre so the property will qualify for use of impact fees for development. The proposed park may be designed to serve as a future trailhead, therefore the Parks and Recreation Department prefers the land on the western portion of the site.

FIRE PROTECTION: No staff Review Analysis

SCHOOL IMPACTS:

In accordance with adopted school concurrency, a Concurrency Determination for 2,000 residential units (1,880 single family, 120 multi-family) had been approved on April 4, 2013 (Concurrency Case #13040401C). The subject property is located within Concurrency Service Area 10 (SAC 420F).

This project is estimated to generate approximately five hundred sixty-seven (567) public school students. The schools currently serving this project area are: Binks Forest Elementary School, Wellington Landings Middle School, and Wellington Community High School.

The revised Preliminary Site Plans dated 5/24/13 show several 10 foot by 15 foot school bus shelter locations. A school bus shelter Condition of Approval has been applied to this request.

CONCURRENCY: Concurrency has been approved for a 2,000 unit PUD (120 Townhouse Units and 628 Zero Lot Line Units, 1,252 Single Family Units, 50,000 square feet of Government Services Office Use, and 50,000 Square Feet of Commercial/Retail Use) and a 970 student Public Elementary School in a Planned Unit Development.

8. Changed Conditions or Circumstances – *There are demonstrated changed conditions or circumstances that necessitate the amendment.*

The subject 1209.9-acre site was a portion of a Type III B Excavation approved by the BCC on September 11, 1990 for the Palm Beach Aggregates (PBA) Mining approval. The BCC has approved further Development Order Amendments over the years to modify/delete various conditions of approval, add a Class A Conditional use to allow an electrical power facility and add access points.

On December 13, 2004 the BCC adopted FLU Amendment LGA 2004-047 ORD 2004-066 for PBA to change the FLU designation of the subject site from Rural Residential, 1 unit per 10 acres (RR10) to Low Residential, 2 units per acre (LR-2). At the same time the BCC adopted a new Overlay Area designation called the Glades Area Protection Overlay (GAPO) which includes this property as well as 1844 acres to the west. The GAPO total acreage is approximately 3,063 acres. The overlay is intended to protect the adjacent Everglades Agricultural Area (EAA) to the west from encroachment of urban/suburban uses, densities and intensities. Included in the amended GAPO language is the re-designation of the area east of the SFWMD L-8 Canal as a Limited Urban Service Area (LUSA) removing the property from the Rural Tier.

The FLU Ordinance Conditions; however, required the landscape buffer treatment to utilize the Rural Tier landscape requirements. Therefore an Alternative Landscape Plan will be required to allow the 30 to 40 foot high berms to remain from the average finished grade which varies from 13 to 22 feet in height.

On January 5, 2006, the BCC approved the deletion of the 1209.96 acres land area, to approve a rezoning from the SA Zoning District to the PUD District, and the Requested Use for a secondary or elementary school.

The applicant states that as the market hit an economic downturn and the developer was not able to meet the condition to pay for the surety bond to Land Development for roadway improvements. The applicant filed an application and received approval in 2008 to rezone the property from PUD to RT and a Class A Conditional Use to allow Bona Fide Agricultural in the RT Zoning District, through Resolution R 2008-1146. The proposed application includes a request to abandon the resolution for this use.

The applicant further states that there is very little vacant property now available in the eastern half of Palm Beach County although this is the area showing the greatest growth. The recent establishment of the Scripps project and other biomedical facilities with a significant estimation of new employment opportunities will create additional needs for housing, not all of which will be able to be provided within the immediate area of these facilities. Additionally, the applicant's intent is to provide new residential opportunities to residents working in the west central communities and lake regions.

CONCLUSION

Staff has evaluated the standards listed under Article 2.B.1.B 1-7 and determined that there is a balance between the need for change and the potential impacts generated by this change. Staff has also determined that any of the potential impact and incompatibility issues will be adequately addressed subject to the recommended conditions of approval as indicated in Exhibit C.

CONDITIONS OF APPROVAL

EXHIBIT C

PDD- Residential Planned Development District

ALL PETITIONS

1. The approved Preliminary Master Plan is dated May 24, 2013. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

ENGINEERING

1. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

No Building Permits for the site may be issued after December 31, 2021. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2 Section E of the Unified Land Development Code. (DATE: MONITORING - ENG)

2. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

A. No building permits for more than 276 single family dwelling units (or development generating an equivalent number of external PM peak hour inbound trips) shall be issued until the Property Owner makes a proportionate share payment in the amount of \$3,073,307 to widen Southern Boulevard from Big Blue Trace to Palms West Parkway from a 4-lane divided highway to a 6-lane divided highway, including a sidewalk on at least the north side or as otherwise required by the Florida Department of Transportation and County Engineer. (BLDG PERMIT: MONITORING - Eng)

B. No building permits for more than 596 single family dwelling units and 120 multi family dwelling units (or development generating an equivalent number of external PM peak hour inbound trips) shall be issued until the Property Owner makes a proportionate share payment in the amount of \$1,150,294 to widen Southern Boulevard from Forest Hill Boulevard / Crestwood Boulevard to Cypress Head Avenue from a 6-lane divided highway to an 8-lane divided highway. (BLDG PERMIT: MONITORING -Eng)

C. No building permits for more than 636 single family dwelling units and 120 multi family dwelling units (or development generating an equivalent number of external PM peak hour inbound trips) shall be issued until the Property Owner makes a proportionate share payment in the amount of \$688,981 to widen Southern Boulevard from Cypress Head Avenue to Royal Palm Beach Boulevard from a 6-lane divided highway to an 8-lane divided highway. (BLDG PERMIT: MONITORING- Eng)

D. No building permits for more than 752 single family dwelling units and 120 multi family dwelling units (or development generating an equivalent number of external PM peak hour inbound trips) shall be issued until the Property Owner makes a proportionate share payment in the amount of \$4,713,470 to widen Southern Boulevard from Binks Forest Drive to Big Blue Trace from a 4-lane divided highway to a 6-lane divided highway, including a sidewalk on at least the north side or as otherwise required by the Florida Department of Transportation and County Engineer.. (BLDG PERMIT: MONITORING- Eng)

E. No building permits for more than 910 single family dwelling units and 120 multi family dwelling units (or development generating an equivalent number of external AM peak hour outbound trips) shall be issued until the Property Owner makes a proportionate share payment in the amount of \$143,954 to add a third left turn lane, east approach on Southern Boulevard at Forest Hill Boulevard / Crestwood Boulevard. (BLDG PERMIT: MONITORING- Eng)

F. No building permits for more than 1,665 single family dwelling units and 120 multi family dwelling units (or development generating an equivalent number of external PM peak hour inbound trips) shall be issued until the Property Owner makes a proportionate share payment in the amount of \$37,415 to widen Southern Boulevard from Palms West Parkway to Forest Hill Boulevard / Crestwood Boulevard from a 6-lane divided highway to a 8-lane divided highway. (BLDG PERMIT: MONITORING-Eng)

G. No building permits for more than 1,815 single family dwelling units, 120 multi-family dwelling units, a 970 student elementary school and 50,000 SF of specialty retail (or development generating an equivalent number of external AM peak hour outbound trips) shall be issued until the Property Owner makes a proportionate share payment in the amount of \$18,947 to add a third left turn lane, north approach on Royal Palm Beach Boulevard at Southern Boulevard. (BLDG PERMIT: MONITORING-Eng)

3. The Property Owner shall construct:

- i. one turn lane, west approach on Southern Boulevard at the project's east entrance;
- ii. one right turn lane, east approach on Southern Boulevard at the project's east entrance;
- iii. two left turn lanes and one right turn lane, north approach on the project's east entrance at Southern Boulevard; and
- iv. right turn lane, east approach on Southern Boulevard at the project's west entrance.

All construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with this construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

A. Prior to the issuance of the first building permit, permits required by the Florida Department of Transportation for construction in i , ii, iii, and iv shall be obtained . (BLDG PERMIT: MONITORING - Eng)

B. Prior to the issuance of the first Certificate of Occupancy, construction for the improvements in i, ii, iii, and iv shall be completed. (CO: MONITORING- Eng)

4. The Property Owner shall fund the cost of signal installation if warranted as determined by the County Engineer at:

- i. Project's east entrance and Southern Boulevard; and
- ii. Project's entrance and the future east west road along the project's north property line.

Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation.

A. Building Permits for more than 276 dwelling units shall not be issued until the Property Owner provides acceptable surety for i above to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDG PERMIT: MONITORING-Eng)

B. Building Permits for more than 910 dwelling units shall not be issued until the Property Owner provides acceptable surety for ii above to the Traffic Division in an amount as determined by the Director of the Traffic Division. The number of building permits allowed prior to the posting of surety may be raised at the discretion of the County Engineer. (BLDG PERMIT: MONITORING-Eng)

C. In order to request release of the surety for the traffic signal at the above intersections, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersections. The Traffic Division shall have 24 months from receipt of this notice to either draw upon the monies to construct the traffic signal or release the monies. In the event that the property is sold, the surety may be returned once the Traffic Division receives written documentation of the sale and a replacement surety has been provided to the Traffic Division by the new Property Owner. (ONGOING: ENGINEERING-Eng)

5. Concurrent with recording of the first plat, the Property Owner shall convey a roadway construction easement to Palm Beach County. This roadway construction easement shall contain an isosceles trapezoid connecting the required corner clips across this Property Owner's road right of way for:

- i. the future east west road along the project's north property line;
- ii. east project entrance on Southern Boulevard, and;
- iii. west project entrance on Southern Boulevard.

Construction within these easements shall conform to Palm Beach County Standards. (PLAT:ENGINEERING-Eng)

6. Prior to issuance of the first building permit, the Property Owner shall convey a temporary roadway construction easement along the future east west road along the project's north property line and for Southern Boulevard to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County Standards and Codes. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (BLDG PERMIT: MONITORING - Eng)

7. Prior to the issuance of the first building permit, the Property Owner shall convey to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Southern Boulevard and the future east west road along project's north property. Limits shall be along the property frontage; and up to a maximum of an additional 800 feet of these adjacent roadway(s). The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient water quality, water quantity and, when necessary, compensating storage capacity within this project's system as required by all permitting agencies, as well as conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County, the applicable Drainage District, and the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. Specifically, one lane must be open during the 25-year, 3-day storm and the elevation for the 3-year, 1-day storm event shall provide sufficient freeboard to allow for efficient roadway drainage system design. If required and approved by the County Engineer, the Property Owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDG PERMIT: MONITORING-Eng)

8. Prior to issuance of the first building permit, or within ninety (90) days of a request by the County Engineer, whichever shall occur first, the Property Owner shall provide to Palm Beach County Land Development Division a road right of way warranty deed and all associated documents as required by the County Engineer for the future east west road along the project's north property, 200 feet in width. Right of way conveyance shall be along the entire frontage and shall be free and clear

of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDG PERMIT/ONGOING: MONITORING-Eng)

9. The Property Owner shall provide to the Florida Department of Transportation (FDOT), a road right of way deed and all associated documents as required by FDOT for Southern Boulevard, 220 feet north of the south R/W line on an alignment approved by the FDOT or County Engineer. All right of way deed(s) and associated documents shall be provided and approved prior to the issuance of the first building permit. Right of way conveyance shall be along the project's entire frontage and shall be free and clear of all encumbrances and encroachments. Property Owner shall provide FDOT with sufficient documentation, including, at minimum, sketch and legal description of the area to be conveyed, copy of the site plan, a Phase I Environmental Site Assessment, status of property taxes, statement from tax collector of delinquent and pro-rata daily taxes, full owner name(s) of area to be conveyed and one of the following: title report, attorney's opinion of title, title commitment or title insurance policy, or as otherwise required and acceptable to FDOT. The Property Owner must warrant that the property being conveyed to FDOT meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County and FDOT harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate, as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall coordinate conveyance of right of way directly with FDOT and shall provide evidence to Palm Beach County Land Development Division once conveyance has been completed. (BLDG PERMIT: MONITORING-Eng)

10. Prior to issuance of a building permit, the Property Owner shall convey to Palm Beach County Land Development Division by warranty deed additional right of way for the construction of a right turn lane, west approach on the future east west road along the project's north property at the project's entrance road. This right of way shall be a minimum of 280 feet in length, twelve feet in width, and a taper length of 50 feet, or as approved by the County Engineer. This additional right of way shall be free of all encumbrances and encroachments and shall include "corner clips" where appropriate as determined by the County Engineer. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. The Property Owner shall not record the required right of way or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents (BLDG PERMIT/ONGOING: MONITORING-Eng)

11. Prior to the issuance of the first building permit, the Property Owner shall provide to Florida Department of Transportation (FDOT) by deed:

- i. additional right of way for the construction of a right turn lane, east approach on Southern Boulevard at the project's east entrance; and
- ii. additional right of way for the construction of a right turn lane, east approach on Southern Boulevard at the project's west entrance.

This right of way shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet or as approved by FDOT. The right of way should be continued across the project entrance and shall be free and clear of all encumbrances and encroachments. Property Owner shall provide FDOT with sufficient documentation, which may include at minimum, sketch and legal description of the area to be conveyed, copy of the site plan, a Phase I Environmental Site Assessment, status of property taxes, statement from tax collector of delinquent and pro-rata daily taxes, full owner name(s) of area to be conveyed and one of the following: title report, attorney's opinion of title, title commitment or title insurance policy, or as otherwise required and acceptable to FDOT. The Property Owner must warrant that the property being conveyed to FDOT meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County and FDOT harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate, as determined by the County Engineer, additional right of way for Expanded Intersections and corner clips. The Property Owner shall coordinate conveyance of right of way directly with FDOT and shall provide evidence to Palm Beach County Land Development Division once conveyance has been completed. (BLDG PERMIT: MONITORING-Eng)

12. On or before December 31, 2018, the Property Owner place clean acceptable fill within the right of way for the future east west road along the project's north property line sufficient to raise the elevation of this future road to within 6 inches of the 25 year, 3 day storm event in the manner and location as required by the County Engineer. The limits of this additional fill shall be along the project frontage of this road. (DATE: MONITORING - Eng)

13. LANDSCAPE WITHIN THE MEDIAN OF SOUTHERN BOULEVARD

The Property Owner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of Southern Boulevard. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioners' approval. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph C and D below.

A. Prior to the issuance of the first building permit, the necessary permit(s) for this landscaping and irrigation shall be applied for. (BLDG PERMIT: MONITORING- Eng)

B. Prior to the issuance of the first certificate of occupancy, all installation of the landscaping and irrigation shall be completed. (CO: MONITORING -Eng)

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

first brought into conformance with OTIS standards by the Property Owner. (ONGOING: ENGINEERING-Eng)

D. Alternately, at the option of the Property Owner or if the construction of the required landscape and irrigation is not possible due to physical constraints, the Property Owner may make a contribution to the County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beautification program prior to the issuance of the first Building Permit. This payment option is only available if the roadway segment is included in the County's current OTIS Master Plan and shall be based on the project's front footage along Southern Boulevard. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (BLDG PERMIT: MONITORING -Eng)

14. Prior to issuance of the 1,001st Certificate of Occupancy, the Property Owner shall receive approval for and complete construction of a sidewalk along the project's frontage on the north side of Southern Boulevard. (CO: MONITORING - Eng)

LANDSCAPE - GENERAL

1. At time of submittal for final master plan approval by the Development Review Officer (DRO), the property owner shall submit an Alternative Landscape Plan to the Landscape Section for all perimeter landscape buffers. The Plan(s) shall be generally consistent with the Preliminary Regulating Plan dated May 24, 2013. (DRO: LANDSCAPE - Zoning)

2. A minimum of seventy-five (75%) percent of the canopy trees to be planted in the landscape buffers shall be native and meet the following minimum standards at installation:

- a. tree height: fourteen (14) feet; and,
- b. credit may be given for existing or relocated trees provided they meet the Unified Land Development Code requirements. (BLDG PERMIT: LANDSCAPE - Zoning)

3. All palms required to be planted on the property, except on individual residential lots, shall meet the following minimum standards at installation:

- a. palm heights: twelve (12) feet clear trunk;
- b. clusters: staggered heights twelve (12) to eighteen (18) feet; and,
- c. credit may be given for existing or relocated palms provided they meet current Unified Land Development Code requirements. (DRO: LANDSCAPE - Zoning)

4. Field adjustment of plant material locations may be permitted to provide pedestrian sidewalks/bike paths and to accommodate transverse utility or drainage easements crossings and existing vegetation. (DRO: LANDSCAPE - Zoning)

5. Prior to Final Approval by the Development Review Officer, all landscape focal points shall be shown on the Regulating Plan(s), and shall be subject to review and approval by the Landscape Section. (DRO: LANDSCAPE - Zoning)

6. Prior to final approval by the Development Review Officer (DRO), all site/subdivision plans shall indicate a landscape focal point:

- a. within a central island of any cul-de-sac or roundabout;
- b. within any eyebrow island or similar median;
- c. in the vicinity of the road frontage of any T-intersection open space; and,
- d. at the terminus of any dead-end street. (DRO: LANDSCAPE - Zoning)

7. Prior to final approval by the Development Review Officer (DRO), the site/subdivision plans shall indicate additional decorative paving treatment (pre-cast concrete paver blocks or stamped concrete) as follows:

- a. a minimum eight (8) foot wide continuous band surrounding a central island within all cul-de-sacs;
- b. a minimum eight (8) foot wide continuous band along the perimeter of all semi cul-de-sacs, medians and/or eyebrows, to be located between adjacent residential lots only;
- c. at the intersections of the internal 80-foot wide right-of-way and all access points to each pod; and,

d. the final design and location for all decorative paving treatment shall be subject to review and approval by the Zoning Division. (DRO: LANDSCAPE- Zoning)

LANDSCAPE - INTERIOR

8. Prior to final approval by the Development Review Officer (DRO), the master plan and site/subdivision plans shall indicate a minimum of two (2) fountains as focal features within the 96.51-acre lake management tract. The location of each fountain shall be subject to review and approval by the Zoning Division. (DRO: LANDSCAPE - Zoning)

9. Prior to final approval by the Development Review Officer (DRO), the subdivision and regulating plans shall indicate upgraded recreation amenities within the required neighborhood park of each Residential Pod. These additional amenities shall:

- a. be accessible from a minimum five (5) foot wide pathway composed of stamped concrete, paver blocks, or other improved surface. This pathway shall have a direct connection to the primary sidewalk system within each Residential Pod;
- b. include a minimum of four (4) pedestrian benches;
- c. include a minimum of one (1) trash receptacle adjacent to each pedestrian bench;
- d. include a shade structure (eg. trellis, gazebo, pergola, loggia), tot lot, fitness station, rest station, or similar recreation amenity. (DRO: LANDSCAPE- Parks)

10. Prior to final approval by the Development Review Officer (DRO), the Preliminary Subdivision and Regulating Plan shall indicate the following amenities adjacent to the 8-foot wide asphalt path:

- a. a minimum of one (1) pedestrian bench for each six hundred and sixty (660) feet linear feet of the path with a maximum spacing of eight hundred (800) feet between each bench;
- b. a minimum of one (1) trash receptacle adjacent to each alternating pedestrian bench;
- c. a minimum of one (1) canopy tree spaced a maximum distance of fifty (50) feet on center, to be planted alternating on both sides of the path; and,
- d. a minimum of one (1) freestanding light fixture with a maximum height of twelve (12) feet and a maximum spacing of fifty (50) feet on center, alternating on each side of the sidewalk. Alternatively, lighted bollards spaced a maximum distance of twenty (20) feet on center and located on alternating sides of the path shall be provided. Lighting shall be located adjacent to the sidewalk. (DRO: ZONING- Landscape)

11. Prior to final approval by the Development Review Officer (DRO), the master plan and site/subdivision plans shall indicate a flow way overlook area (i.e. Focal Point FP-1) within the open space area located at the southeast corner of Pod D and north of FP3. This overlook area shall have a direct connection to the primary sidewalk system on the property. (DRO: ZONING - Landscape)

12. Prior to final approval by the Development Review Officer (DRO), the master, site/subdivision, regulating and landscape plans shall indicate the following amenities within the meandering 50-foot wide trail corridor (17.71-acre public civic site):

- a. a minimum twelve (12) foot wide meandering, stabilized pathway for the entire duration of the trail corridor;
- b. a minimum of one (1) lighted shade structure (pavilion) in the vicinity of each intersection with a pathway providing access to the trail corridor, and at a maximum spacing of 1,320 feet on center for the entire duration of the trail corridor. Each structure shall have minimum dimensions of ten (10) feet in width, eight (8) feet in depth, and nine (9) feet of unobstructed clearance;
- c. a minimum of two (2) pedestrian benches and one (1) trash receptacle adjacent to each shade structure;
- d. one (1) lighted bollard spaced a maximum distance of twenty (20) feet on center and located on alternating sides of the path for the entire duration of the trail corridor; and,
- e. the final design for this trail corridor shall be subject to review and approval by the Architectural Review and Landscape Sections. (DRO: ZONING - Landscape)

PARKS-PARKS AND RECREATION EASEMENT

1. Upon request by the Parks and Recreation Department, the property owner or property owners' association shall provide a temporary construction easement as well as a permanent 150 foot wide access easement in the general vicinity of the southwest corner of the site in a location and elevation acceptable to the Parks and Recreation Department. This easement is required in order to accommodate a future pedestrian and/or wildlife land bridge across Southern Boulevard to connect to a future wildlife corridor and/or trail system located south of Southern Boulevard as identified in the future.

2. Upon request by the Parks and Recreation Department, the Property Owner or Property Owners' Association shall provide a temporary construction easement as well as a permanent 150 foot wide access easement in the general vicinity of the southeast, southwest, and western side corner of the site in a location and elevation acceptable to the Parks and Recreation Department. This easement is required in order to accommodate a future pedestrian and/or wildlife land bridge across Southern Boulevard to connect to a future wildlife corridor and/or trail system located south of Southern Boulevard as identified in the future. (ONGOING: PARKS - Parks)

PLANNED DEVELOPMENT-PUD POA DOCUMENTS

1. Prior to the recordation of the first plat, all property included in the legal description of the application shall be subject to a Declaration of Restrictions and Covenants acceptable to the County Attorney's office which shall include the following:

- a. Formation of a single "master" property owner's association, automatic voting membership in the master association by any party holding title to any portion of the subject property, and assessment of all members of the master association for the cost of maintaining all common areas;
- b. All recreation parcels shall be deed restricted to recreation for the use of the residents of the development. At the time of turnover of the POA/HOA, the recreation parcel shall be turned over to the association at no cost to the residents, and,
- c. The property shall not be subject to the Declaration of Restrictions in phases. Approval of the Declaration must be obtained from the County Attorney's office prior to the recordation of the first plat for any portion of the planned development. This Declaration shall be amended when additional units are added to the PUD. (PLAT: CO ATTY - Zoning)

2. The Property Owner shall include in Homeowners' documents as well as written sales brochures, sales contracts and related plans a disclosure statement identifying and notifying of the existence of commercial excavation, a future electric power generation facility, regional water management reservoirs and facilities, and active agricultural uses in the vicinity of the development. The Property Owner shall submit documentation of compliance with this condition on an annual basis to the Monitoring Section of Planning, Zoning and Building Department beginning on October 1, 2015 and shall continue on an annual basis until all units within the development have been sold or the Property Owner relinquishes control to the Homeowners Association. (DATE: MONITORING - Zoning)

PLANNING

1. Per LGA-2004-047; ORD2004-066, the subject site shall be limited to a maximum of 2000 dwelling units and a minimum of 30,000 square feet and a maximum of 50,000 square feet of PUD-Commercial. (ONGOING:PLANNING-Planning)

2. Per LGA-2004-047; ORD2004-066, the applicant shall provide and indicate on the master plan a 50 foot wide open space trail corridor for the entire northern and western boundaries of the property that can link to the planned CWC Sector Plan integrated trail network. In addition, a PUD buffer shall be required to utilize the Rural Tier ULDC landscape buffer requirements for compatibility purposes. (ONGOING:PLANNING-Planning) [Complete: see PMP-1]

PROPERTY & REAL ESTATE MANAGEMENT

1. The Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 24.2 acre public civic site, in a location and form acceptable to Facilities, Development & Operations Department (FD&O) by April 22, 2015. Property Owner to plat and dedicate the civic site to Palm Beach County prior to conveying the deed, and shall have satisfied each of the following conditions prior to deed conveyance.

a) Title

Property Owner to provide a title policy insuring marketable title to Palm Beach County for the civic site and any easements that service the civic site as required by the County Attorney's office. All title exception documentation to be provided to County. Policy is subject to Property & Real Estate Management Department's (PREM) and County Attorney's approval. The title policy to be insured to Palm Beach County for a dollar value based on current market appraisal of the proposed civic site or the Contract purchase price on a per acre basis if the contract purchase was concluded within the previous 24 month period. If an appraisal is required it shall be obtained by the Property Owner. The Property Owner shall release the County from all Declarations of Covenants and Conditions of the P.U.D. or other restrictive covenants as they may apply to the civic site.

b) Concurrency

Property Owner to assign sufficient traffic trip capacity such that the traffic volume associated with a County facility shall be attached to the civic site and recorded on the concurrency reservation for the entire PUD. The Property Owner shall be provided with input as to the size of a structure (and proposed use) which the civic site would support and the corresponding amount of trips. If no County use is applied to the civic site, Property Owner shall assign sufficient traffic trip capacity equivalent to the number of units the civic would support if it were a Residential Pod.

c) Taxes

All ad valorem real estate taxes and assessments for the year of acceptance shall be pro-rated to include the day of acceptance.

d) Site condition

Civic site to be free and clear of all trash and debris at the time of acceptance of the Statutory Warranty Deed.

e) Retention and Drainage

Property Owner shall provide all retention, detention, and drainage required for any future development of the proposed civic site by the County. Property Owner shall specifically address the following issues:

1) The discharge of surface water from the proposed civic site into the Property Owner's water retention basins.

2) As easement across Property Owner's property from the proposed civic site to the retention basins, if required.

f) On-Site Inspections

By acceptance of these conditions Property Owner agrees to allow the County to perform any on site inspections and testing deemed appropriate to support the acquisition of the civic site.

g) Vegetation Permit

Property Owner to perform a tree survey and obtain a vegetation clearing permit. If it is determined by PREM that clearing is not required at time of conveyance, the cost of such clearing shall be paid to the County.

h) Buildable Grade

Prepare civic site to buildable grade under the direction of the Facilities Development & Operations Department. Site shall be stabilized with 1) sod and watered or, 2) seeded, mulched and watered (until seed has established itself) to the satisfaction of Facilities Development and Operations.

i) Water & Sewer

BCC
Application No. ABN/PDD/R-2013-00499
Control No. 2005-00394
Project No. 05168-000

September 26, 2013
BCC District 6

Page 69

Property Owner to provide water and sewer stubbed out to the property line and other required utilities as determined by PREM. (DATE:MONITORING-PREM)

2. The Property Owner shall provide the County with a survey certified to Palm Beach County of the proposed civic site by February 23, 2015. Survey shall reflect the boundary and topographical areas of the site and the surveyor shall use the following criteria:

- a) The survey shall meet Minimum Technical Standards for a Boundary Survey as prescribed by F.A.C. 21HH.6.
- b) If this parcel is a portion of Palm Beach Farms, sufficient data to make a mathematical overlay should be provided.
- c) The survey should include a location of any proposed water retention area that will border the civic site.

Survey is also subject to the County's approval of any proposed or existing easements within the proposed civic site and all title exceptions are to be shown on the survey. (DATE:MONITORING-PREM)

3. The Property Owner shall provide PREM with an Environmental Assessment certified to Palm Beach County of the proposed civic site by February 23, 2015. The minimum assessment which is required is commonly called a "Phase I Audit". The audit shall describe the environmental conditions of the property and identify the past and current land use.

The assessment will include but not be limited to the following:

- a) Review of property abstracts for all historical ownership data for evidence of current and past land use of the proposed civic site.
- b) Review of local, state, and federal regulatory agency's enforcement and permitting records for indication of prior groundwater or soil contamination. Also, a review of the neighboring property that borders the proposed civic site will be required. The review shall include, but not be limited to, Palm Beach County Environmental Resources Management Department Records, and Florida Department of Regulation Records.

The assessment shall reflect whether the civic site or any bordering property is on the following lists:

- 1) EPA's National Priorities list (NPL)
- 2) Comprehensive Environmental Response Compensation and Liability Act System List (CERCLA)
- 3) Hazardous Waste Data Management System List (HWDMS).
- c) Review of current and historical aerial photographs of the proposed civic site. Provide a recent aerial showing site and surrounding properties.
- d) The results of an on-site survey to describe site conditions and to identify potential area of contamination.
- e) Review of Wellfield Protection Zone maps to determine if property is located in a Wellfield Zone.

If the Phase I audit indicates that a Phase II is necessary, then the property owner shall be required to provide that audit as well. (DATE:MONITORING-PREM)

4. The Property Owner may request to exchange the required on-site dedication of land for cash of equal value or off-site land equal in acreage, however, this option shall be used only upon County approval when the County has established that the cash or offsite land enhances or supports a County property, facility or function in the general vicinity of the PUD. In addition, should the off-site land option be chosen, each PREM condition listed in numbers 1, 2 & 3 above will also apply. If the land off-site is of less cash value than the on-site dedication the Property Owner shall contribute cash equal to the difference in values. Valuation of the on-site and off-site land shall be subject to the County appraisal process and be at the cost of the Property Owner. If off-site land or cash contribution is accepted by Palm Beach County, the Property Owner shall be deemed to have satisfied the intent of ULDC. (ONGOING: PREM-PREM)

SCHOOL BOARD

1. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"

School age children may not be assigned to the public school closest to their residences. School Board policies regarding levels of service or other boundary policy decisions affect school boundaries. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD) (Previous Condition School Board 1 of Resolution R-2006-0028, Control #2005-394)

2. Prior to the issuance of the first Certificate of Occupancy (CO), the 10 feet by 15 feet school bus shelters shall be constructed by the property owner in a location and manner acceptable to the Palm Beach County School Board. Provisions for the school bus shelters shall include, at a minimum, a covered area, continuous paved pedestrian and bicycle access from the subject property or use, to the shelter. Maintenance of the bus shelters shall be the responsibility of the residential property owner. (CO: MONITORING - School Board.)

COMPLIANCE

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

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

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

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

The site was last approved by the Board of County Commissioners (BCC) on June 30, 2008 to rezone the site from the PUD Zoning District to the RT Zoning District and a Class A Conditional Use to allow Bona Fide Agricultural in the RT Zoning District via Resolution R-2008-1146, which will be abandoned with this proposal.

DISCLOSURE

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

Figure 1 Land Use Map

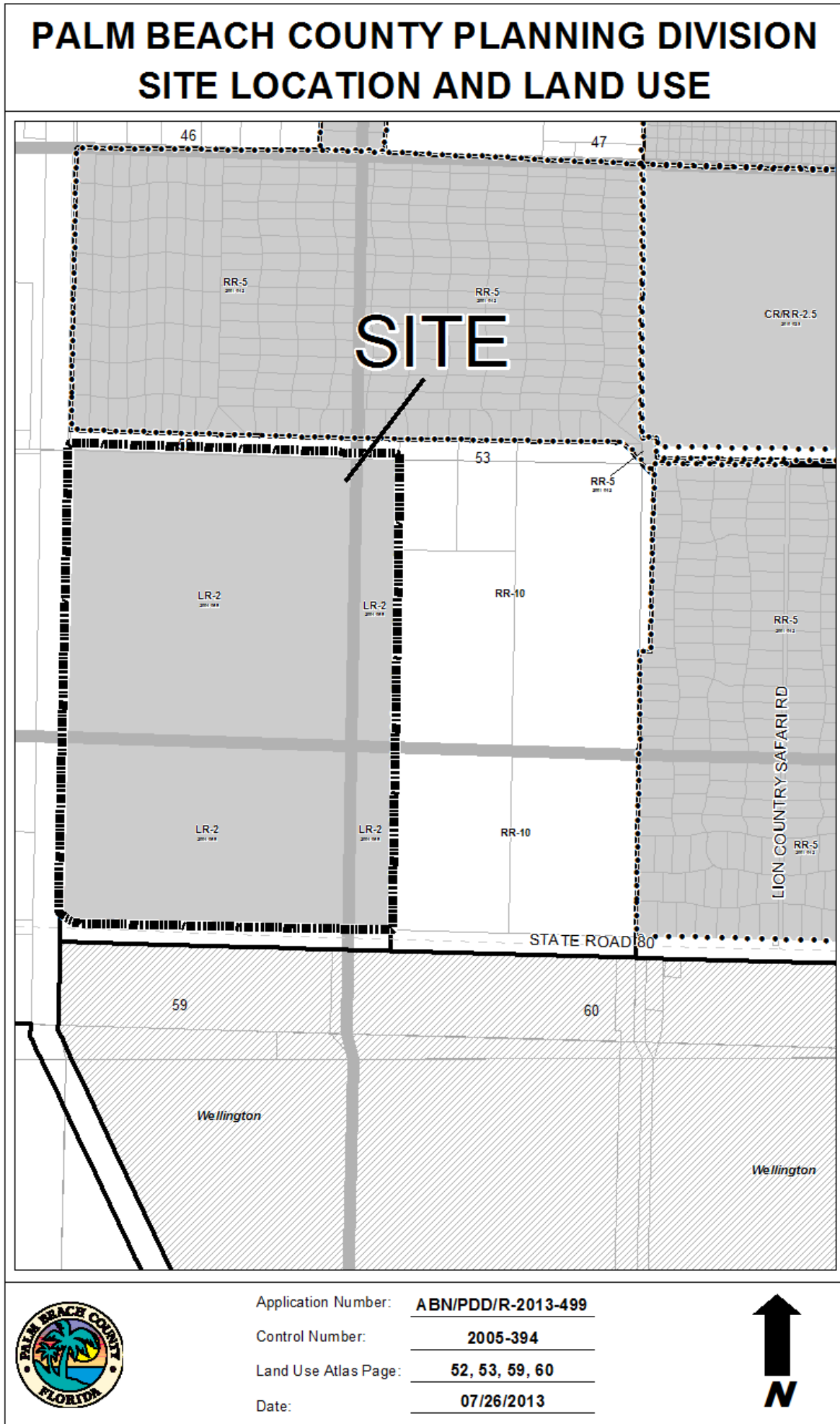


Figure 2 Zoning Map

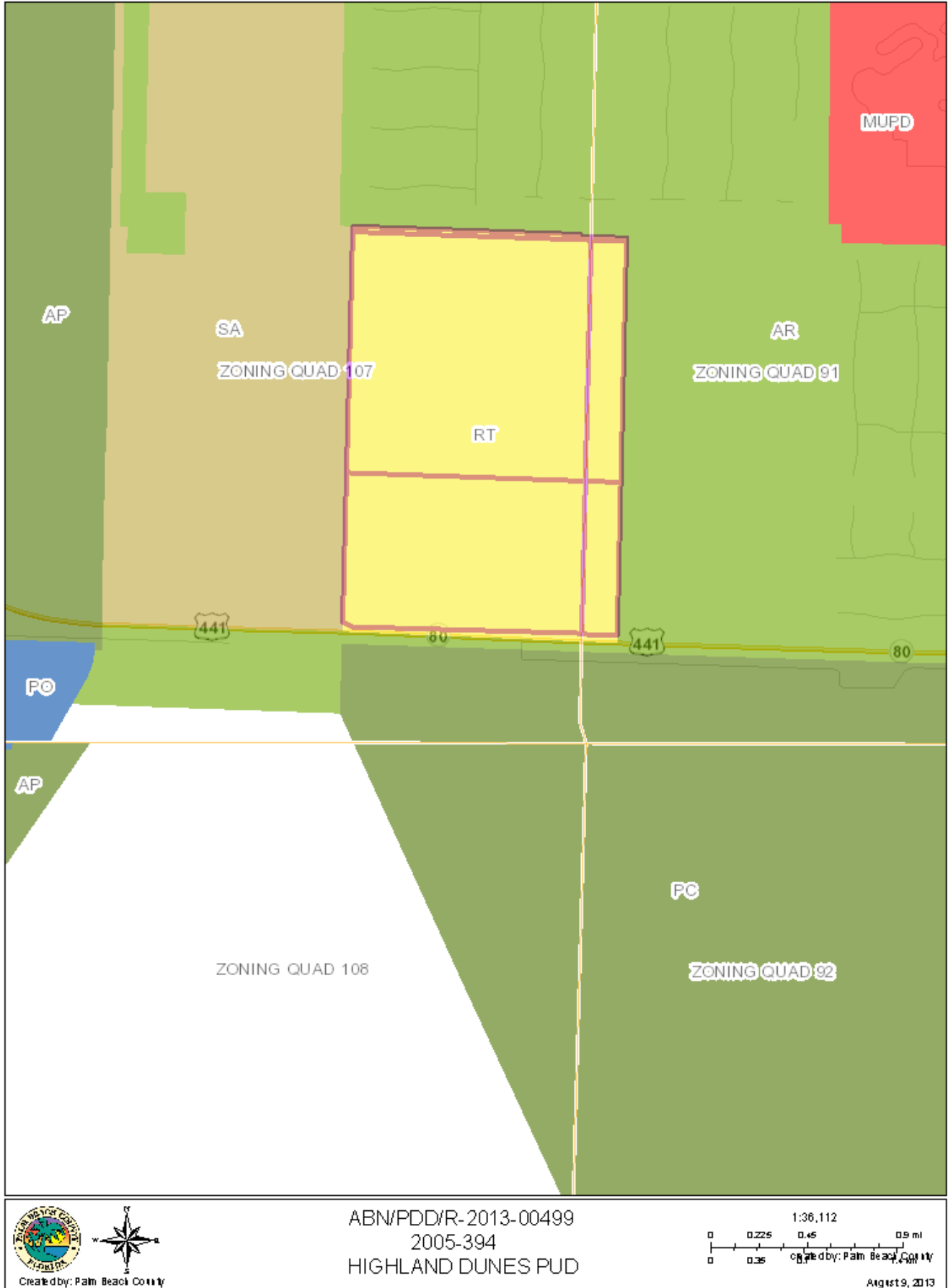


Figure 3 Aerial

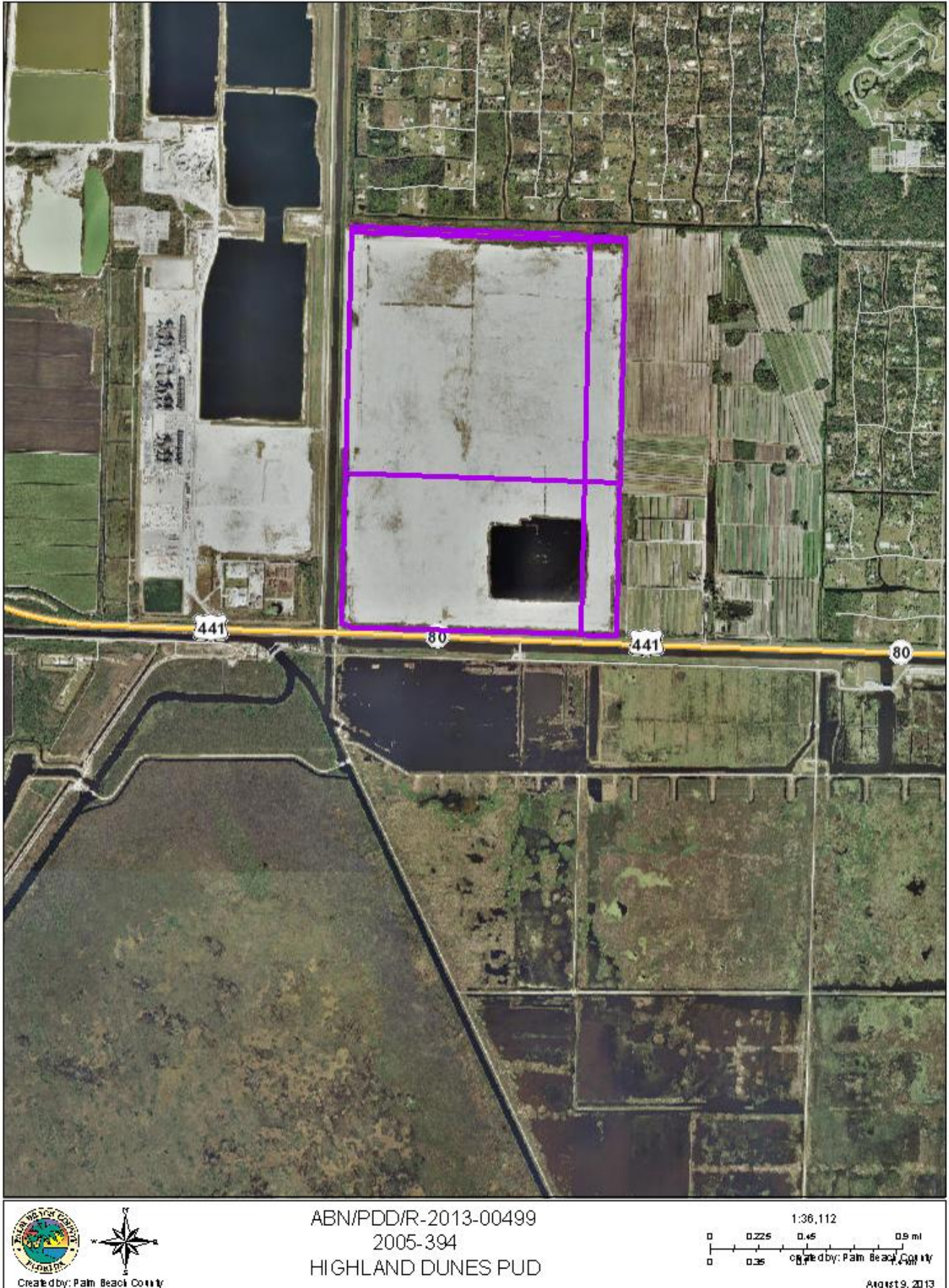


Figure 9 Preliminary Regulating Plan dated May 24, 2013

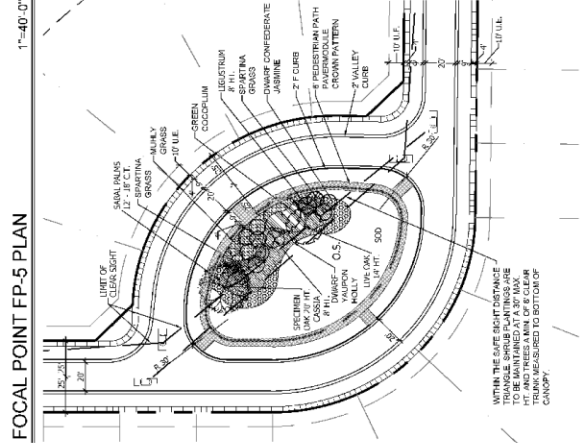
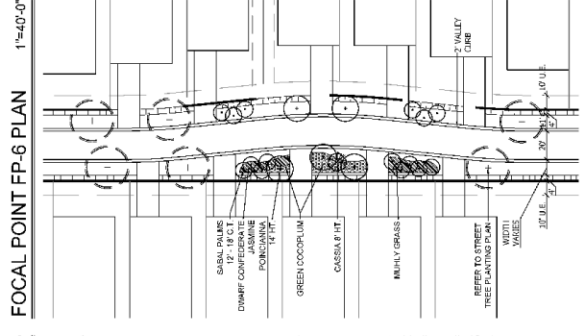
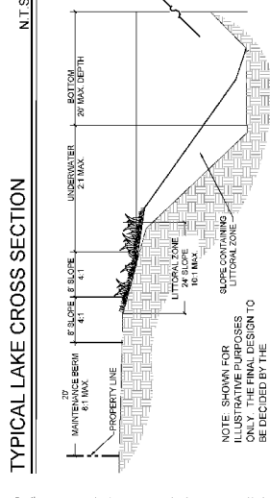
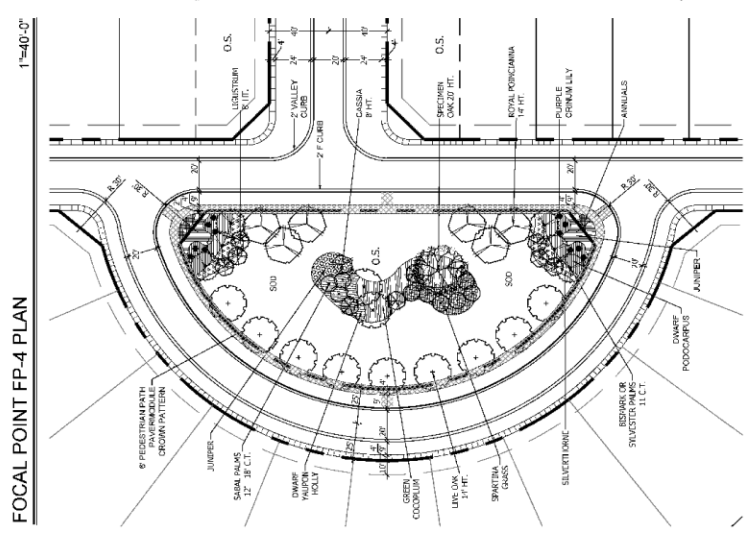
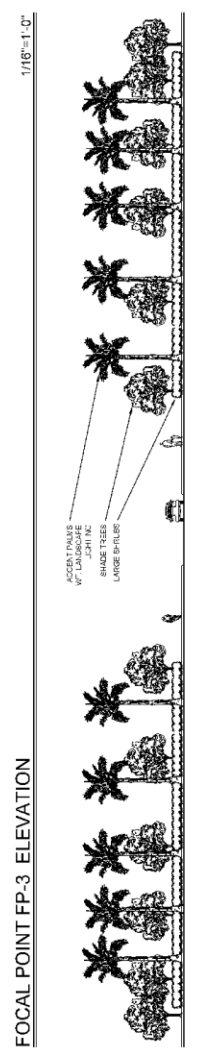
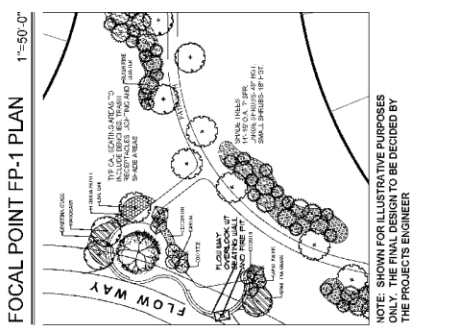
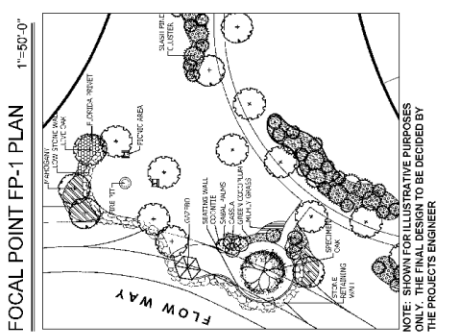
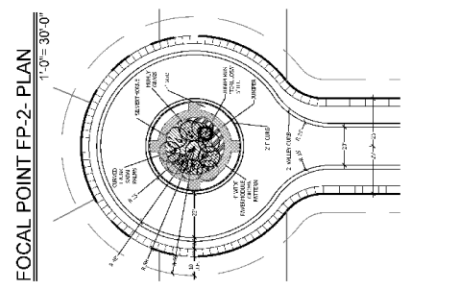
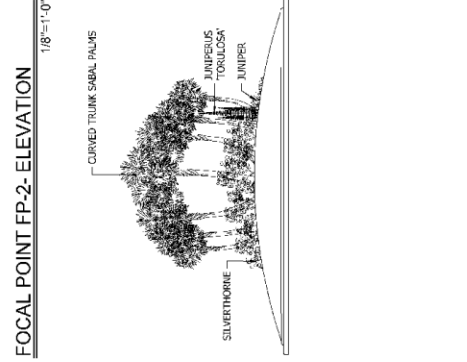
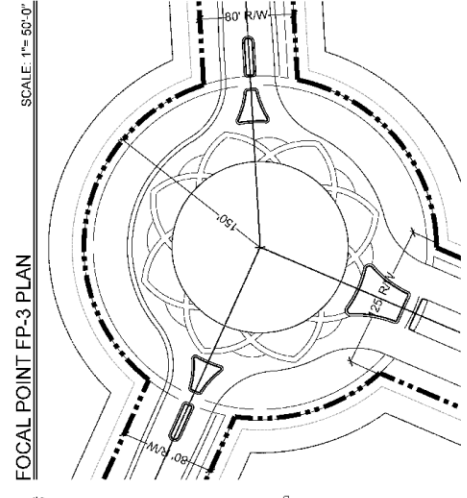


Highland Dunes P.U.D.
 Preliminary Regulating Plan
 Palm Beach County, Florida



Date: 03-26-2013
 Project No.: 13-001 006
 Designed By: DBH
 Drawn By: DBH
 Checked By: CWK
 Revision Dates:
 03-26-2013 Revision Section: SIZE
 03-26-2013 Revision Section: SIZE
 03-26-2013 Revision Section: SIZE

PRP-3
 OF 6



PBC Zoning Stamp:

PBC Amendments:

Figure 12 Preliminary Regulating Plan dated May 24, 2013

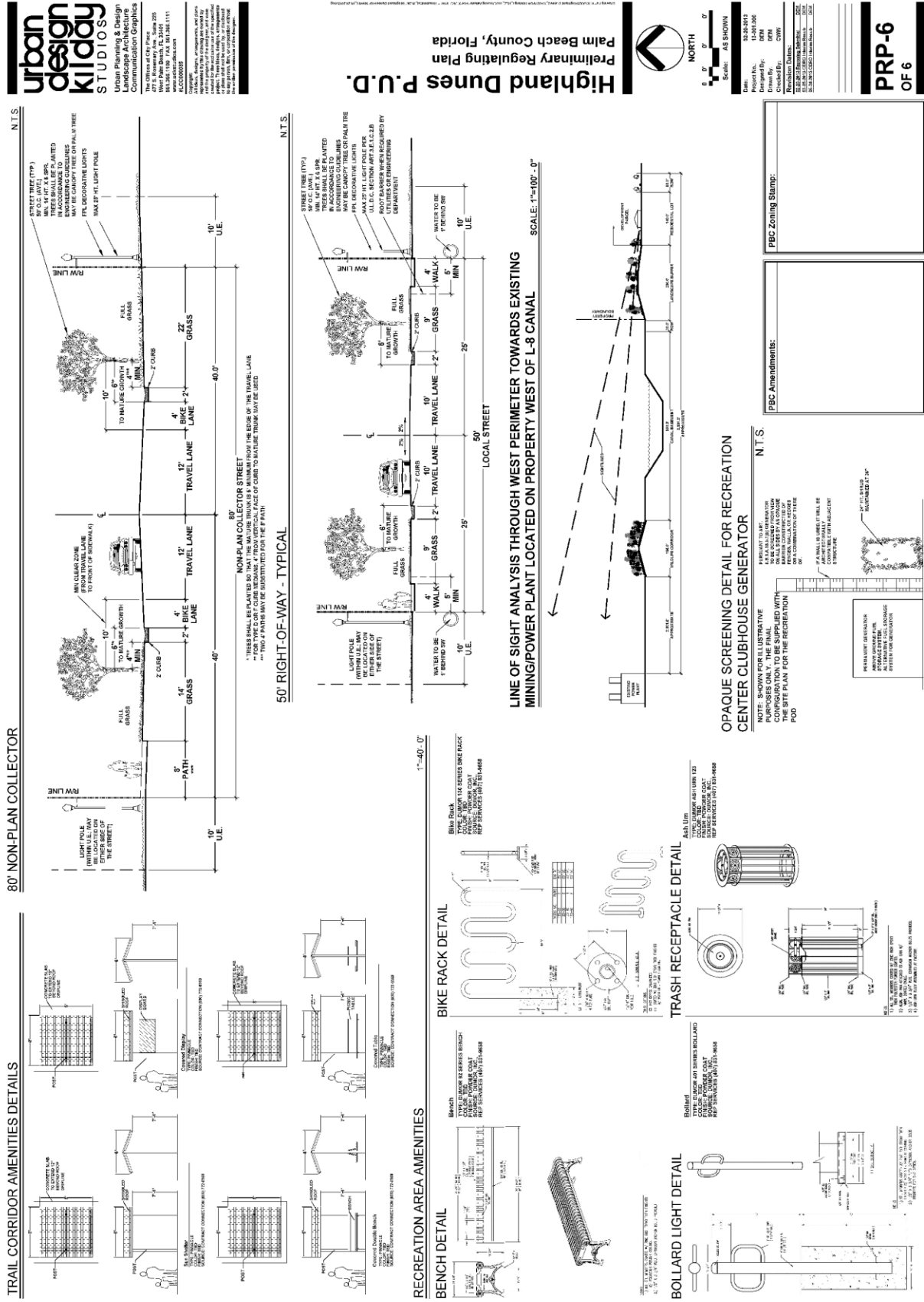


Figure 13 Preliminary Master Sign Plan dated May 24, 2013

Urban design KILDAY STUDIOS
 Urban Planning & Design
 Landscape Architecture
 Communication Graphics

The Office at City Place
 West Palm Beach, FL 33411
 561-838-1111
 www.urbandesignkilday.com
 #UCD000008

2013: Sign, signage, and plan
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 the sign owner. The sign owner
 project. The sign owner is responsible
 for the sign. The sign owner is
 for the sign. The sign owner is
 for the sign. The sign owner is

Highland Dunes P.U.D.
 Preliminary Master Signage Plan
 Palm Beach County, Florida

PMSP-1
 OF 1

Scale: AS SHOWN

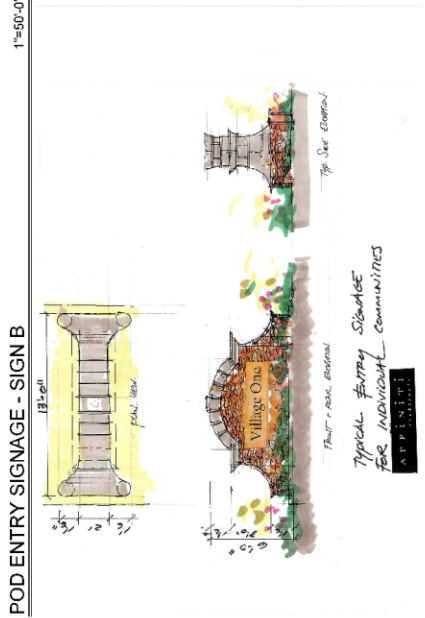
North

Date: 02.29.2013
 Project No.: 13009
 Designed By: DSM
 Drawn By: DSM
 Checked By: CWR

Revision Dates:
 03.28.2013 (REVISED SIGNAGE PLAN)
 03.28.2013 (REVISED SIGNAGE PLAN)

PBC Zoning Stamp:

PBC Amendments:



NOTE:
 This Master Signage Plan addresses the major entry signage for the community and pods. Additional signs as allowed by ULDC Article 8 for a large scale residential development may be permitted, including but not limited to project identification sign and on-site directional signs. These signs will be identified on the specific Site Plan/Subdivision Plan at time of final approval.

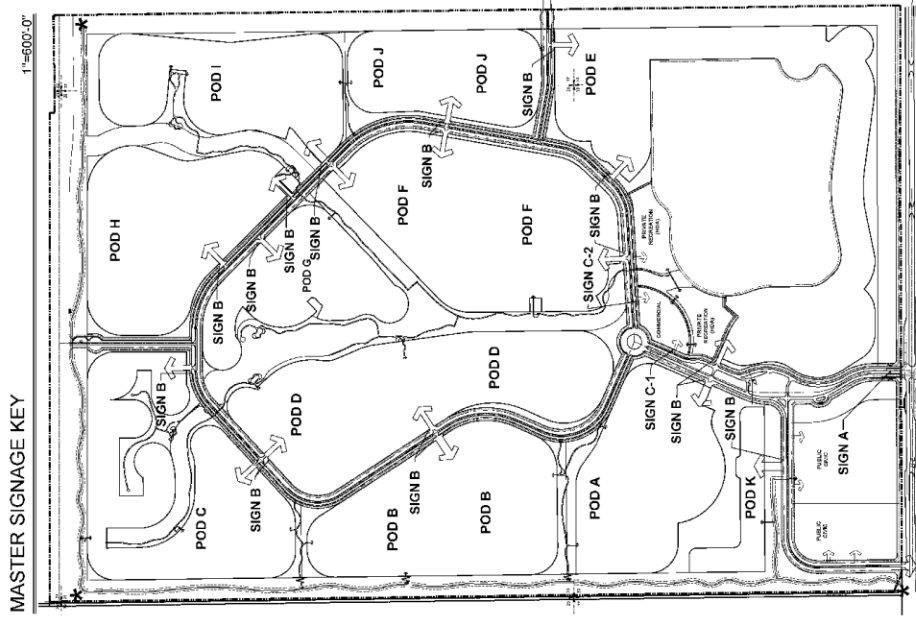
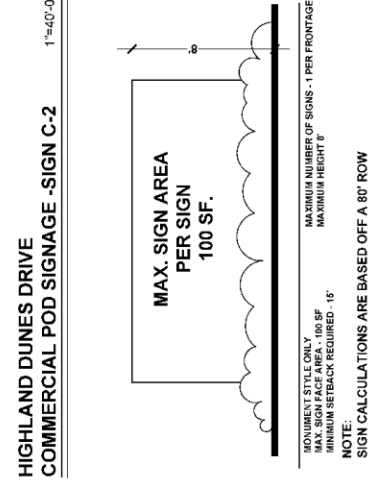
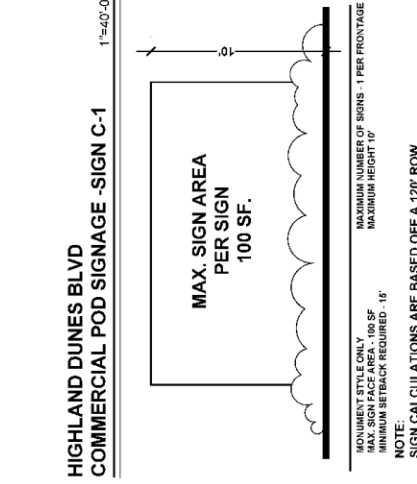
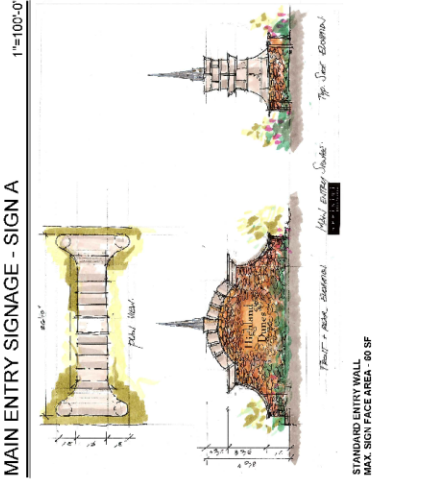
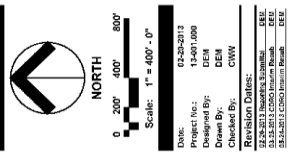
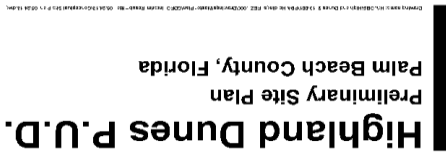


Figure 15 Preliminary Subdivision Plan dated May 24, 2013



SITE AREA BREAKDOWN	ACREAGE	PERCENT
RESIDENTIAL PODS	682.35 AC.	56.40%
COMMERCIAL	5.68 AC.	.47%
RECREATION	13.61 AC.	1.12%
CIVIC	24.22 AC.	2.00%
CIVIC-SCHOOL	15.66 AC.	1.29%
CIVIC-PUBLIC TRAIL	17.71 AC.	1.46%
LAKE MANAGEMENT TRACT	96.51 AC.	7.98%
ROAD RIGHT OF WAYS	78.49 AC.	6.49%
BUFFERS, FLOW WAY AND OPEN SPACES	275.73 AC.	22.79%
TOTAL ACREAGE	1209.96 AC.	100.00%

Residential:	754 Lots	38%
80' x 140' Lots	498 Lots	25%
65' x 140' Lots	628 Lots	31%
52' x 140' Lots	120 Lots	6%
22' x 100' Lots	2000 Lots	100%
Total DU's:		

NOTE:
 LOTS LOCATED ON T-INTERSECTION WILL
 BE RESTRICTED TO SIDE ENTRANCE
 GARAGES

PEC Amendments:

PEC Zoning Stamp:

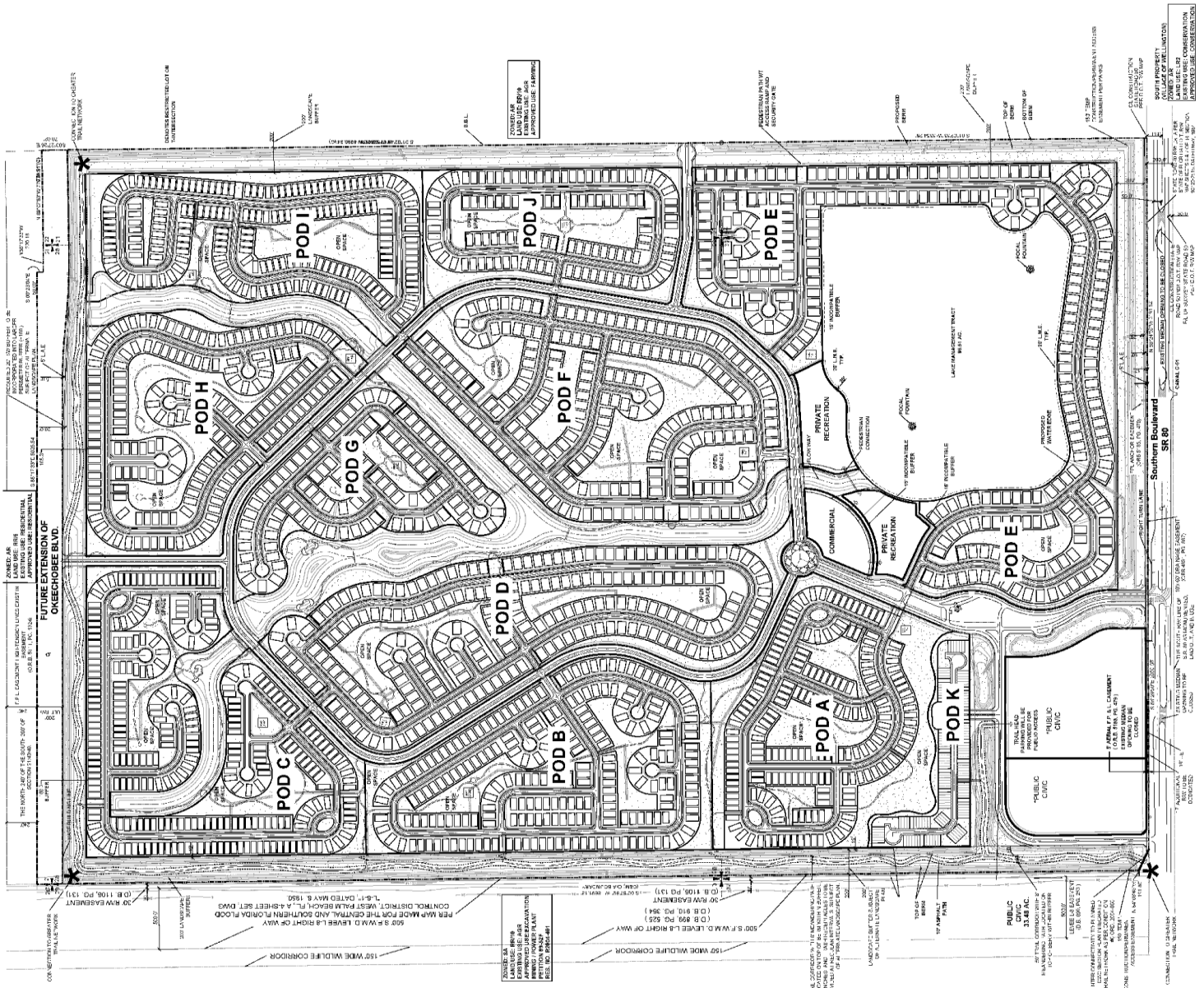


Exhibit D: Disclosures

PALM BEACH COUNTY - ZONING DIVISION

FORM # 09

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Enrique Tomeu, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the [] individual or [] President _____ [position - e.g., president, partner, trustee] of PBA Holdings, Inc. [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.

2. Affiant's address is: PO Box 700
Loxahatchee, FL 33470 0700

3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.

5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.

6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.


X _____

Enrique Tomeu _____, Affiant
(Print Affiant Name)

The foregoing instrument was acknowledged before me this 7th day of February, 2013, by Enrique Tomeu _____, [] who is personally known to me or [] who has produced _____ as identification and who did take an oath.



Notary Public

Simone M Milazzo
(Print Notary Name)

NOTARY PUBLIC
State of Florida at Large
My Commission Expires: June 02, 2013

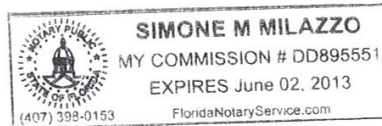


EXHIBIT "A"

PROPERTY

LEGAL DESCRIPTION

PARCEL 2: THAT PART OF THE SOUTH 360 FEET OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA; LESS THE NORTH 240 FEET OF THE SOUTH 360 FEET OF SAID SECTION 21; ALSO THE NORTH 50 FEET OF THE SOUTH 120 FEET OF THE EAST 220 FEET OF SAID SECTION 21.

TOGETHER WITH:
PARCEL 3

THAT PART OF THE SOUTH 360 FEET OF THE WEST 780 FEET OF SECTION 22, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA; LESS THE NORTH 290 FEET OF THE SOUTH 360 FEET OF THE WEST 780 FEET OF SAID SECTION 22.

TOGETHER WITH:
PARCEL 4

THAT PART OF THE WEST 780 FEET OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:
PARCEL 5

ALL OF SECTION 28, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:
PARCEL 8

ALL OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, LYING NORTH OF STATE ROAD 80 RIGHT-OF-WAY.

TOGETHER WITH:
PARCEL 9

THAT PART OF THE WEST 780 FEET OF SECTION 34, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, LYING NORTH OF STATE ROAD 80 RIGHT-OF-WAY.

LESS AND EXCEPTING FROM PARCELS 2, 5 AND 8, THAT PORTION WHICH LIES WITHIN THAT STRIP OF LAND WHICH LIES 46.00 FEET EAST OF, AS MEASURED AT RIGHT ANGLES TO, THE EASTERLY RIGHT OF WAY LINE OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT L-8 CANAL AS PER THE RIGHT OF WAY MAP FOR SAID L-8 CANAL, DWG "L-8-1", AND DATED MAY 8, 1950 AND PROVIDED TO THIS OFFICE BY THE SOUTH FLORIDA WATER MANAGEMENT DEPARTMENT OF SURVEY.

TOTAL SITE ACREAGE = 1209.96 ACRES, MORE OR LESS

