

I HEREBY CERTIFY THE ABOVE AND FOREGOING
IS A TRUE AND CORRECT COPY FROM THE
RECORDS IN THE TOWN CLERK'S OFFICE,
TOWN OF JUPITER, FLORIDA

QUINTELLA L. JONES
DEPUTY TOWN CLERK



RESOLUTION NO. 47 - 16

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING THE DEVELOPMENT ORDER FOR THE ABACOA DEVELOPMENT OF REGIONAL IMPACT ("ABACOA DRI") ORIGINALLY APPROVED BY RESOLUTION 9-95 AND AS AMENDED BY SUBSEQUENT RESOLUTIONS OF THE TOWN COUNCIL; PROVIDING FOR THE AMENDMENT OF CONDITION 18 AUTHORIZING THE CONVERSION OF 1,600 SQUARE FEET OF RETAIL IN THE TOWN CENTER TO ALLOW FOR THE DEVELOPMENT OF A MINI-GOLF COURSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Jupiter, Florida ("Town") approved a Development Order for a Development of Regional Impact ("DRI"), known as the Abacoa DRI, in accordance with Section 380.06, Florida Statutes (F.S.);

WHEREAS, the DO authorized the development of approximately 1,920 acres, as more particularly described in **Attachment "1" ("Abacoa DRI")** and as shown on the Master Plan for the Abacoa DRI attached as **Attachment "2" ("Abacoa DRI Master Plan")**; and

WHEREAS, on June 6, 1995, the Town Council adopted Resolution No. 9-95, which sets forth the initial Abacoa DRI Development Order; and

WHEREAS, thereafter the Town Council has amended the initial Abacoa DRI Development Order through Resolution No. 37-95, Resolution No. 2-96, Resolution No. 61-96, Resolution No. 54-97, Resolution No. 59-97, Resolution No. 93-97, Resolution No. 46-98, Resolution No. 88-98, Resolution No. 15-99, Resolution No. 23-00, Resolution No. 58-00, Resolution No. 57-01, Resolution No. 58-02, Resolution No. 126-02, Resolution No. 01-03, Resolution No. 83-03, Resolution No. 08-04, Resolution No. 46-04, Resolution No. 28-05, Resolution No. 46-06

Resolution No. 47-06, Resolution No. 68-07, Resolution No. 44-09 and Resolution No. 4-13;
and

WHEREAS, the Abacoa Development Company (hereinafter referred to as the "Developer") filed an application with the Town to amend the Abacoa DRI Development Order; and

WHEREAS, the Town has noticed and conducted a public hearing on the amendment to the Abacoa DRI DO as required by Section 380.06(19)(e)2., F.S.; and

WHEREAS, the Town has determined that the proposed change to the Development Order for the Abacoa DRI does not constitute a substantial deviation, pursuant to Section 380.06(19)(e)2., F.S., and, as such does not require further development of regional impact review; and

WHEREAS, the Town has incorporated this change and all the previous changes into this Resolution No. 47-16 thereby reflecting the complete adopted Development Order for the Abacoa DRI; and

WHEREAS, upon adoption, this Resolution shall amend and supercede Resolution No. 9-95, as amended by Resolution No. 37-95, Resolution No. 2-96, Resolution No. 61-96, Resolution No. 54-97, Resolution No. 59-97, Resolution No. 93-97, Resolution No. 46-98, Resolution No. 88-98, Resolution No. 15-99, Resolution No. 23-00, Resolution No. 58-00, Resolution No. 57-01, Resolution No. 58-02, Resolution No. 126-02, Resolution No. 01-03, Resolution No. 83-03, Resolution No. 08-04, Resolution No. 46-04, Resolution No. 28-05, Resolution No. 46-06, Resolution No. 47-06, Resolution No. 68-07, Resolution No. 44-09 and Resolution No. 4-13.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA,

Section 1. Findings of Fact

1. The Whereas clauses are true and correct and are incorporated herein as Findings of Fact.

2. The proposed development is not in an area of critical state concern designated pursuant to the provisions of Section 380.05, Florida Statutes.

Section 2. Conclusions of Law

- 1) The proposed development is consistent with the State Comprehensive Plan;
- 2) The proposed development does not unreasonably interfere with the achievement of the objectives of any adopted State Land Development Plan applicable to the project; and
- 4) The proposed development is consistent with the local Comprehensive Plan, zoning and development laws and regulations of the Town.

Section 3. Order

The approval of the original Abacoa DRI Development Approval as set forth in Resolution No. 9-95 and all subsequent amendments thereto including but not limited to the current amendments to the Abacoa DRI Development Order, are fully set forth and restated in this Resolution No. 47-16. The Abacoa Development of Regional Impact is approved for the following development (hereinafter referred to as "the Development" or "Abacoa") subject to the conditions of approval specified in Section 4:

- a) 6,120 residential dwelling units;
- b) 842,716 square feet retail;
- c) 2,093,393 square feet of workplace, comprised of 1,734,351 square feet of research and development/ industrial and 359,042 square feet of medical office/office;
- d) 217,720 square feet of office;
- e) Baseball training facility/attraction with 7,500 seats and 3,000 parking spaces;
- f) 509 acres of open space, including the upland preservation area, dry portions of the water management areas, golf course, municipal park facility, and vegetated areas within various land use categories;

- g) Supporting uses include, but are not limited to, public and private schools, public support facilities, places of worship, civic buildings, information/administration center and a Tri-Rail station;
- h) 130 room hotel with 20,000 square feet of conference/meeting room facilities or 122,980 square feet of office;
- i) 30 additional hotel rooms;
- j) Movie theater with up to 16 screens and up to 4,009 seats;

consistent with the Abacoa DRI Master Plan attached as **Amended Attachment "2"**.

REVISED RES. NO. 28-05; RES. NO. 46-06; RES. NO. 47-06; RES. NO. 44-09; RES. NO. 4-13

Section 4: Conditions of approval

A. Project Description.

1. The Abacoa Application for Development Approval (ADA) is incorporated herein by reference. It is relied upon, but not to the exclusion of other available information, by the parties in discharging their statutory duties under Chapter 380, Florida Statutes. Substantial compliance with the representations contained in the ADA is a condition for approval and the project's vested rights pursuant to Fla. Sta. § 163.3167(8). The Development shall be developed in accordance with the information, data, plans and commitments contained in the ADA and the supplemental information identified herein below unless otherwise directed by the conditions provided below. In the event that there is a conflict between documents referenced herein, the most recently submitted document shall prevail. For the purpose of this condition, the ADA shall include the following items and shall be constructed in substantial compliance with the following:

- a. Application for Development Approval dated April 7, 1994;
- b. Supplemental information dated July 15, 1994;
- c. Supplemental information received November 18, 1994: Revised Affordability Analysis;

- d. Transportation Analysis prepared by MTP Group;
- e. Supplemental information received January 18, 1995 (Revised: Map-H, (Attachment "2")
Project description, Land Use & Phasing Table);
- f. Site Plan, prepared by Williams, Hatfield and Stoner, Inc., dated January 18, 1994 and
received by the Planning and Zoning Administration Division on January 19, 1995, (see
attachment "2");
- g. Abacoa Map "B", Aerial, prepared by Williams, Hatfield and Stoner, Inc., dated February,
1993 and received by the Planning and Zoning Administration Division on July 15, 1994;
- h. Abacoa Map "F", Vegetative/Habitat Association (Revised), prepared by Williams,
Hatfield and Stoner, Inc., dated February, 1993 and received by the Planning and
Zoning Administration on July 15, 1994;
- i. Abacoa Map "G", Wildlife and Plant Resources (Revised), prepared by Williams, Hatfield
and Stoner, Inc., dated February, 1993 and received by the Planning and Zoning
Administration Division on July 15, 1994;
- j. Abacoa Map "H-1", Conceptual Transit Routes, prepared by Williams, Hatfield and
Stoner, Inc., dated June 23, 1994 and received by the Planning and Zoning
Administration Division on July 15, 1994;
- k. Abacoa Map "I-1R", Existing Drainage Map, prepared by Howard L. Searcy, dated June,
1994 and received by the Planning and Zoning Administration Division on July 15, 1994;
- l. Abacoa Map "I-2R", Water Management Plan, prepared by Howard L. Searcy, on June,
1994 and received by the Planning and Zoning Administration Division on July 15, 1994;
and,
- m. Abacoa Map "I-3", Water Management Plan with Jupiter Wells and Soil Boring
Locations, prepared by Howard L. Searcy, dated June, 1994, and received by the
Planning and Zoning Administration on July 15, 1994.

Modifications to such items as required through issuance of this Development Order shall supersede items indicated above. Within 120 days of the adoption of the Development Order,

the Developer shall provide updated and finalized maps and exhibits in order to comply with the conditions of the Development Order for reference and incorporation herein.

2. In the event, the Developer fails to commence significant physical development within three years from the effective date of the Development Order, development approval shall terminate and be subject to further regional review pursuant to Chapter 380, Florida Statutes. For the purposes of this paragraph, significant physical development shall be deemed to have been initiated after placement of permanent evidence of a structure (other than a modular structure) on a site, such as the pouring of slabs or footings, the provision of permanent roads or utilities, or any work beyond the stage of excavation or land clearing.
3. Failure to progress in compliance with the following schedule shall be deemed a cause for further regional review, as required in Chapter 380.06(19), Florida Statutes. A minimum development of twenty (20) acres of any combination of the Town Center District and the Workplace District as depicted on the Master Plan Map-HR must be commenced by December 31, 2000. An additional development of ten (10) acres of the Town Center District and ten (10) acres of the Workplace District must be commenced by December 31, 2005. **REVISED RES. NO. 23-00**
4. This Development Order shall expire on January 1, 2025, unless amended or abandoned in accordance with Chapter 380, F.S. **REVISED RES. NO. 58-00**
5. A square, with open area accessible to the public, shall be located at the approximate center of each neighborhood, and each residential or workplace district, and the Town Center. The location of neighborhood streets and squares may be determined by the Town of Jupiter without review pursuant to Section 380.06(19), Florida Statutes provided they are consistent

with the intent, criteria and methodology provided in Attachments "4" and "5". **REVISED**

RES. NO. 93-97

6. The annual report required by subsection 380.06(18), Florida Statutes, shall be submitted each year to the Town of Jupiter, the Treasure Coast Regional Planning Council, and the Florida Department of Community Affairs as specified in Section 8. The contents of the report shall include those items required by Department of Community Affairs Rule 9J-2.024, Florida Administrative Code and the following:
 - a. A summary of parcels receiving site plan approval during the reporting period. This summary shall include copies of the approved site plans and a description of how each approval complies with the conditions for development of residential and non-residential uses;
 - b. The amount, in square feet, of useable emergency shelter space constructed on site. The annual status report shall also provide a comparison of total usable public shelter space constructed on site against Abacoa's total resident population;
 - c. The status (schedule) of guaranteed transportation improvements. This Status Report shall be also be submitted to the Florida Department of Transportation;
 - d. The Annual Status Report shall list all roadway improvements needed to be constructed by date, the guaranteed date of completion for the construction of each needed improvement, the public or private entity responsible for the guaranteed construction of each improvement, and the identification of the binding commitment that guarantees construction of each improvement;
 - e. Calculations for daily external and internal traffic being generated by Abacoa shall be based upon the amounts of residential and non-residential development that have received certificate of occupancy on the date of the annual report. This monitoring report shall also calculate daily external traffic to be generated by the development for one year into the future. In addition, any threshold for roadway improvements which has

been triggered during the past year or which may be triggered by external traffic during the next year shall be clearly identified in the Annual Monitoring Report. For each roadway with an improvement scheduled in the future, the annual report shall also include a tabulation by roadway segment of the traffic count data recorded by Palm Beach County during the year covered by the report; and,

- f. A summary of survey and relocation efforts for species of special regional concern which were conducted pursuant to the Development Order. **REVISED RES. NO. 23-00**
7. If the Annual Report reveals that any guaranteed transportation improvement included in the Development Order is no longer scheduled or guaranteed, or has been delayed in schedule such that it is not guaranteed to be in place and operational, or under actual construction for the entire improvement consistent with the timing criteria established in this Development Order, no further building permits shall be issued beyond the timing criteria unless the annual status report establishes that any roadway improvement is no longer required at the time specified in the Development Order. If the annual status report establishes that any transportation improvement is required later than specified in the Development Order, that roadway improvement must be guaranteed to be in place and operational, or under actual construction for the entire improvement consistent with the revised schedule contained in the Annual Report. Building permits may be issued pursuant to the revised schedule upon review and approval by the Town of an amendment to the Development Order, pursuant to 380.06(19) F.S. incorporating that schedule. **REVISED RES. NO. 58-00**
8. If Abacoa's Development Order expires, the areas of the development which have not received site plan approval shall not have become vested pursuant to Florida Statute §163.3167 (8), and the Town shall immediately initiate an amendment to its Future Land Use Map designating the property which has not received site plan approval as a Residential Land Use and shall zone same Rural Residential (RR). Pursuant to the Town's Zoning Ordinance, prior to initiating an amendment to the Future Land Use Map, the Town

Council will review the entire area to determine if there is a potential need for additional residential or non-residential future land use designations.

9. Abacoa should be developed consistent with the intent of criteria "a" through "k". However, Criteria "a" through "k" are not intended to abridge the Town's home rule authority of Jupiter.

These should include the following:

- a. The basic unit of development in Abacoa should be the block. Blocks should be bound on all sides by a local street, an edge area, canal, open space, or regional or thoroughfare road.
- b. There should generally be a pedestrian scale to the make-up of the blocks. To ensure this scale, the average of all block perimeters should not exceed 1,500 linear feet. Block frontage along a single street or block perimeter should not exceed 550 feet or 1,500 feet respectively, unless provided with a pedestrian access point through it at a maximum spacing of 550 feet.
- c. All buildings should have their main entrance on the street side and be accessible from a sidewalk. Compatible building types should generally be placed on both sides of the street. Different building types may be placed back to back in a block.
- d. Buildings fronting the neighborhood squares and Town Center buildings should generally be a minimum of two stories and generally have alley access. The intent of this criteria is to assure building proportions that frame streets and the neighborhood squares, creating a comfortable pedestrian environment. For example, the maximum building height for buildings in the residential neighborhoods and commercial districts should be forty feet and the maximum height in residential and workplace districts and the town center should be fifty feet.
- e. Accessory buildings should be an allowable use within Abacoa.
- f. For lots fifty feet and under, garages should generally be accessed from a rear alley.

- g. There should be sidewalks on both sides of all streets except alleys, to encourage a network of pedestrian-friendly streets. Sidewalks on residential streets should be no less than five feet in width with a minimum of four feet of that width unobstructed. Sidewalks in the commercial and workplace districts should be at least seven feet wide. Sidewalks in the town center should be at least ten feet wide.
- h. Sidewalks should be shaded by trees, to encourage a network of pedestrian-friendly streets. For example, trees of a single species should be planted every fifty feet between the sidewalk and the street. In addition, no less than one shade tree should be planted so that it shades the sidewalk in front of each residence which has a front yard. Sidewalks in the town center should be additionally protected from the elements by awnings, arcades, balconies or similar treatments.
- i. Additional plazas and greens are recommended at a frequency and location such that they occur within a five minute walk of every residential unit. All central squares (except that in neighborhood 5) should be connected by a street to at least two other central squares located in adjacent neighborhoods or districts. The connecting streets should include sidewalks or paved paths at least seven feet wide.
- j. Provisions of on-street parking should be permitted except along regional roads and thoroughfares. Provisions of on-street parking should be required in the town center, and the workplace and residential districts. Vehicular access to the rear of buildings located in the town center and commercial (excluding the commercial parcel shown on Attachment "6"), workplace, and residential districts should be required and is generally encouraged in the neighborhoods. Within the town center, and the residential, workplace, and commercial districts (excluding the commercial parcel shown on Attachment "6"), no less than 75% of the parking provided should occur in the rear of the lots. A maximum of two lanes of parallel parking should be provided in the front of the buildings as long as adjacent parking areas are connected. The

remaining off-street parking in these areas should be provided at the side or rear of the lot.

- k. Parking lots and garages should not abut civic use lots, squares or parks, nor should they terminate street vistas.

The Town in its sole discretion, may adopt criteria "a" through "k", or others, in its ordinance which will govern the implementation of Abacoa to assure the following:

- a. Development of a pedestrian-friendly environment that will encourage walking and the use of alternative modes of transportation within the project;
 - b. Development of the project occurs in a way that facilitates future mass transit access and opportunities throughout the project; and
 - c. Commitments and representations made in the ADA are carried out.
10. The following additional landscaping buffer planting requirements shall be required for Abacoa:
- a. The following landscape buffer planting requirements shall be required for the following roadways. The requirements are as follows:

Location of Installation	Required Time Frame for Installation	Minimum Buffer Width	Minimum Planting Specifications
Donald Ross Road from Interstate 95 to Alternate A1A	Prior to the issuance for the first Certificate of Occupancy (CO) for the parcel adjoining the required buffer.	90 feet **	See b, c, d, and e below.
Military Trail from Indian Creek Parkway south to Donald Ross Road.	For each parcel, prior to the issuance of the first Certificate of Occupancy (CO) for that parcel. Except for the commercial parcel at Donald Ross Road, all required buffers must be installed within 10 years of Town Council approval of the development order.	50 feet	See b, c, d and e below.
Frederick Small Road (south side only) east of Military Trail to Alternate A1A.	Prior to the issuance for the first CO for any structure within the adjacent southern (contiguous) parcel(s).	50 feet	See b, c, d and e below.
Frederick Small Road (north side) east of the preserve area to Military Trail.	Prior to the issuance for the first CO for any structure within the adjacent northern (contiguous) parcel(s).	50 feet	See b, c, d, and e below.
Central Boulevard (after the completion of each section).	Prior to the issuance for the first CO for any structure on any adjacent (contiguous) parcel(s).	35 feet	See b, c, d and e below.

Frederick Small Road (south side) east of Central Boulevard.	Prior to the issuance for the first CO for any structure within the adjacent southern (contiguous) parcel(s).	50 feet	See b, c, d and e below.
Indian Creek Parkway (north side) from the western edge of the Hamptons development east to the FPL easement..***	Within 3 months of completion for the section of Central Boulevard from Frederick Small Road to Indian Creek Parkway.	35 feet	See b, c, d and e below.

- * The required time frame for installation shall mean the installation of the entire buffer area for the entire length of the roadway .
 - ** An exception to the requirement for the required 90 foot buffer may be granted by Town Council for those commercial uses located on the corner of Military Trail and Donald Ross Road, provided that the criteria for the exception is included within an Interlocal Agreement with the adjoining municipality and in no event shall the buffer be less than 50 feet. No exception to any other requirements may be granted.
 - *** Provided the Maplewood/Hamptons development permits or grants approval of the installed landscaping to be accommodated on their property.
- b. Minimum perimeter buffer requirements for all residential properties abutting right-of-ways. Refer to Attachment "7" for exact locations of required buffer areas and Attachment "7A" for typical buffer sections for the required buffers on Military Trail. A minimum planting width of 25 feet shall be maintained for installation of planting and berming (as required). This shall include as a minimum .23 trees per total linear feet (or fraction thereof) of roadway frontage and a minimum of .32 shrub material per total linear feet (or fraction thereof) of roadway frontage. Pedestrian and vehicular access points may be excluded from the above linear buffer requirements when approved by the Town. For buffers along Military Trail, the size of plant materials installed shall be substantially the same size of the installed plant material in any buffer on any directly adjacent parcel within Abacoa.
- c. Minimum perimeter buffer requirements for non-residential properties abutting rights-of-ways. Refer to Attachment "7" for exact locations of required buffer areas and Attachment "7A" for typical buffer sections for the required buffers on Military Trail. A minimum planting width of 25 feet shall be maintained for installation of planting and berming (as required). This shall include as a minimum .14 trees per total linear feet (or fraction thereof) of roadway frontage and a minimum of .24 shrub

material per total linear feet (or fraction thereof) of roadway frontage. Pedestrian and vehicular access points may be excluded from the above linear buffer requirements when approved by the Town. For buffers along Military Trail, the size of plant materials installed shall be substantially the same as the size of the installed plant material in any buffer on any directly adjacent parcel within Abacoa.

d. Minimum perimeter buffer requirements for preservation/ greenspace/edge areas that abut rights-of-ways. Refer to Attachment "7" for exact locations of required buffer areas. A minimum planting width of 100 feet or as depicted as scaled on the Master Site Plan, shall be maintained for existing/preserved/relocated plant materials. Upon submission of the landscape plan for the required buffer areas as outlined herein, the Developer in conjunction with Town Staff shall evaluate those areas where large expanses of open area exist as a result of exotic vegetation removal. The Developer shall be required to maintain the preserve buffer areas at 100 percent opacity.

e. General requirements.

1) Landscape plan submittal. The Developer shall submit within 90 days of the required time frame for installation, landscape and irrigation plans detailing all the requirements contained herein for Town Council review and approval. The requirements shall satisfy all Landscape Ordinance requirements unless superseded by the requirements specified and contained herein.

2) Tree planting requirements. At the time of installation all tree material shall be of heights varying from 6 feet to 15 feet. The minimum following height requirements shall apply.

Minimum planting height	Minimum percentage of total quantity to be installed
6 - 10 feet	5%
10 - 15 feet	50%
15 -18 feet	15%

18 feet +

10%

3) Shrub planting requirements. At time of installation all shrub material shall be from 10 to 36 inches with a minimum container size of 3 gallons for all nursery materials. Tree spade and transplanted material from on-site shall be a minimum 36" in height at time of planting.

4) Required planting palette for installed vegetation. As a minimum, 90 percent of the total installed and/or preserved plantings shall be selected from the following native plant species:

Trees

Pinus elliotti Var. densa (So. Florida Slash Pine)	Carya Floridana (Scrub Hickory)
Quercus Virginiana (Live Oak)	Quercus Laevis (Turkey Oak)
Myrica cerifera (Wax myrtle)	Quercus Myrtifolia (Myrtle Oak)
Sabal Palmetto (Sabal Palm)	Taxodium Jisticum (Bald Cypress)
Pinus Clausa (Sand Pine)	Carya Aquatica (Water Hickory)
Quercus Laurifolia (Laurel Oak)	Quercus Nigra (Water Oak)
Juniperus silicoca (Southern Red Cedar)	persea Palustris (Swamp Bay)

Shrubs

Tripsacum dactyloides (Fakahatchee grass)	Myrica cerifera (Wax myrtle)
Spartina bakeri (Cord grass)	Myrsine floridana (Myrsine)
Hamelia patens (Firebrush)	Carya Floridana (Shrub Hickory)
Chrysobalanus icaco (Red Tip Cocoplum)	Ilex Cassine (Dahoon Holly)
Citharexylum fruiticosum (Fiddlewood)	Ilex Glabra (Gallberry)
Nephrolepis Spp.(Swordfern)	Ilex Opaca (Palatica/Opaca Holly)
Serenoa repens (Saw Palmetto)	Iarex Longii (Carex Sedge)
Eleocharis Cellulosa (Spike Rush)	Blechnum Serrulatum (Blechnum Fern)

Pondtederia Lanceolata (Pickerel Weed)	Panicum Hemitomon (Maiden Cane)
Rhynchospora Tracyi (Tracy's Beakrush)	Vallisneria Americana (Eel Grass)
Nymphaea Odorata (White Water Lily)	Crinum Americana (String Lily)
Acrostichum (Leather Fern)	Andropogon Spp. (Beard Grassw)
Aristida Stricta (Wire Grass)	Sorghastrum Secundum (Indian Grass)
Licania Michauxii (Gopher Apple)	Woodwardian Virginica (Chain Fern)
Osmunda Cinnamomea (Cinnamon Fern)	Lyonia Lucida (Fetterbush)
Lycopodium Appressum (S. Club Moss)	Rhododendum Famosa (Azalea)
Dodonaea Viscosa (Varnish Leaf)	Asclepias Tuberosa (Butterfly Weed)
Campis Radicans (Trumpet Vine)	Liatris Spicata (Blazing Star)
Rudbeckia Hirta (Black-eyed Susan)	Carex Comans (Carex Sage)
Opuntia Humifusa (Pickly Pear Cactus)	Portulaca Pilosa (Pink Purslane)
Zamia Integrifolia (Coontie)	Gaylussia Dumosa (Huckleberry)
Vaccinium Myrsinites (Shiny Blueberry)	Piloblephis Rigida (Penny Royal)
Nephrolepis Bisserata (Boston Fern)	

- 5) Maximum number of palm species planting. No more than 10% of the total trees required to be installed may consist of palms species. Three (3) palm trees shall account for one (1) tree as required pursuant to these regulations. This shall include preserved/relocated/installed plant materials.
- 6) Berming requirements. Where transplanted, relocated and/or nursery installed materials are planted, a minimum four (4) foot berm shall be located within the required buffer width subject to the following:
 - a) The overall height of the berm shall be measured from the top of the adjacent installed sidewalk;

- b) The maximum permitted slope shall be a 3 to 1 ratio; and,
 - c) In specific locations where it can be demonstrated that the construction of the berm would eliminate or obstruct special scenic views of site amenities (i.e. golf courses, lakes, preserves or natural amenities), the height of the berm may be reduced or the berm eliminated. Any reduction or elimination of the berm shall be approved by the Department of Community Development. Approval by the Department of Community Development of the reduction or elimination of a berm may include a requirement that special or additional landscape or other visual amenities are provided to enhance the scenic view.
 - d) The Town Council may approve elimination of the berm or variation to the berm height to provide views and variety of the berms along required roadways.
- 7) Temporary irrigation for transplanted/relocated/ preserved materials. Upon completion of the installation of all transplanted/relocated/ preserved plant materials and buffer areas, including trees, shrubs and ground covers shall be serviced by a temporary fully operational irrigation system to insure survivability. Determination as to the type, (i.e. sprinkler heads, weep hosing/tubing low-pressure, low volume, black-poly system using water conserving emitters), etc shall be determined at time of Town review of the landscape plan for the installed plant materials. Only those existing preserve/buffer areas as noted on the Abacoa Master site plan (Attachment "2") shall be exempt from the installation of permanent irrigation systems as required by the Town's Landscape Ordinance.

- 8) Existing on-site vegetation. Viable and preservable existing on-site vegetation shall be preserved where possible within the required buffer widths. Berming may be modified or not required depending upon the quality of existing native vegetative materials as determined by the Town.
 - 9) Opaqueness of installed material. Upon completion of the installation of all plantings, a minimum of 75% opaqueness shall be achieved within 5 years of installation. Thereafter, the 75% opaqueness shall be maintained in perpetuity.
 - 10) Water management areas. Water management areas may be provided within the required buffer areas provided the minimum buffer area as specified is provided.
 - 11) Preserved plant materials. The Developer is required to preserve native vegetation within the landscape buffers. Existing native trees and shrubs that are preserved or relocated (where possible) within the buffer areas, will be credited towards satisfying the minimum required installation of landscaping.
- f. At the discretion of the Town (Director of Planning and Zoning), the specific planting and berming requirements as prescribed within paragraphs c. and e. shall be waived for non-residential properties developed within Abacoa that are located at the intersection of two streets, if the following criteria are met:
- 1) Principal buildings are programmed so as to engage/build-to the designated street edge.
 - 2) Parking fields are located primarily at the rear of the buildings and secondary along the sides of buildings (not visible from the public rights-of way).

- 3) Principal buildings present highly articulated architecture designed to reinforce pedestrian network connectivity and scale.
- 4) A minimum of 50% of the retail/restaurant/personal service uses are integrated into the ground floor of the overall development.
- g. At the discretion of the Town (Director of Planning and Zoning), on-street parking spaces may encroach, a maximum of five percent total, into the east side of the buffer for the southernmost Workplace parcel east of Military Trail (Greenwich).

REVISED RES. NO. 54-97; RES. NO. 93-97; RES. NO. 46-98; RES. NO. 57-01; RES. NO. 47-06; RES. NO. 44-09

- 11. The following additional median planting requirements shall be required
 - a. The following median planting requirements shall be required for the following roadways:

Location of Installation	Required Time Frame for Installation*	Minimum Planting Specifications
Donald Ross Road from the access road of North Palm Beach Heights to Alternate AIA.	Prior to the issuance of the first CO.	Quantity to be determined dependent upon available greenspace in the medians. Subject to the requirements outlined in section "b" below.
Military Trail from Indian Creek Parkway south of Donald Ross Road.	Within 3 years of Town council approval of the development order or upon issuance of the first CO for any structure on any parcel fronting Military Trail. Whichever occurs first.	Same as above.
Indian Creek Parkway from the western edge of the development to Military Trail	Within 3 months of the completion of additional laneage for Indian Creek Parkway.	Same as above.
Frederick Small Road east of Central Boulevard to Military Trail.	Prior to the issuance for the first CO for any structure with the adjacent northern (contiguous) parcel(s).	Same as above.
Central Boulevard (after the completion of each section).	Prior to the issuance for the first CO for any structure on any adjacent (contiguous) parcel(s).	Same as above.

- * The required time frame for installation shall mean the installation of the entire buffer area for the entire length of the roadway.

b. General requirements.

- 1) Landscape plan submittal. The Developer shall submit within 90 days of the required time frame for installation, landscape and irrigation plans detailing all the requirements contained herein for Town Council review and approval. The requirements shall satisfy all Landscape Ordinance requirements unless superseded by the requirements specified and contained herein.
- 2) Tree planting requirements. At the time of installation all tree material shall consist of heights varying from 6 feet to 15 feet. As a minimum the following heights requirements shall be established:

Minimum planting height installed	Minimum percentage of total quantity to be installed
6 - 10 feet	5%
10 - 15 feet	50%
15 -18 feet	15%
18 feet +	10%

- 3) Shrub planting requirements. At time of installation all shrub material shall range in height from 10 to 36 inches with a minimum container size of 3 gallons for all nursery materials. Tree spade and transplanted material from on-site shall be a minimum 36" in height at time of planting.
- 4) Required planting palette for installed vegetation. As a minimum, 90 percent of the total installed and/or preserved plantings shall be selected from the plant list provide in condition 10. Nursery bought materials shall be Florida number one grade or better.
- 5) Maximum number of palm species planting. No more than 10% of the total trees required to be installed may consist of palms species. Three (3) palm

trees shall account for one (1) tree as required pursuant to these regulations. This shall include preserved/relocated/installed plant materials.

6) Berming requirements. Where transplanted, relocated and/or nursery installed materials are planted a minimum one (1) to two (2) foot berm shall be provided subject to the following:

- a. The overall height of the berm shall be measured from the top of the adjacent curb.
- b. The maximum permitted slope shall be a 3 to 1 ratio.

7) Irrigation. Upon completion of the installation of all plant materials and buffer areas, including trees, shrubs and ground covers shall be serviced by a fully operational permanent underground irrigation system. Determination as to the type, (i.e. sprinkler heads, weep hosing/tubing (low-pressure, low volume, black-poly system using water conserving emitters), etc shall be determined at time of Town review of the landscape plan for the installed plant materials.

REVISED RES. NO. 23-00

12. The following landscape buffer planting requirements shall be required for the following properties. Refer to Attachment "8" for exact location of buffer requirements. The requirements are as follows:

Location of Installation	Required Time Frame for Installation	Minimum Buffer Width	Minimum Planting Specifications
Recreation facilities (i.e., playing fields, etc.)	Prior to the issuance of a certificate of completion.	25 feet	See "a" below.

* The required time frame for installation shall mean the installation of the entire buffer area for the entire length of the buffer.

The Town Center as defined on the Abacoa Master Plan shall be exempt from the listed requirements.

- a. General requirements.

- 1) Landscape plan submittal. The Developer shall submit within 90 days of the required time frame for installation, landscape and irrigation plans detailing all the requirements contained herein for Town Council review and approval. The requirements shall satisfy all Landscape Ordinance requirements unless superseded by the requirements specified and contained herein.
- 2) Tree planting requirements. At the time of installation all tree material shall consist of heights varying from 6 feet to 15 feet. As a minimum the following heights requirements shall be established:

Minimum planting height Minimum percentage of total quantity to be installed

6 - 10 feet		5%
10 - 15 feet	50%	
15 -18 feet		15%
18 feet +		10%

- 3) Shrub planting requirements. At time of installation all shrub material shall range in height from 10 to 36 inches with a minimum container size of 3 gallons for all nursery materials. Tree spade and transplanted material from on-site shall be a minimum 36" in height at time of planting.
- 4) Required planting palette for installed vegetation. As a minimum, 90 percent of the total installed and/or preserved plantings shall be selected from the vegetation listed in condition 10 above.
- 5) Maximum number of palm species planting. No more than 10% of the total trees required to be installed may consist of Palms species. Three (3) palm trees shall account for one (1) tree as required pursuant to these regulations. This shall include preserved/relocated/installed plant materials.
- 6) Berming requirements. Where transplanted, relocated and/or nursery installed materials are planted a minimum four (4) foot berm shall be located within the required buffer width subject to the following:

- a. The overall height of the berm shall be measured from the top of the adjacent installed sidewalk.
 - b. The maximum permitted slope shall be a 3 to 1 ratio.
 - 7) Irrigation. Upon completion of the installation of all plant materials and buffer areas, including trees, shrubs and ground covers shall be serviced by a fully operational permanent underground irrigation system. Determination as to the type, (i.e. sprinkler heads, weep hosing/tubing (low-pressure, low volume, black-poly system using water conserving emitters), etc shall be determined at time of Town Staff review of the landscape plan for the installed plant materials.
 - 8) Existing on-site vegetation. Viable and preservable existing on-site vegetation shall be preserved where possible within the required buffer widths. Berming may be modified or not required depending upon the quality of existing native vegetative materials.
 - 9) Opaqueness of installed material. Upon completion of the installation of all plantings, a minimum of 75% opaqueness shall be achieved within 5 years of installation. Thereafter, the 75% opaqueness shall be maintained in perpetuity.
 - 10) Preserved plant materials. The Developer is required to preserve native vegetation within the landscape buffers. Existing native trees and shrubs that are preserved or relocated (where possible) within the buffer areas, will be credited towards satisfying the minimum required installation of landscaping. **REVISED RES. NO. 57-01**
13. Prior to the issuance of a certificate of occupancy for any structure on a parcel fronting the east side of Military Trail between Donald Ross Road and Frederick Small Road, the Developer shall be required to install a six (6) foot concrete sidewalk along the parcel's

frontage along Military Trail. The sidewalk shall be set back a minimum of ten (10) feet or the greatest distance from the outside of the existing curb of the roadway. The construction and installation shall be subject to Town review and approval. When the southernmost Workplace parcel is developed, the required sidewalk shall be extended to Donald Ross Road. When the northernmost Workplace parcel is developed, the required sidewalk shall be extended to Frederick Small Road. The required sidewalk from Donald Ross Road to Frederick Small Road shall be installed by December 31, 2003. **REVISED RES. NO. 46-98, RES. NO. 57-01**

14. Within three (3) years of the adoption date of the Development Order or upon issuance of a first certificate of occupancy for any structure on a parcel that is not related to the spring training baseball facility, the Developer shall be required to install a eight (8) foot concrete sidewalk on the north side of Donald Ross from the access road into North Palm Beach Heights residential development to Military Trail. No permits shall be issued in Abacoa after March 31, 1998 unless an eight (8) foot interim asphalt sidewalk is constructed on the north side of Donald Ross Road from Military Trail to as close to the FEC railroad tracks as permitted by Palm Beach County without relocating the FP&L transformer/switch boxes or requiring any permits from the F.E.C. railroad. When Donald Ross Road is widened from Military Trail to Alternate A1A, the interim asphalt sidewalk must be replaced with an eight (8) foot wide concrete sidewalk along the north side of Donald Ross Road. The sidewalk shall be set back a minimum of ten (10) feet or the greatest distance available within the right-of-way from the outside of the existing curb of the roadway, unless the Town Council approves an alternative location. The construction and installation shall be subject to the Town's review and approval. **REVISED RES. NO. 93-97; RES. NO. 23-00**

15. Within 90 days of the completion (opening) of Central Boulevard of each phase or segment of roadway, the Developer shall be required to install a minimum eight (8) foot

sidewalk on both sides of Central Boulevard from Donald Ross Road to Indian Creek Parkway. The sidewalk shall be set back a minimum of eight (8) feet or greater distance from the outside of the curb of the roadway. The construction and installation shall be subject to Town's review and approval.

16. **DELETED RES. NO. 23-00**

17. The Workplace District is the major economic activity and employment center for the project and has a mixture of predominantly non-residential uses regulated by Town zoning. Office, medical office, light industrial, retail/service, and residential land uses may be authorized for the Workplace District, as depicted on the Master Site Plan. The amount of each non-residential use will be regulated by the exchange table outlined below. Except as provided in condition 18c, the maximum permitted development in the Workplace District shall not exceed the cumulative impact, which would otherwise be realized from the development as requested to include 1,403,200 sq.ft. of research and development/industrial and 350,800 sq.ft. of medical office/office. The Town in its sole discretion, may approve or deny any change of land use proposed by the Developer under these provisions. However, no more than 50% of the research and development/industrial and 50% of the medical office/office may be converted to another use; and no more than an additional 40% of the research and development/industrial square feet may be converted to medical office or office. The intent of this condition is to establish the mechanism for determining the amount of the permitted uses within the workplace without further regional or state review pursuant to Chapter 380.06(19) F.S.

Exchange Table:

Change to (Proposed land use)	Change from (Existing approved Land Use)	
	Research & development/ light industrial	Medical office/ office
A) Research & development 1,000sf. (KSF) is equal to:	NA	1,040 sq. ft.

B) Light industrial 1,000sf. (KSF) is equal to:	NA	1,040 sq. ft.
C) Medical office 1,000sf. (KSF) is equal to:	4,870 sq. ft.	NA
D) Office 1,000sf. (KSF) is equal to:	2,500 sq. ft.	NA
E) Retail/service 1,000sf. (KSF) is equal to:	8,530 sq. ft.	1,750 sq. ft.

*Note: (KSF) = Thousand Square Feet, (RM) = Room

Example exchange:

Exchange Research & Development/Light Industrial with 25,000sf. of Retail/Service.

Step 1. Using Row (E) and column (1); 1,000sf (KSF) of Retail/Service equals 8,530sf of R&D/Ind.

Step 2. $25 \text{ KSF} \times 8,530\text{sf} = 213,250$ square feet.

Step 3. Reduce the approved Research & Development/Light Industrial by the 213,250 square feet calculated.

Land Use exchanges in the above table are based on the buildout of the Abacoa DRI. Equivalencies within the table are derived from the highest associated impact with regard to: transportation, potable water, waste water, solid waste and affordable housing. In addition to the development specified above, an additional 294,502 square feet of research and development/industrial may be permitted by virtue of the conversion of 225 residential units. 40,000 square feet of research and development/industrial may occur in the Town Center. The Town in its sole discretion, may approve or deny any increase or decrease of land uses proposed by the Developer under this provision. The intent of this condition is to specify latitude in conversions which may be implemented without further regional review. Also in addition to the development specified above, an additional 36,649 square feet of Research and Development/Industrial is authorized by virtue of the conversion of 28 Workplace units. **REVISED RES. NO. 37-95, RES. NO. 46-04, RES NO. 28-05, RES. NO. 44-09**

18. The Developer may, without substantial deviation review pursuant to Chapter 380.06(10) F.S., vary the parcel lines, roadway locations, convert uses and shift certain uses between parcels based on the following parameters:
 - a. Parcel boundaries. The parcel boundaries which define the subdistricts displayed on the Master Plan, and within the legally defined site boundary, may be modified by expanding or contracting lines by 200 feet, provided such reconfiguration does not impact or reduce any preservation/conservation areas or wetlands unless such impact is otherwise approved by the Development Order. Any changes to these boundaries shall be subject to the approval of the Town.
 - b. Roadway locations. The roadway locations shown on the Master Plan may be adjusted to reflect site engineering as approved by the Town, Palm Beach County or F.D.O.T. as appropriate. These roadway alignments may also be adjusted as necessary provided that the impacts to conservation, preservation or wetlands areas, do not differ from those identified in the Development Order, the points of external access are not significantly modified and the change is otherwise consistent with the provisions of the Development Order. The adjustment or realignment of roadway shall be subject to Town approval.
 - c. Conversions of uses. The Developer may increase or decrease the amount of a particular land use within the approved development program by using the exchange matrix attached as Attachment 10. However, should changes in the development program occur as a result of using Attachment 10, the sum total of the changes cannot exceed the substantial deviation criteria identified in Chapter 380.06 (19), including, without limitation, 380.06(19)(b) 1-14, Florida Statutes, unless the Development Order is amended to accommodate such a change. Conversions shall further be limited to those between non-residential use

parcels. An exception to this restriction is that neighborhood non-residential uses may be added around the neighborhood squares. After April 19, 2005, any conversion of non-residential land use to residential shall be required to be designated affordable and shall meet the requirements of Condition 135. Any time the exchange matrix is used, DCA and TCRPC shall be provided 30 days advance notice. The Town in its sole discretion, may approve or deny any increase or decrease of land uses proposed by the Developer under this provision. The intent of this condition is to specify latitude in conversions which may be implemented without further regional review. Finally, the use of the conversion table shall be documented in the annual report.

- d. Shift of uses between parcels. The Town may approve the shift of up to 25% of the residential units from any residential parcel to other non-residential parcels, or to another residential parcel within the same Traffic Analysis Zone - (TAZ), without further review pursuant to Chapter 380.06(19), F.S.
- e. 1,600 square feet of retail in the Town Center may be developed as a mini-golf course, not to exceed 05.+/- acres, without the need for further review pursuant to Chapter 380.06(19), F.S.**

REVISED RES. NO. 37-95, RES. NO. 23-00, RES. NO. 28-05, RES. NO. 47-16

- 19. Prior to January 1, 2005 or the northernmost connection to Heights Boulevard from within the Abacoa development, whichever occurs first, the Developer shall dedicate appropriate right-of-way to allow for access into Abacoa from the development known as Egret Landing. The right-of-way shall be located from the easement of the Northern Palm Beach County Water Control District at the southernmost ingress/egress point of the existing Egret Landing (aka Section 15) development to the internal roadway of Abacoa. The amount and location of dedicated right-of-way shall be subject to Town

approval, but in no case shall the right-of-way exceed sixty (60) feet. **REVISED RES. NO. 23-00, RES. NO. 58-00, RES. NO. 46-04**

20. Within 120 days of the adoption of the Development Order the Developer shall submit a revised Master Site Plan indicating the greenway crossing depicted on the Master Site Plan between neighborhood 7a and 7b will be relocated to the east, to accept a direct connection of the neighborhood squares in neighborhood 7a and 7b to the proposed railroad station.

20.1 **ADDED RES. NO. 61-96; DELETED RES. NO. 15-99**

B. Vegetation.

21. No additional bisecting of the preserve areas by roadways, underground or above ground utilities (other than designated roadway crossings) or other similar uses, other than those indicated on the Master Site Plan shall be permitted unless approved by the Town pursuant to 380.06(19) F.S. **REVISED RES. NO. 23-00, RES. NO. 58-00**

22. Prior to the approval from the Town for any on-site vegetation removal, land clearing, land reconfiguration, grading, etc, the Developer shall have obtained all applicable environmental permits to include but not limited to the following agencies: United States Army Corp of Engineers, Palm Beach County Department of Environmental Resource Management, Florida Department of Environmental Protection, Florida Fish and Wildlife Conservation Commission, and South Florida Water Management District (hereinafter referred to as USACOE, PBCDERM, FDEP, FFWCC, and SFWMD, respectively). The above permit and all required backup written documentation (i.e., application, backup materials, research, etc) and final approval correspondence shall be provided to the Town for reference and review. **REVISED RES. NO. 23-00**

23. Any preserve area modifications required as a condition of a regulatory agency permit approval process shall be reviewed by the Town under the requirements of Section 380.06(19) F.S. Town review and approval shall be required prior to the

commencement of any land alterations/construction within the modified area. The use of native plant communities, existing trails, etc. as firebreaks is preferred to the construction of new access roads or fire lanes, which would result in the introduction and spread of invasive non-native plant species.

24. The Developer shall preserve a minimum of 259 acres of upland habitat as indicated on the revised Master Plan and is recognized as meeting the 25% set aside requirement of the Town development standards for the entire site. **REVISED RES. NO. 23-00**
25. Prior to the issuance of a vegetation removal permit for a site or portions of a site, certification shall be required from the Developer's landscape architect or environmental consultant stating the highest quality preserve and buffer materials and all listed plant and animal species have been maintained on-site within a functional ecosystem.
26. The Developer shall maintain a minimum ninety percent (90%) survival rate of the landscape material that has been requested to be preserved and/or relocated in a viable state. It shall be the responsibility of the appropriate owner(s), association, entity or acceptable other governmental entity, qualified pursuant to Section 704.06(3) F.S. or other acceptable legal mechanism (subject to Town Council review and approval), to insure that all preserved and relocated material on each individual lot is preserved and maintained in perpetuity. If large hardwood trees exist on individual development parcels, protective measures shall be instituted by the owner(s) of such parcels. to preserve them consistent with Town Ordinances.
27. The Developer shall maintain preserve areas as indicated on the Master Site Plan. Within these preserves, 181 acres or 70% of the 259 total acres of upland preserve shall be maintained as suitable gopher tortoise habitat. Suitable habitat shall be determined by FFWCC. **REVISED RES. NO. 23-00**
28. If modifications are requested that require a change of the preserve area configuration as is indicated on the Master Site Plan, the minimum width required for all preserve

areas intended for preservation of the gopher tortoise shall be 400 feet or less if approved by FFWCC. **REVISED RES. NO. 23-00**

29. Prior to the issuance of any vegetation removal permits or any land alteration activities, the Developer shall conduct a detailed survey including narrative and illustrations of the parcel for federally or state listed species. FFWCC shall review and confirm the total number of gopher tortoise burrows surveyed in order to determine the type of permit required. Town approval shall be required prior to any land clearing, land alterations, etc. **REVISED RES. NO. 23-00**
30. Should any previously unidentified species of special regional concern be located on the site, the Developer shall cease all activities which might negatively affect that species and immediately notify the Town and the appropriate State or Federal agency. The Developer shall protect that species to the satisfaction of the Town and other jurisdictional agencies. The greenway preserve area shall be utilized as the first means for accommodating such species previously unidentified, if demonstrated that the preserve area satisfies the habitat guidelines for that species. Additional mitigation shall be required only if determined by the Town or the jurisdictional agencies that the existing preservation areas are inadequate.
31. Within 120 days of the adoption of the Development Order, the Developer shall submit a Gopher Tortoise/Listed Species Monitoring and Management Plan to the Florida Fish and Wildlife Conservation Commission, the Florida Department of Community Affairs and the Town. Upon receipt of the Plan, the Town shall have 30 days to determine if the Plan contains sufficient information for review and evaluation. Upon such sufficiency determination, the Town in consultation with Florida Fish and Wildlife Conservation Commission, Florida Department of Community Affairs, Treasure Coast Regional Planning Council and other appropriate agencies, shall have a maximum of 60 days to

complete its review. No development permits shall be issued prior to the approval of the Plan. This Plan shall include but not be limited to the following:

- a. The date a boundary survey and accompanying legal description of the upland preserve area which will include a minimum of 181 acres of tortoise habitat, will be provided.
- b. Provisions shall be made for a trust account or funding source to the governing agency for the perpetual maintenance and upkeep of the tortoise habitat and any cost incurred thereof.
- c. A Provision that the preserve areas shall be encumbered by deed restrictions to prohibit encroachments into them.
- d. Provisions for meeting the FFWCC permitting requirements and guidelines for creating and maintaining suitable gopher tortoise habitat.
- e. A Town representative may be present during the surveying, and shall be present during locating and relocating of tortoises/burrows.
- f. Provide data and analysis that demonstrates the tortoise population which can be maintained within the preserve and a contingency plan for any additional tortoises that might be discovered beyond capacity.
- g. The time and method for capturing tortoises outside the preserve and reestablishing them within the preserve.
- h. The time and methods for removing invasive exotic or prohibited plant species within the preserve, and tortoise habitat.
- i. Provision for initial random health check to be conducted on the tortoise population.
- j. Provide a health monitoring schedule to ensure a healthy and viable tortoise population. This shall include provisions for the removal of any individual which may have an illness that would threaten the remaining population.

- k. Protective measures shall be established to monitor and control nuisance/predators such as raccoons, opossums, armadillos, dogs and cats.
 - l. Provide a monitoring schedule and provisions for the continuous review and maintenance of a healthy and viable gopher tortoise/listed species habitat, if need be a long term enhancement program to maintain habitat quality and value for wildlife within the preserve.
 - m. Provide opportunities or provisions for the nesting, roosting and perches of avian species.
 - n. Provisions for the installation and maintenance of fencing and access gates as required to maintain the tortoises within the preserve.
 - o. A copy of the FFWCC permit, and any associated reports and findings shall be provided to the Town for reference and review.
 - p. A provision which provides for permanent gopher tortoise habitat to be established for relocation of the species prior to the commencement of any land development activities south of Frederick Small Road and north of Frederick Small Road. **REVISED RES. NO. 23-00**
32. Within 120 days of the adoption of the Development Order, the Developer shall submit an Upland Preserve Management Plan to the Florida Department of Community Affairs and the Town. Upon receipt of the Plan, the Town shall have 30 days to determine if the Plan contains sufficient information for review and evaluation. Upon such sufficiency determination, the Town in consultation with Florida Fish and Wildlife Conservation Commission, Florida Department of Community Affairs, Treasure Coast Regional Planning Council and other appropriate agencies, shall have a maximum of 60 days to complete its review. No development permits shall be issued prior to the approval of the Upland Preserve Management Plan. This Plan shall include but not be limited to the following:

- a. The date a boundary survey and accompanying legal description of the upland preserve will be provided.
- b. Provisions that the upland preserve shall be encumbered by appropriate deed restrictions to prohibit encroachment into them.
- c. Provisions be made for a trust account or funding source to the governing agency for the perpetual maintenance and upkeep of the preserve area and any cost incurred thereof.
- d. The time and method for removal of invasive exotic and prohibited plant species within the preserve area.
- e. A monitoring schedule for the identification, removal and control of exotic and prohibited plant species as well as a replanting program for areas disturbed by the removal of exotics.
- f. A long term enhancement program to ensure quality and viability of the upland preserve.
- g. Provide opportunities or provisions for the roosting, nesting and perching of avian species within the preserve.
- h. Provisions for the restriction of all terrain vehicles, domestic animals or any acts or uses detrimental to the integrity of the preserve.
- i. Provisions be adopted to install and maintain fencing, access gates and nature trails proposed.
- j. Provisions for the protection of tree and shrub material within the preserve during construction activities abutting preservation areas.
- k. Provisions for posting signage designating the areas as a preservation/conservation district.
- l. Provisions for the protection of the Pine Pinweed plant species. **REVISED RES.**

33. Within 120 days of the adoption of the Development Order, the Developer shall submit a Wetlands Monitoring and Management Plan to the Department of Community Affairs and the Town. Upon receipt of the Plan, the Town shall have 30 days to determine if the Plan contains sufficient information for review and evaluation. Upon such sufficiency determination, the Town in consultation with South Florida Water Management District, Florida Department of Community Affairs, Treasure Coast Regional Planning Council and other appropriate agencies, shall have a maximum of 60 days to complete its review. No development permits shall be issued prior to the approval of the Wetlands Monitoring and Management Plan. This Plan shall include but not be limited to the following:
- a. The date a boundary survey and accompanying legal description of the wetland preserve will be provided;
 - b. Provisions that the wetlands shall maintain appropriate deed restrictions to prohibit encroachment into them;
 - c. The time and method for removal of invasive exotic and prohibited plant species;
 - d. A monitoring schedule for the identification, removal and control of invasive, exotic and prohibited species as well as a replanting program for the areas disturbed by the removal of these species;
 - e. A long term enhancement program to ensure quality and viability of the wetland system;
 - f. Provisions shall be made for a trust account or funding source to the governing entity for the perpetual maintenance and upkeep of the wetland system and any cost incurred thereof;
 - g. Provisions shall be adopted to restrict of all terrain vehicles or any acts or uses detrimental to the integrity of the wetland system;

- h. Provisions for meeting South Florida Water Management District guidelines and permitting procedures for creating and maintaining wetland systems; and,
 - i. A copy of any SFWMD permits, and any associated reports and findings shall be provided to the Department of Community Development for reference and review.
- 34. Prior to the submittal for site plan review of the golf course, a Golf Course Management Plan shall be submitted to the South Florida Water Management District and the Town. Upon receipt of the Plan, the Town shall have 30 days to determine if the Plan contains sufficient information for review and evaluation. Upon such sufficiency determination, the Town in consultation with South Florida Water Management District, Treasure Coast Regional Planning Council and other appropriate agencies, shall have a maximum of 60 days to complete its review. No development permits for the golf course shall be issued prior to the approval of the Golf Course Management Plan. This Plan shall include but not be limited to the following:
 - a. The time and method for removal of invasive exotic and prohibited plant species.
 - b. A monitoring schedule for the identification, removal and control of invasive, exotic and prohibited species as well as a replanting program for the areas disturbed by the removal of these species.
 - c. Provisions for meeting South Florida Water Management District guidelines for permitting procedures for creating and maintaining lake systems.
 - d. A copy of any SFWMD permits, and any associated reports and findings shall be provided to the Department of Community Development for reference and review.
 - e. Littoral planting shall be installed on all lakes whose water surface is greater than one acre in size. As a minimum, 10 square feet of vegetated littoral zone per linear foot of lake shoreline shall be established as part of the surface water

management system. This vegetated littoral zone habitat shall be located such that no less than 50 percent of the total shoreline is buffered by a minimum width of 10 feet of vegetated littoral zone habitat.

- f. Provisions for the elimination of the potential for nutrient and pesticide laden runoff into the preserves, lakes, wetlands or water management area.
35. In order to ensure adequate facilities are in place for the gopher tortoises and listed species on site the Developer shall:
- a. Prior to the issuance of any land development permits, the Developer shall dedicate to the Town or governmental entity as designated by the Town, such as a water control district, the 60 acres of preserve area as indicated on the master plan in the southeastern corner located at the corner of Donald Ross Road, Military Trail and Alternate A1A;
 - b. Dedicate the remaining preservation areas south of Frederick Small Road as indicated on the Master Plan, within three (3) years of issuance of the Development Order to the Town or governmental entity as designated by the Town, such as a Water Control District;
 - c. Dedicate all remaining preserve areas, located north of Frederick Small Road, to the Town or governmental entity as designated by the Town such as a water control district as indicated on the Master Plan, within three (3) years of the issuance of any land development permits for residential or commercial development north of Frederick Small Road, and,
 - d. Prior to the relocation of any gopher tortoises, the preserve areas that will receive these tortoises shall be fenced, managed and established as provided for in the Gopher Tortoise/Listed Species Monitoring and Management Plan. **REVISED**

RES. NO. 23-00

C. Wetlands.

36. Within one hundred twenty days (120) of the adoption of the Development Order the Developer shall provide for the mitigation of any of the 7.3 acres of wetlands which are to be eliminated on the project site within the Wetland Monitoring and Management plan. Wetland mitigation shall be located within or adjacent to upland preserve areas designed to protect Gopher Tortoises on site. The mitigation areas shall be managed according to procedures provided in the approved Wetlands Monitoring and Management Plan for the Abacoa DRI. The detailed plans for mitigation shall be approved by the Florida Department of Environmental Protection (DEP) in consultation with the South Florida Water Management District and the Town. Mitigation for any eliminated wetland shall be completed within a year of the wetland being eliminated.
37. The Developer shall preserve or create a buffer zone of native upland edge vegetation around all wetlands preserved, restored, or created on site. The buffer zone shall include canopy, understory, and ground cover of native upland species. The upland buffers shall be restored to a natural condition if invaded by exotic vegetation or impacted by agricultural activities. The upland buffers shall be a minimum of 15 feet in width and shall average 25 feet in width around all wetlands. During construction, the upland buffers adjacent to preserved or created wetlands shall be clearly marked prior to the commencement of construction activities to ensure those areas are protected. The upland buffers are to be maintained according to the details provided in the approved Preserve Area Management Plan for the Abacoa DRI.
38. The Developer shall maintain the wetlands and upland preserve in accordance with the approved preservation/conservation management plan.
39. Prior to any site plan approvals and/or the issuance of a vegetation removal permit the Developer must file for the appropriate environmental permits with USACOE, PBCDERM, FDEP, FFWCC, and SFWMD and provide findings to the Town for reference and review. **REVISED RES. NO. 23-00**

40. Any wetland area modifications required as a condition of a regulatory agency permit approval process shall be reviewed by the Town under the requirements of Section 380.06(19) F.S. Town review and approval shall be required prior to the commencement of any land alterations/construction within the modified area.

D. Water Supply.

41. Abacoa shall utilize ultra-low volume water use plumbing fixtures, self-closing and/or metered water faucets, and other water conserving devices/methods consistent with the criteria outlined in the Town's South Florida Water Management District Water Use Permit or the water conservation element of any other approved utility provider.
42. No building permits shall be issued until the Developer provides evidence from the Town that adequate potable water capacity and service/distribution infrastructure will be available to serve the portion of the project for which site plan approvals are requested.
43. The preferred source of irrigation water shall be treated wastewater effluent at such time as this source is made available to the site. Should treated wastewater be unavailable or a supplemental source for irrigation be needed, existing or created surface waters (i.e., lakes, or canals) shall be used to the maximum extent available. On site wells may be used for irrigation only after the Developer has demonstrated to the satisfaction of the SFWMD, the Treasure Coast Regional Planning Council and the Town that preferred sources of water are unavailable and that the proposed source will not adversely affect ground water quality and quantity. In no case shall more than 1.137 MGD be withdrawn from the Surficial Aquifer for irrigation purposes. The irrigation system shall be designed and installed in a manner that will allow utilization of reuse water, and connected to reuse water when it becomes available.
44. In order to reduce irrigation water demand, xeriscape landscaping shall be implemented throughout the development. As a minimum, 50% of all area requiring landscape

material shall be landscaped with native or drought-tolerant and cold tolerant species adapted to soil and climactic condition existing on site.

45. All site plans and layout for Abacoa must be in accordance with the requirement of applicable State and local wellfield protection ordinances. All site plan applications shall note what development will take place in areas near canals and waterways or within zones of influence of any private or municipal wellfield.
46. The Developer shall execute a formal water service agreement with the Town within 90 days of adoption of the Development Order. Upon execution of this agreement, the Abacoa project has satisfied the Town's concurrency requirement for water as it pertains to areas covered by the agreement.
47. If lakes are constructed in the northwest quadrant of Abacoa development, the Developer shall provide a connection or connections to the Town's Shallow aquifer recharge system as part of the Abacoa surface water management system. Connections shall be subject to SFWMD review and approval.
48. At no cost to the Town, the Developer shall dedicate to the Town twelve (12) shallow aquifer wellsites and any related easements as indicated in the SFWMD water withdrawal permit to the Town. The wellsites shall be 40 feet by 60 feet in size. The process in which the wellsites shall be dedicated to the Town is as follows:
 1. The wellsites and their related raw watermain easements shall be located in a manner acceptable to the Town, the Developer, and the regulatory agencies.
 2. With the Town's prior approval, any wellsites shall be dedicated by perpetual easement rather than by deed. The easements shall be in a form acceptable to the Town and such easements shall be for the exclusive use as wellsites of the Town of Jupiter.
 3. The timing for dedication of the wellsites shall be as follows:

- a. dedication of wellsites #39, #40, #43, #44, #45, #46, #47, #48, #49, & #50 as shown on Attachment "14" labeled Exhibit "48" shall occur as follows:
 - (1) Upon the Town's receipt of the SFWMD well permit for the well(s);
or
 - (2) If the Town has not received the SFWMD well permit by December 31, 1996, then the wellsites described above shall be dedicated within 90 days of written notification to the Developer; or
 - (3) The filing of a plat which contains the wellsite.
- b. The dedication of wellsites #41 & #42, which the Town shall endeavor to construct last barring the occurrence of a critical need for additional raw water supply, shall occur as follows:
 - (1) 120 days from the Town receiving a permit for the well(s) from SFWMD and the Town notifying the Developer in writing of the receipt of said permit. The Town shall not request these two wellsites unless they are intended to be constructed within 12 months from the date of the request; or
 - (2) If the Town has not received the SFWMD well permit by December 31, 2000, then the wellsite or sites described above shall be dedicated within 90 days of written notification to the Developer; or
 - (3) The filing of the plat for the subdivision of the neighborhood in which the wellsite is located. Wellsite #42 is in Neighborhood #3. Wellsite #41 is in Neighborhood #4. The filing of a boundary plat of the neighborhood as referenced above does not require the dedication of these wellsites. **REVISED RES. NO. 61-96**

49. The Developer shall submit to the Town, within 120 days of the adoption of the Development Order, an approved Town Water System "Potable Water Provider Report Application for Certification of Concurrency Reservation," pursuant to Ordinance #14-92, known as the "Water Extension Policy.
50. The Developer within 90 days of the adoption of the Development Order shall execute a written agreement with the Loxahatchee River Environmental Control District (ENCON) and/or Seacoast Utilities, to provide for the provision of a minimum annual average of 2.0 MGD of reclaimed water for irrigation, provided that either service provider has capacity available and has agreed to supply it under similar terms and conditions in their existing provision agreements. The above shall be subject to review and approval of SFWMD.

E. Waste Water.

51. No building permits shall be issued for Abacoa until the Developer provides evidence from the Loxahatchee Environmental Control District to the Town that adequate wastewater capacity, service infrastructure, and adequate provisions for the effluent disposal, will be available to collect, treat and dispose of the wastewater generated by the portion of the development for which site plan approvals are requested. Upon the execution of an agreement for provisions of adequate wastewater capacity, Abacoa shall have satisfied the Town's concurrency requirements for wastewater.
52. The Developer shall be required to assume the costs associated for the relocation of the existing sanitary sewer line within the proposed Central Boulevard roadway alignment.
53. Except to serve temporary sales, information or construction trailers, individual package treatment plants and septic tanks shall be prohibited on all portion of the development. The temporary facility shall be permitted to utilize a septic tank until such time as ENCON's sewer lines are installed, inspected and released by DEP, at which time the

temporary facility will be required to hook-up to the sewer line. **REVISED RES. NO. 61-96**

F. Storm Water.

54. The surface water management system shall be designed to maximize shallow aquifer recharge potential for the site such that the project will not result in a reduced water table after development. The surface water management system shall be designed to comply with the Palm Beach County Wellfield Protection Ordinance.
55. To improve the quality of stormwater on-site, the following shall apply.
 - a. Streets and paved parking lots within the Town Center, Workplace and Commercial Districts and spring training facility shall be swept as necessary.
 - b. Parking stops or bumps which may collect and concentrate contaminants, or which would interfere with efficient sweeping of paved parking areas, shall be discouraged throughout the project.
 - c. Prior to the construction of the surface water management system for the development, the Developer shall prepare a design and management plan for planting and maintaining a zone waterward of the high water line in all lakes and dry ponds utilized for surface water management. As a minimum, ten square feet of vegetated littoral zone per linear foot of lake shoreline shall be arranged so that at least 50% of the shoreline is covered; and established as part of the surface water management system. The plan shall be subject to approval by the South Florida Water Management District and the Town, in consultation with the Treasure Coast Regional Planning Council prior to beginning any excavation activity. Planting shall be completed within six months of surface water management system construction. Final operational permits for that portion of the surface water management system shall not be utilized until such a time as plantings found to be in conformance with approved plans. The intent is to

provide vegetation which will take up nutrient and contaminants in the water.
The use of Cypress trees and native hardwoods is encouraged.

- d. At a minimum, water quality treatment equivalent to retention of the first inch of runoff from the three year, one hour storm event shall be provided prior to discharge from the site. **REVISED RES. NO. 68-07**
56. Pervious parking lot material(s) shall be used wherever feasible and consistent with wellfield protection. Maintenance of pervious parking lot material(s) shall be required to assure continued function and value of the pavement so that it performs as originally intended.
57. Prior to filling any canals or ditches on the property, the Developer shall contact the Department of Environmental Protection (DEP) to determine if permits will be needed for the filling activity. If permits are required, the Developer shall submit applications to DEP for the filling activities and shall conduct all filling activities in accordance with DEP issued permits.
58. An interlocal agreement between the Town and Northern Palm Beach County Improvement District shall be executed specifying the terms and responsibilities for all project related stormwater facilities. Upon execution of this agreement, Abacoa shall have satisfied the Town's concurrency requirements for stormwater. **REVISED RES. NO. 61-96**
59. The surface water management system shall be designed, constructed and maintained in a manner that is consistent with the Palm Beach County Wellfield Protection Ordinance. The above shall be subject to the review and approval of the Town.
60. The surface water management system shall be designed, constructed and maintained in a manner that is consistent with SFWMD guidelines and procedures. The above shall be subject to the review and approval by SFWMD and the Town.

G. Waste (Solid/Hazardous/Medical)

61. Within 180 days of the adoption of the Development Order, the Developer shall remove all tires abandoned on the property and properly dispose of them at a facility approved by the Department of Environmental Protection (DEP). Documentation of this disposal shall be submitted to DEP within 30 days of completion.
62. The Developer shall, in consultation with the Palm Beach County Solid Waste Authority and the Town's solid waste collector, develop and require a recycling program for all residential and non-residential uses within the Abacoa project.

H. Transportation.

63. No building permits for Abacoa shall be issued after the following dates until right-of-way within the project for the following roads and all intersections thereof, have been dedicated free and clear of all liens and encumbrances to Palm Beach County, the Florida Department of Transportation or the Town and consistent with the Palm Beach County Thoroughfare Right-of-Way Identification Map.

Road	Date
Donald Ross Road	June 1, 1997
Military Trail	June 1, 1997
Frederick Small Road	June 1, 1997
Central Blvd. South of Frederick Small Road	June 1, 1997
Central Blvd. North of Frederick Small Road	January 1, 2000
Indian Creek Parkway	January 1, 2000

The Developer shall convey to Palm Beach County adequate road drainage easements through the project's internal surface water management system to provide legal positive out-fall for all runoff from all Thoroughfare Roadways within the project and adjacent to the project, and for a maximum distance of 400 feet beyond the project along these Thoroughfare Roadways. Said easement shall be no less than 20 feet in width. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge and treatment requirements of the Northern Palm Beach

County Improvement District and the South Florida Water Management District for the combined runoff from the project and the ultimate Thoroughfare Plan Road Sections, including expanded intersections. **REVISED RES. NO. 61-96, RES. NO. 23-00**

64. As a minimum, the Developer shall pay a fair share contribution consistent with the road impact fee ordinance of Palm Beach County and the Town in effect at the time of issuance of building permits. Any exaction receiving credit for impact fees pursuant to Fla. Stat. §380.06(16), must be in accordance with agreements between the Developer and Palm Beach County, and between the Developer and the Town.
65. A traffic impact study shall be submitted to the Town as part of the site plan approval process. Such study shall contain sufficient information to determine, as a minimum:
 - a. lane geometry of access driveways on the external roadway system;
 - b. lane geometry of Central Boulevard from Donald Ross Road to Indian Creek Parkway; and,
 - c. timing of signalization improvements.

The Town shall coordinate the review of the traffic studies with Palm Beach County.

66. No building permits shall be issued for development that generates more than 1,914 external daily trips until the following roadway improvement meets the County's definition of assured construction and is programmed to be under construction no more than three years after the issuance of the certificate of occupancy that generates more than 1,914 external daily trips: the four-laning of Donald Ross Road from Prosperity Farms Road to US-1 including the bridge over the Intracoastal Waterway.
67. No building permits shall be issued for development that generates more than 4,467 external daily trips until the following roadway improvement meets the County's definition of assured construction and is programmed to be under construction no more than three years after the issuance of the certificate of occupancy that generates more than 4,467

external daily trips: the four-laning of Indiantown Road from Alternate A1A (SR 811) to US 1 including the bridge over the Intracoastal Waterway.

68. No building permits shall be issued for development that generates more than 2,100 external daily trips or after, the traffic volume exceeds 30,700 vehicles per day, whichever occurs last, until construction has commenced for the six-laning of Alternate A1A (SR 811) from Hood Road to PGA Boulevard. Performance security shall be posted within 6 months of the effective date of the Development Order. No further building permits shall be issued if the security is not timely posted.
69. No building permits shall be issued after December 31, 1998 until construction has commenced, including signalization modifications as warranted by County or State criteria for Alternate A1A (SR 811) and Donald Ross Road to include the following:
- a. Eastbound - Second left-turn lane; and,
 - b. Westbound - Right-turn lane and second left-turn lane.

All the above configurations shall be permitted and constructed in accordance with County and State criteria. **REVISED RES. NO. 93-97**

70. No building permits shall be issued after December 31, 1998 until construction has commenced including signalization modifications as warranted by County or State criteria for Alternate A1A (SR 811) and Toney Penna Drive to include a southbound - right-turn lane. The above configuration shall be permitted and constructed in accordance with County and State criteria.
71. No building permits, except for the proposed stadium, shall be issued for development located west of Central Boulevard until construction has commenced for the Central Boulevard as a four-lane cross-section from Donald Ross Road to the southern traffic circle including the traffic circle. No certificate of occupancy will be issued for the stadium until Central Boulevard from Donald Ross Road to the southern traffic circle has

been completed and is operating. The road shall be considered complete when the road is opened for vehicular traffic.

72. No building permits shall be issued for development located in either Residential District #1, Residential District #2, or Town Center District, until construction has commenced for Central Boulevard as a two-lane cross-section from the southern traffic circle to Frederick Small Road. **REVISED RES. NO. 68-07**

73. No building permits for Abacoa shall be issued after December 31, 2000 until construction has commenced for the Frederick Small Road as a two-lane cross-section from Military Trail to Central Boulevard.

74. No building permits shall be issued for development located west of Central Boulevard until construction has commenced for intersection improvements, including signalization modifications as warranted by County and State criteria for Central Boulevard and Donald Ross Road to include the following:

- a. Westbound - Right-turn lane; and,
- b. Southbound - Right-turn lane, through lane, and left-turn lane.

All the above configurations shall be permitted and constructed in accordance with County and State criteria.

75. No building permits shall be issued for residential or commercial development north of Frederick Small Road until construction has commenced on all internal roadways included in the traffic analysis south of Frederick Small Road as noted in Attachment "11." The Town shall have final determination, if additional roadways as depicted on the Master Site Plan are required to be constructed based upon traffic studies submitted pursuant to the Town Code. **REVISED RES. NO. 23-00**

76. No building permits for Abacoa shall be issued for development that generates more than 14,697 external daily trips, or after December 31, 2004, whichever occurs last, until

construction has commenced for the six-laning of Alternate A1A (SR 811) from Donald Ross Road to Hood Road.

77. No building permits shall be issued for development that generates more than 6,699 external daily trips, or after December 31, 2005, whichever occurs last, until construction has commenced for the four-laning of Prosperity Farms Road from Lone Pine Road to PGA Boulevard.
78. No building permits shall be issued after July 31, 2001 until construction has commenced for the following intersections improvements, including signalization modifications as warranted by County or State criteria:
- a. Alternate A1A (SR 811) and Donald Ross Road to include a northbound - third through lane; and,
 - b. Donald Ross Road and Prosperity Farms Road to include a westbound - second through lane.

All the above configurations shall be permitted and constructed in accordance with County and State criteria.

79. No building permits shall be issued after December 31, 2010 until construction has commenced for the following intersection improvement, including signalization and F.E.C. railroad modifications as warranted by County or State criteria:
- a. Alternate A1A (SR 811) and Toney Penna Drive to include an eastbound - second left-turn lane; however, this improvement shall not be required if construction has commenced on the closure of the existing F.E.C. crossing at Toney Penna Drive and the opening of a new crossing at Jupiter Lakes Boulevard; and,

No building permits shall be issued after December 31, 2002 until construction has commenced for the following intersection improvement, including signalization modifications as warranted by County or State criteria:

- b. Donald Ross Road and Military Trail to include an eastbound - second left-turn lane.

All the above configurations shall be permitted and constructed in accordance with County and State criteria. **REVISED RES. NO. 23-00; RES. NO. 57-01; RES. NO. 83-03; RES. NO. 28-05; RES. NO. 68-07**

- 80. No building permits shall be issued after December 31, 2002 until Alternate A1A (SR 811) and PGA Boulevard interchange with grade separation meets the County's definition of assured construction and is programmed to be under construction no more than three years after December 31, 2002. Should a tiered or lower level of service be adopted for this segment of Alternate A1A or PGA Blvd. in the Palm Beach County Comprehensive Plan, this condition may be amended by the Town pursuant to 380.06(19) F.S. so that development is phased consistent with the revised level of service. **REVISED RES. NO. 58-00**
- 81. No building permits shall be issued after December 31, 2002 until construction for the following intersections improvements, including signalization modifications as warranted by County or State criteria: Indiantown Road and US 1 Eastbound - second through lane (convert existing right-turn lane into a through lane). All the above configurations shall be permitted and constructed in accordance with County and State criteria.
- 82. No building permits shall be issued after December 31, 2003 until construction has commenced for the following intersections improvements, including signalization modifications as warranted by County or State criteria:
 - a. Alternate A1A (SR 811) and Indiantown Road to include a westbound - third through lane; and,
 - b. Alternate A1A (SR 811) and Hood Road to include the following:
 - 1) Northbound - second left-turn lane and third through lane
 - 2) Southbound - Third through lane

All above configurations shall be permitted and constructed in accordance with County and State criteria.

83. No building permits shall be issued after December 31, 2005 until construction has commenced for the intersection improvements, including signalization modifications as warranted by County or State criteria for Central Boulevard and PGA Boulevard to include an eastbound - second left-turn lane. All above configurations shall be permitted and constructed in accordance with County and State criteria.
84. No building permits shall be issued for development located in either Neighborhood #4 or Neighborhood #6a until construction has commenced for Central Boulevard as a two-lane cross-section from Frederick Small Road to Indian Creek Parkway.
85. No building permits shall be issued for development north of Road E after January 1, 2005 until construction has commenced on all internal roadways included in the traffic analysis for Phase II as noted in Attachment "12." The Town shall have final determination, if additional roadways as depicted on the Master Site Plan are required to be constructed based upon traffic studies submitted pursuant the Town Code.

REVISED RES. NO. 23-00

86. No building permits shall be issued for development that generates more than 4,900 external daily trips or after December 31, 2008, whichever occurs last, until construction has commenced for the six-laning of Alternate A1A (SR 811) from Toney Penna Drive to Frederick Small Road.
87. No building permits shall be issued for development that generates more than 4,900 external daily trips or after December 31, 2009, whichever occurs last, until construction has commenced for the six-laning of Alternate A1A (SR 811) from Indiantown Road to Toney Penna Drive.
88. No building permits shall be issued for development that generates more than 29,384 external daily trips or after December 31, 2010, whichever occurs last, until construction

has commenced for the six-laning of Alternate A1A (SR 811) from Frederick Small Road to Donald Ross Road.

89. **DELETED RES. NO. 46-06**

90. No building permits shall be issued for development that generates more than 1,400 external daily trips or after December 31, 2008, whichever occurs last, until construction has commenced for the six-laning of Donald Ross Road from I-95 to Central Boulevard.

91. No building permits shall be issued for development that generates more than 2,673 external daily trips or after December 31, 2011, whichever occurs last, until construction has commenced for the six-laning of Donald Ross Road from Central Boulevard to Military Trail.

92. No building permits shall be issued for development that generates more than 1,960 external daily trips, or after December 31, 2012, whichever occurs last, until construction has commenced for the six-laning of Donald Ross Road from Military Trail to Alternate A1A (SR 811). However, if the improvements required by Condition 95.a. are accelerated by Palm Beach County, the Developer shall cause the funds for this improvement to be provided so that it may be constructed simultaneously with the Condition 95.a. improvements. **REVISED RES. NO. 57-01**

93. No building permits shall be issued for development that generates more than 2,673 external daily trips, or after December 31, 2012, whichever occurs last, until construction has commenced for the six-laning of Donald Ross Road from Alternate A1A (SR 811) to Prosperity Farms Road.

94. **DELETED RES. NO. 46-06**

95. No building permits shall be issued after July 31, 2006 until construction has commenced for the following intersections improvements, including signalization modifications as warranted by County or State criteria:

a. Alternate A1A (SR 811) and Donald Ross Road for the following:

- 1) Eastbound - Third through lane
 - 2) Westbound - Third through lane or right turn lane if existing right turn lane has previously been converted to a third through lane
 - 3) Southbound - Third through lane
- b. Donald Ross Road and Military Trail
- 1) Westbound - Third through lane
 - 2) Eastbound - Third through lane (convert right-turn lane to through lane)
- c. Indiantown Road and US 1
- 1) Eastbound - Right-turn lane
 - 2) Westbound - Second through lane (convert right turn lane to through lane).

All the above configurations shall be permitted and constructed in accordance with County and State criteria. **REVISED RES. NO. 57-01**

96. No building permits shall be issued after December 31, 2006 until construction has commenced for the following intersections improvements, including signalization modifications as warranted by County or State criteria:
- a. Central Boulevard and Donald Ross Road to include the following:
 - 1) Westbound - Second left-turn lane
 - 2) Southbound - Second through lane and second left-turn lane
 - b. Donald Ross and Prosperity Farms Road to include a eastbound - second through lane.

All above configurations shall be permitted and constructed in accordance with County and State criteria.

97. No building permits shall be issued after December 31, 2007 until construction has commenced for the intersection improvement, including signalization modifications as warranted by County or State criteria for Alternate A1A (SR 811) and Toney Penna Drive

to include a southbound - third through lane (convert right-turn lane to through lane). All above configurations shall be permitted and constructed in accordance with County and State criteria.

98. No building permits shall be issued after December 31, 2008 until construction has commenced for the intersection improvement, including signalization modifications as warranted by County or State criteria for Indiantown Road and Alternate A1A (SR 811) for an eastbound - third through lane. The above configurations shall be permitted and constructed in accordance with County and State criteria.
99. No building permits shall be issued after December 31, 2013 until construction has commenced for the following intersections improvements, including signalization modifications as warranted by County or State criteria:
 - a. Alternate A1A (SR 811) and RCA Boulevard to include an eastbound - right-turn lane and a northbound - right-turn lane; and,
 - b. Alternate A1A (SR 811) and Frederick Small Road to include a southbound - third through lane and north-bound - third through lane.

All above configurations shall be permitted and constructed in accordance with County and State criteria. **REVISED RES. NO. 44-09**

100. No building permits shall be issued after December 31, 2013 until construction has commenced for the intersection improvements, including signalization modifications as warranted by County or State criteria for Alternate A1A (SR 811) and Lighthouse Drive to include a westbound - right-turn lane and a southbound - second left-turn lane. The above configuration shall be permitted and constructed in accordance with County and State criteria. **REVISED RES. NO. 44-09**
101. No building permits shall be issued after December 31, 2012 until construction has commenced for the intersection improvement, including signalization modifications as

- warranted by County or State criteria of Military Trail and Burns Road to include a southbound - second left-turn lane. The above configuration shall be permitted and constructed in accordance with County and State criteria.
102. No building permits shall be issued after December 31, 2013 until construction has commenced for the intersection improvement, including signalization modifications as warranted by County or State criteria for PGA Boulevard and Prosperity Farms Road to include an eastbound - second left-turn lane and westbound - second left-turn lane. The above configuration shall be permitted and constructed in accordance with County and State criteria.
103. No building permits shall be issued after December 31, 2015 until construction has commenced for the intersection improvement, including signalization modifications as warranted by County or State criteria for Military Trail and Hood Road to include an eastbound - right-turn lane. The above configuration shall be permitted and constructed in accordance with County and State criteria.
104. No building permits shall be issued for development that generates more than 36,929 external daily trips until the following roadway improvement meets the County's definition of assured construction and is programmed to be under construction no more than three years after the issuance of the certificate of occupancy that generates more than 36,929 external daily trips: the eight-laning of Interstate 95 from Northlake Boulevard to PGA Boulevard. Should a tiered or lower level of service be adopted for this segment of Interstate 95 in the Palm Beach County Comprehensive Plan, this condition may be amended by the Town pursuant to 380.06(19) F.S. so that development is phased consistent with the revised level of service. **REVISED RES. NO. 58-00**
105. No building permits shall be issued for development that generates more than 47,000 external daily trips or after December 31, 2009, whichever occurs last, until the following roadway improvement meets the County's definition of assured construction and is

programmed to be under construction no more than three years after the issuance of the certificate of occupancy that generates more than 47,000 external daily trips or after December 31, 2009, whichever occurs last: the eight-laning Interstate 95 from PGA Boulevard to Donald Ross Road. Should a tiered or lower level of service be adopted for this segment of Interstate 95 in the Palm Beach County Comprehensive Plan, this condition may be amended by the Town pursuant to 380.06(19) F.S. so that development is phased consistent with the revised level of service. **REVISED RES. NO. 58-00**

106. No building permits shall be issued for development that generates more than 64,625 external daily trips or after December 31, 2013, whichever occurs last, until the following roadway improvement meets the County's definition of assured construction and is programmed to be under construction no more than three years after the issuance of the certificate of occupancy that generates more than 64,625 external daily trips or after December 31, 2013, whichever occurs last: the eight-laning of Interstate 95 from Donald Ross Road to Indiantown Road. Should a tiered or lower level of service be adopted for this segment of Interstate 95 in the Palm Beach County Comprehensive Plan, this condition may be amended by the Town pursuant to 380.06(19) F.S. so that development is phased consistent with the revised level of service. **REVISED RES. NO. 58-00**

107. A maximum of one full median opening may be permitted serving the project along Donald Ross Road between Interstate 95 and Central Boulevard. A signalized intersection is to be provided at this location when warranted. Location of this median opening shall meet Palm Beach County Access Management Standards.

108. A maximum of one full median opening may be permitted serving the project along Central Boulevard between the southern traffic circle and Frederick Small Road which is to provide access to Residential District #2 and the Attraction: Spring Training Facility. A

- signalized intersection is to be provided at this location when warranted. One (1) additional median opening may be granted, if it can be demonstrated to meet the required intersection spacing standards.
109. A maximum of three (3) full median openings may be permitted serving the project along Central Boulevard between Frederick Small Road and Indian Creek Parkway to provide access to Neighborhoods #3, #4, #5 and #6a. Signalized intersections are to be provided at these locations when warranted. **REVISED RES. NO. 23-00**
 110. A maximum of two (2) full median openings serving the project along Indian Creek Parkway west of Central Boulevard to provide access to Neighborhoods #2 and #3. Signalized intersections are to be provided at these locations when warranted. Location of these median openings shall meet Palm Beach County Access Management Standards.
 111. A maximum of two (2) full median openings serving the project along Military Trail between Donald Ross Road and Frederick Small Road. Signalized intersections are to be provided at these locations when warranted. Location of these median openings shall meet Palm Beach County Access Management Standards.
 112. No additional street intersections other than those designated on the Master Plan shall be permitted for Donald Ross Road, Indian Creek Parkway and Military Trail.
 113. A maximum of three (3) curbcuts/access points may be permitted onto North Palm Beach Heights Blvd.
 114. Prior to the issuance of any development permits, the Developer shall identify the right-of-way widths for all streets on the master plan and the dates for the acquisition and/or declaration of the right-of-way.
 115. The radius and super elevation of the curve at the intersections of Central Boulevard and Indian Creek Parkway (at the northwest corner of the site) shall be redesigned to meet the criteria for a 50-mph curve. Right-of-way to provide for the revised design shall be

dedicated to the County prior to any development permit being approved by the Town for residential or commercial development north of Frederick Small Road. **REVISED RES. NO. 61-96, RES. NO. 23-00**

116. The Developer shall improve Indian Creek Parkway to a 4 lane divided facility from the curve at the northwest corner of the site (curve of Central Boulevard) to the intersection of Indian Creek Parkway and Central Boulevard at the time that vehicular traffic volumes on this segment of Indian Creek Parkway exceed the established level of service.
117. The Developer shall improve Indian Creek Parkway to a 4 lane divided facility from the intersection of Indian Creek Parkway and Central Boulevard to Military Trail at the time that vehicular traffic volumes on this segment of Indian Creek Parkway exceed the established level of service.
118. Within 120 days of adoption date of the development order, the Developer shall submit a revised Master Site Plan and all other mapping to the Town that eliminates the traffic circle or round-a-bout at the intersection of Central Boulevard and Indian Creek Parkway. The revised Master Plan shall provide for a "T" intersection at this location. However, Town Council may require a round-a-bout at this location if after the function and safety aspects from the two previously constructed round-a-bouts have demonstrated that a round-a-bout is preferable.
119. The Developer shall submit a traffic study or studies to the Town, Palm Beach County and Treasure Coast Regional Planning Council evaluating the operational characteristics of the proposed traffic circles one year after they have been constructed and one year after a circle has been improved by adding additional lanes. The methodology for the traffic study shall be submitted to the Town, Treasure Coast Regional Planning Council, and Palm Beach County and approved by these entities prior to undertaking the study. Should the traffic study conclude that the traffic circles are not functioning at an acceptable LOS, the Developer shall redesign and construct the intersection to provide

for signalization and a configuration that will permit the intersections to function at an acceptable LOS. Any redesign of the traffic circles to signalized intersections necessary to improve capacity or safety, does not require an immediate amendment to the Master Plan; this change shall be included in the next amendment to the DRI.

120. In accordance with the Abacoa Transportation Agreement, attached as Attachment "3," the Developer must provide performance security no later than four (4) years prior to the scheduled construction date for the roadway improvements listed in conditions 76, 79b, 82, 84, 90, 91, 92, 93, 95b, 96a, 99b, and 103 unless the roadway improvement is already funded in an improvement bond issued by the Northern Palm Beach County Improvement District. **REVISED RES. NO. 61-96**

I. Air Quality

121. Within 180 days of the adoption of the Development Order, the Developer shall conduct and submit a carbon monoxide air quality study determined by Department of Environmental Protection (DEP) and Palm Beach County Public Health Unit (PBCPHU) to be satisfactorily done in accordance with DEP Guidelines for Evaluating the Air Quality Impacts of Indirect Sources. Prior to the study, the Developer or representative shall meet with the PBCPHU, DEP and Treasure Coast Regional Planning Council to establish parameters for the study. The study results shall be provided to the Town. Remediation for any problems projected by the study shall be undertaken consistent with the Department of Community Affairs Air Quality Uniform Standard Rule 9J-2.046, Florida Administrative Code.
122. With the exception of clearing for access roads, survey lines, construction trailers and equipment staging areas, and fencing, construction shall commence within thirty (30) days after completion of clearing and grading.

123. During land clearing and site preparation, soils treatment techniques appropriate for controlling unconfined particulate emissions shall be undertaken to comply with applicable local and State standards.
124. Except as it applies to the Preservation areas, during the land clearing phase of the development, the Developer shall implement the following methods:
 - a. Prior to burning:
 - 1) Transplant as much as possible the existing vegetation to new landscape and habitat sites with the utilization of a tree spade;
 - 2) Produce timber, pulp and mulch as byproducts from the onsite vegetation from the areas cleared with the use of silvaculture practices; and,
 - 3) Mix and redistribute soils with viable root masses to new areas to encourage natural recruitment of native species through the use of soil relocation practices.
 - b. Disposal of unsuitable bio-mass end products (roots, vines, soil contaminated snags, and exotic species) left from the above methods may be through burning, with the use of an air curtain incinerator and pit, to reduce airborne particulates. Any burning must comply with the Health Department regulations and the following criteria:
 - 1) Three hundred (300) feet or more away from any occupied building;
 - 2) Setback one hundred (100) feet or more away from any public highway or road;
 - 3) Ignited after 9:00 A.M. and is extinguished one hour before sunset;
 - 4) Attended to at all times; and,
 - 5) Comply with all applicable federal, state and local laws, rules, or ordinances, including Chapter 590 F.S., and the rules of the Division of Forestry.

125. If the Town adopts or amends an ordinance prohibiting burning of vegetation and/or control of construction related nuisances (i.e. dust, off site particulates, etc) on a Town-wide basis, the Abacoa development shall be subject to this ordinance.

J. Hurricane Preparedness

126. A minimum of 51,000 square feet of usable emergency shelter space shall be provided in public buildings within the project boundaries prior to buildout. The term usable public shelter space shall be defined as space that can be designated as a public shelter under the latest Red Cross guidelines. The intent of this condition is to assure that adequate public shelter space is available at all times to meet the demand of Abacoa residents. Should an annual status report show that usable public shelter space is not available on site to accommodate 17 percent of Abacoa's resident population at 20 square feet per person, no further residential building permits for Abacoa shall be issued. Issuance of building permits for the Abacoa development may resume when either of the two are provided:
- a. Assurances are provided to the Town's satisfaction that, prior to the next annual report date, additional shelter space will be provided on site to correct the deficit;
or
 - b. Assurances are provided to the Town's satisfaction that, prior to the next annual report date, alternative measures will be implemented as approved by the Town which are consistent with public hurricane shelter mitigation techniques provided for in Chapter 9J-2.0256(5)(a) of the Florida Administrative Code.
127. The Town should explore options on the Abacoa site for establishing an adequate public hurricane shelter and recovery system for Town residents. This effort should occur in cooperation and consultation with the School Board, Red Cross, Palm Beach County, the State Board of Regents, spring training facility owners and operators, and the Developer. It is not the intent of this condition to obligate Abacoa, financially or

otherwise, to provide public shelter space beyond what is required by other Development Order conditions and what is necessary to accommodate Abacoa residents.

128. Prior to the issuance of the first residential building permit, the Developer shall forward to the Town's Department of Community Development a hurricane preparedness and post-disaster recovery plan. This plan shall be consistent with Town's Hurricane Preparedness Plan dated May 1994. As a minimum the following shall be included in the submitted plan.

- a. Identified areas for vehicle and equipment staging;
- b. Volunteer and relief agency staging areas;
- c. Supply distribution centers;
- d. Debris and waste management staging locations; and,
- e. Proposed routes of travel for those who desire to evacuate the development.

The plan shall include graphics and narrative depicting the above requirements.

129. All proposed schools, community recreation buildings and other public gathering facilities, shall be constructed to satisfy all applicable state and local hurricane emergency shelter requirements.

K. Housing:

130. A total of 6,120 residential dwelling units are approved for the Abacoa DRI, that approval consisting of 1,464 Town Center and Accessory Apartments, and 4,656 single family units. Seven (7) single family units may be constructed in place of every ten (10) multi-family units providing the single family units so substituted are the same affordability as the replaced multi-family unit. **REVISED RES. NO. 23-00; RES. NO. 28-05; RES. NO. 47-06; RES. NO. 44-09; RES. NO. 4-13**

131. Construction of accessory apartments and Town Center apartments shall only occur in conjunction with the associated commercial and residential buildings to ensure that they are available when needed.
132. The Town of Jupiter shall not preclude the building of safe affordable building types (e.g., accessory buildings, apartment houses, etc.) capable of providing housing for low and very low income persons and families.
133. Prior to the issuance of the first building permit for the first residential unit, the Developer shall enter into a Developer's agreement with the Town regarding marketing efforts to enhance the racial balance of the Town.
134. A minimum of 439 of the rental units designated for the Town Center must remain affordable as defined by the Town's Comprehensive Plan for a period of no less than five (5) years from the issuance of the Certificate of Occupancy for that unit. The Developer shall submit an annual report on the affordability of these units to the Town's Department of Community Development. This affordability limitation shall no longer apply to any condominium unit acquired by an Institutional lender through foreclosure or a deed in lieu of foreclosure. **REVISED RES. NO. 08-04**
135. A minimum of 932 of the accessory units designated for the workplaces, the community commercial and neighborhood commercial sites as shown on the January 18, 1995 Master Plan must remain affordable as defined by the Town's Comprehensive Plan for a period of no less than five (5) years from the issuance of the Certificate of Occupancy for that unit. The Developer shall submit an annual report on the affordability of these units to the Town's Department of Community Development. This affordability limitation shall no longer apply to any condominium unit acquired by an Institutional lender through foreclosure or a deed in lieu of foreclosure. **REVISED RES. NO. 08-04**
136. A minimum of 600 of the medium density units designated for Residential Districts 1 and 2 must remain affordable as defined by the Town's Comprehensive Plan for a period of

no less than five (5) years from the issuance of the Certificate of Occupancy for that unit. The Developer shall submit an annual report on the affordability of these units to the Town's Department of Community Development. This affordability limitation shall no longer apply to any condominium unit acquired by an Institutional lender through foreclosure or a deed in lieu of foreclosure. **REVISED RES. NO. 08-04**

137. A minimum of 186 of the low density units designated for Residential Neighborhoods 6a and 6b, and 7a or 7b shall remain affordable as defined by the Town's Comprehensive Plan for a period of no less than five (5) years from the issuance of the Certificate of Occupancy for that unit. The Developer shall submit an annual report on the affordability of these units to the Town's Department of Community Development. This affordability limitation shall no longer apply to any condominium unit acquired by an Institutional lender through foreclosure or a deed in lieu of foreclosure. **REVISED RES. NO. 46-98; RES. NO. 08-04**

138. Subject to approval by the Town and in accordance with Condition 130, the following flexibility in distribution of dwelling unit types may occur without need for additional regional review or notice:

a. The following multi-family or accessory dwelling units may be either located in the Workplace or transferred out of the Workplace as follows: 146 units (97 Workplace units and 49 units transferred from the Community Commercial District pursuant to paragraph e below) shall be built east of Military Trail; 160 units may be transferred from the Community Commercial District to the Workplace, but only if the units are converted to research and development/industrial use; 13 units shall be transferred to Residential District No. 2; up to 372 units may be transferred to the Town Center, all transferred units shall continue to meet the affordability requirements of Condition 135;

- b. A minimum of 87 of the residential units within Neighborhoods 3 & 4, and the Neighborhood Commercial parcel must be multi-family units;
- c. A minimum of 270 of the residential units in neighborhoods 5 & 6a and the Community Commercial District must be multi-family units;
- d. The Town Center must include a minimum of 488 Town Center Apartments. A maximum of 100 of the residential units from Neighborhoods 2 and 5 may be transferred to the Town Center and Workplace Districts after January 1, 2005; and.
- e. Up to 50% of the 270 units allocated to the Community Commercial Districts may be transferred from the Community Commercial Districts located east of Military Trail to the Workplace Districts also located east of Military Trail and located immediately adjacent to the Community Commercial Districts. Any multi-family units constructed in a Workplace District that were transferred from a Community Commercial District shall count toward the requirements of c. as listed above.

REVISED RES. NO. 88-98; RES. NO. 23-00; RES. NO. 01-03; RES. NO. 28-05; RES. NO. 44-09

L. Police and Fire Protection

139. Prior to issuance of any building permits after each of January 1, 2001 and January 1, 2006 the Developer shall provide the Town with written confirmation from the Jupiter Police Department that law enforcement is adequate to serve that portion of the.

REVISED RES. NO. 23-00

140. Prior to issuance of building permits after each of January 1, 2001 and January 1, 2006 the Developer shall provide the Town with written confirmation from the agency responsible for providing fire-rescue services to the Abacoa project, that sufficient manpower and equipment to serve the fire protection/emergency medical service needs of that portion of the project are at adequate levels of service. Upon receipt of written

confirmation, the Abacoa project has satisfied the Town's concurrency requirements for fire-rescue for the portion of the project to be served. **REVISED RES. NO. 23-00; RES. NO. 57-01**

141. On or before (June 6, 1998), the Developer shall convey by general warranty deed a suitably located site within the development for a new fire-rescue facility, which shall also include space needed to accommodate a police substation and emergency facilities for hurricane operations including pre, during and post hurricane activities. The fire station site shall be subject to the determination of the Town Council that it addresses the service needs of the service provider(s) of fire-rescue and police services. If the fire station site is determined by the Town Council to not be appropriate for use as a police substation, a separate police substation site shall be dedicated in perpetuity by the Developer. The location and size of the police substation site shall be subject to Town Council's review and approval. The provision of this site or sites shall satisfy concurrency requirements for public safety, for the Abacoa project. **REVISED RES. NO. 61-96; RES. NO. 59-97; RES. NO. 46-98**

M. Parks and Recreation

142. The opportunity to play the golf course shall be provided to all residents of the Town and any memberships or special privileges for access (tee times, etc.) to the golf course shall be provided in a manner that no more than one-half of the golf round opportunities in a day will be encumbered by those having memberships or special access privileges. Also the fee charged to play the golf course, with the exception to those individuals that pay a membership fee shall be equal in cost for all residents of the Town.
143. The Developer shall dedicate by September 15, 1997, in fee simple without liens or other encumbrances to the Town seventy (70) acres for the purpose of recreational facilities. The recreational facilities that are intended to be located on 70 acres as follows:

<u>Facility Type</u>	<u>Number of Facilities</u>
Baseball Field	3
Softball Field	3
Football/Soccer Field	3
Racquetball/Handball Court	5
Tennis Court	4
Basketball Court	3
Exercise Trail	1.5 mi.
Community Center	15,167 sq. ft.

The Town may request a different combination of facilities. The Developer can submit a recreation plan, including site plan(s) to the Town which provides for all the recreational facilities listed above, or other combination of facilities if requested by the Town and agreed by the Developer. The recreation plan may have less than the required seventy (70) acres and may include shared use of surrounding facilities or other recreation facilities such as stadiums. The Town at its sole discretion, may determine that the recreation plan adequately provides for the required recreational facilities on less than the required seventy (70) acres. The approval of the recreation plan and dedication of any land required by the recreation plan shall result in the Abacoa development satisfying the concurrency requirements for Park and Recreation.

On or before March 1, 1998, the developer shall construct or cause to be constructed a two-story building which shall include space for restrooms and storage upon the stadium site.

On or before June 1, 1998, the developer shall construct or cause to be constructed lighting for the four ballfields within the stadium site which are to be shared by the major league baseball teams with the Town.

The Developer may provide for the dedication of the required recreation acreage in more than one parcel, if acceptable to the Town, provided that a single parcel of twenty (20) acres or greater is located north of Frederick Small Road and the parcel must have available adequate road access, drainage, water, sewer and electrical services or facilities. Adequacy of the services and facilities shall be determined by the Town. The development of the single parcel of twenty (20) acres or greater, including the installation of all required lighting of the facilities for nighttime use, shall occur prior to development permits being issued for any residential development within a residential neighborhood within 600 feet of the playing fields.

The Developer shall require that all purchasers and subsequent purchasing of residential property within 2000 feet of the recreational playing fields and facilities shall sign a written notice acknowledging awareness of the proximity and location of the facilities, the notice shall indicate the types of activities, hours, lighting, etc., that are expected to occur. At the time of site plan approval, the formalized written notice shall be provided to the Town for review and approval. **REVISED RES. NO. 61-96; RES. NO. 59-97; RES. NO. 23-00; RES. NO. 58-00; RES. NO. 57-01**

144. Conservation areas shall have minimum disturbances. Therefore, playground facilities are permitted on the common use areas and in additional greens areas and parks. Passive nature trails which are provided in the least intrusive manner may, at the sole determination of the Town, be allowed in the conservation areas in accordance with the approved management plan.

N. Education (FAU Campus)

145. **DELETED RES. NO. 68-07**
146. **DELETED RES. NO. 68-07**

147. The Developer shall not take any action which would foreclose or discourage vehicular or pedestrian access between the campus and the Town Center. **REVISED RES. NO. 68-07**

148. **DELETED RES. NO. 68-07**

O. Energy

149. In the final site and building design plans, the Developer shall:

- a. comply with the Florida Thermal Efficiency Code Part VII, Chapter 553, Florida Statutes;
- b. to the maximum extent feasible, incorporate measures identified in the Treasure Coast Regional Planning Council's Regional Energy Plan dated May, 1979, and Treasure Coast Regional Planning Council's Comprehensive Policy Plan, particularly those discussed in the assessment report;
- c. incorporate the following: energy conservation measures into the Abacoa site plan and building designs to the maximum extent feasible:
 - 1) Use computerized load management where cost effective and economically feasible;
 - 2) Use of energy efficient, downward directed lighting for street, parking areas, recreation areas, and other exterior public areas;
 - 3) Use of energy efficient features in window design (i.e. tinting and exterior shading);
 - 4) Use of operable windows and ceiling fans;
 - 5) Use of energy efficient appliances and equipment;
 - 6) Reducing coverage by asphalt, concrete, rock, and similar substances in street, parking lots, and other areas in favor of stabilized green areas to reduce local air temperatures and reflect light and heat;

- 7) Use of water closets with a maximum flush of 3.5 gallons and shower heads and facets with a maximum flow rate of 3.0 gallons per minute as specified in the Water Conservation Act, Section 553.14, Florida Statutes;
- 8) Selecting native plants, trees, and other vegetation and landscape design features that reduce requirements for water, fertilizer and maintenance;
- 9) Providing structural shading (i.e., trellises, awnings, roof overhangs) wherever practical when natural shading cannot be used;
- 10) Using solar water heating systems or photovoltaic energy systems; and,
- 11) Providing lockers and showers in workplaces for people who commute to work by walking or bicycling.

P. Historical/Archeological

150. In the event of discovery of any archaeological artifacts during project construction, construction shall stop in the area of discovery and immediate notification provided to the Town and the Division of Historical Resources in the Florida Department of State. Proper protection to the satisfaction of the Division shall be provided.

Q. Attractions

151. The use of the baseball training facility and associated play fields, open spaces, etc., for activities other than baseball shall be regulated by the Town through its Mixed Use Development (MXD) Zoning district.
152. The required parking areas for the stadium should be provided within the adjacent areas, pursuant to a shared facilities agreement executed between the parties and approved by the Town pursuant to a traffic flow and parking distribution plan submitted within 180 days of issuance of a building permit for the stadium.
153. If the spring training facility requires less acreage than depicted on the Master Site Plan, the excess acreage may be utilized for parks and recreational facilities without further review pursuant to Chapter 380.06(19) F.S.

R. Schools.

154. By June 30, 1997, the Developer shall dedicate to the Palm Beach County School Board a site for an elementary school within Neighborhood #7-B, as identified on the Master Site Plan. The site shall be acceptable to the School Board and the Town. The school must accommodate an initial core capacity of 970 students on a parcel of land no less than fifteen (15) acres in size plus sufficient additional acreage to complete the following:

- a. Accommodate on-site drainage requirements of other applicable governing regulatory agencies; and,
- b. Offset any environmental mitigation requirements.

The size and location of the site may be modified at the discretion of both the Town and the School Board. The site that is dedicated shall satisfy all of the following additional criteria:

- a. The site must be dedicated in fee simple and shall be free and clear of all liens and encumbrances;
- b. Paved access must be available to the site via a minimum of two (2) public rights-of-way;
- c. The subject property must be free and clear of any significant environmental constraints, tree cover, wetlands or environmentally sensitive habitat requiring more than 2% mitigation;
- d. Water and sewer laterals must be stubbed into site;
- e. The subject property must be platted and approved by the Town;
- f. The subject property must have appropriate land use planning and zoning designations for public school use;
- g. The subject property shall be at grade and must be free from excessive cut or fill requirements, (i.e., at or near the 100 year flood elevation level);

- h. The subject property shall meet all concurrency requirements which are in effect at the time of the adoption of the Development Order unless specified otherwise herein;
- i. Bicycle/pedestrian access shall be provided from the subject property to the nearest intersection(s) in all directions; and,
- j. The following data and information shall be provided:
 - 1) Boundary survey;
 - 2) Level one environmental assessment;
 - 3) Muck-probe report (200', staggered grid);
 - 4) Soils survey; and,
 - 5) Tree survey (if required for development permit).

Notwithstanding conditions of development found elsewhere in this Development Order, nothing contained therein shall preclude the development of the dedicated school site at the time of actual need for such facility. The development of this facility shall be in accordance with the applicable regulations for public schools in effect at the time of construction. **REVISED RES. NO. 59-97; RES. NO. 23-00**

155. By December 1, 2000, the Developer shall dedicate to the Palm Beach County School Board a site for a middle school within Neighborhood #1, as identified on the Master Site Plan. The site shall be acceptable to the School Board and the Town. The school must accommodate an initial core capacity of 1,275 students on a parcel of land no less than nineteen (19) acres in size plus sufficient additional acreage to complete the following:
- a. Accommodate on-site drainage requirements of the governing regulatory agencies; and,
 - b. Offset any environmental mitigation requirements.

The size and location of the site may be modified at the sole discretion of both the Town and the School Board. The dedicated site shall satisfy all of the following additional criteria:

- a. The site must be dedicated in fee simple and shall be free and clear of all liens and encumbrances;
- b. Paved access must be available to the site via a minimum of two (2) public rights-of-way;
- c. Water and sewer laterals must be stubbed into site;
- d. The subject property must be platted and approved by the Town;
- e. The subject property shall be at grade and must be free from excessive cut or fill requirements, (i.e., at or near the 100 year flood elevation level);
- f. The subject property must have appropriate land use planning and zoning designations for public school use;
- g. The subject property shall meet all concurrency requirements which are in effect at the time of the adoption date of the Development Order unless specified otherwise herein;
- h. Bicycle/pedestrian access to the nearest intersection in all directions must be provided from the subject property; and,
- i. The following data and information shall be provided:
 - 1) Boundary survey;
 - 2) Level one environmental assessment;
 - 3) Muck-probe report (200', staggered grid);
 - 4) Soils survey; and,
 - 5) Tree survey (if required for development permit).

Notwithstanding conditions of development found elsewhere in this Development Order, nothing contained therein shall preclude the development of the dedicated school site at

the time of actual need for such facility. The development of these facility shall be in accordance with the applicable regulations for public schools in effect at the time of construction. **REVISED RES. NO. 59-97; RES. NO. 23-00; RES. NO. 58-00; RES. NO. 57-01**

156. **REVISED RES. NO. 59-97; DELETED RES. NO. 23-00**

157. **DELETED RES. NO. 23-00**

Section 5: Project Buildout Dates

The project buildout date is December 31, 2015.

REVISED RES. NO. 23-00

Section 6: Modifications to Approval

1. Except as permitted by the conditions of approval, any modifications or deviations from the approval plans or requirements of this Development Order shall be submitted to the Town of Jupiter for a determination as to whether the change constitutes a substantial deviation as provided in Section 380.06(19), Florida Statutes.

2. Unless specifically designated as a Developer in the contract for sale or lease, the purchasers and lessees of lots or parcels in Abacoa shall not be considered the Developer for purposes of modifying the provisions of the development order pursuant to 380.06(19), Florida Statutes, or appealing any changes to the development order pursuant to Section 380.07, Florida Statutes.

Section 7: Monitoring Procedures and Official

1. The Town of Jupiter shall monitor the development of the project to ensure compliance with this Development Order through the procedures contained in the Town's land development regulations.

2. The Town of Jupiter Community Development Director shall be the local official assigned the responsibility for monitoring the development and enforcing the terms of the Development

Order. The Community Development Department Director may require periodic reports of the Developer with regard to any item set forth in this Development Order.

Section 8: Annual Report

1. The Developer shall make an annual report as required by Section 380.06(18), Florida Statutes. The annual report shall be submitted each year on June 6th.
2. In addition to the requirements contained in the conditions of approval, the annual report shall include the following:
 - a. Any changes in the plan of development, or in the representations contained in the Application for Development Approval, or in the phasing for the reporting year and for the next year;
 - b. A summary comparison of development activity proposed and actually conducted for the year;
 - c. Identification of undeveloped tracts of land, other than individual single family lots, that have been sold, transferred or leased to a successor developer;
 - d. Identification and intended use of lands purchased, leased or optioned by the Developer adjacent to the original DRI site since the Development Order was issued;
 - e. An assessment of the Developer's and local government's compliance with the conditions of approval contained in this Development Order and the commitments specified in the Application for Development Approval and which have been summarized in the Treasure Coast Regional Planning Council's Regional Assessment Report for the development undertaken;
 - f. Any request for a substantial deviation determination that was filed in the reporting year or is anticipated to be filed during the next year;
 - g. An indication of a change, if any, in local government jurisdiction for any portion of the development since the Development Order was issued;

h. A list of significant local, state and federal permits which have been obtained or which are pending by agency, type of permit, permit number and purpose of each;

i. The annual report shall be transmitted to the Town of Jupiter, the Treasure Coast Regional Planning Council, the Florida Department of Community Affairs, the Florida Department of Environmental Protection, the South Florida Water Management District, and such additional parties as may be appropriate or required by law and shall include a statement that all required parties have been sent copies of the annual report;

j. A copy of any recorded notice of the adoption of a Development Order or the subsequent modifications of an adopted Development Order that was recorded by the Developer pursuant to Subsection 380.06(15), Florida Statutes; and

k. Any other information requested by the Town Council of the Town of Jupiter or the Town of Jupiter Community Development Department Director to be included in the annual report.

Section 9: Statutory Application and Future Agency Changes

1. The definitions found in Chapter 380, Florida Statutes, shall apply to this Development Order.

2. The references to portions of Chapter 380, Florida Statutes, refers to the 1993 edition, as amended by the 1994 Supplement to Florida Statutes, and is intended to include any subsequent renumbering of those sections.

3. Reference herein to any governmental agency shall be construed to mean any future instrumentality that may be created or designated as a successor in interest to, or which otherwise possesses the powers and duties to any referenced governmental agency in existence on the effective date of this development order.

Section 10: Downzoning

Prior to December 31, 2018, the Abacoa Development of Regional Impact shall not be subject to downzoning, unit density reduction, or intensity reduction, unless the Town

demonstrates that substantial changes in the conditions underlying the approval of the Development Order have occurred, or that the Development Order was based on substantially inaccurate information provided by the Developer, or that the change is clearly established by the Town of Jupiter to be essential to the public health, safety, or welfare. The Developer's substantial compliance with the representations regarding the project's description, pedestrian scaled urban form, building regulations, environmental integrity, economic activity areas and transportation systems which have been incorporated herein pursuant to the adoption of Conditions, are deemed to be essential to the public health, safety and welfare. The Town Council has expressly relied upon these representations in the formulation of various conditions of approval; consequently the failure to substantially comply with these representations may constitute substantial changes which may be cause for downzoning, unity density reductions, or intensity reduction.

Section 11: Binding Effect

1. This Development Order shall be binding upon the Developer and its assignees or successors in interest.
2. The approval granted by the Development Order is conditional and shall not be construed to obviate the duty of the Developer to comply with all other applicable local, state and federal permitting requirements.

Section 12: Severability

In the event that any portion or section of this Development Order is deemed to be invalid, illegal, or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or sections of this development order, which shall remain in full force and effect.

Section 13: Effective Date

1. This development order shall become effective upon its transmittal. The date of transmittal shall be the effective date of the development order. Certified copies of this

Development Order shall be transmitted immediately by certified mail to the Department of Community Affairs, the Treasure Coast Regional Planning Council, and The Abacoa Development Company, Inc. **REVISED RES. NO. 126- 02**

2. If a notice of appeal is filed pursuant to Section 380.07, Florida Statutes, the effectiveness of the development order is stayed until the completion of the appeal process. Any time periods in the conditions of approval measured from the approval date, adoption date or effective date of the development order shall be measured from the effective date and those time periods are tolled during any period that the effectiveness of the development order is stayed.

Section 14: Changes to Development Order

Attachment 15 contains a cumulative list of all changes to the Development Order, including the approval date of the change, the Resolution Number for the approval, and a listing of the portion of the Development Order that was amended by the Resolution. **REVISED RES. NO. 57-01**

- ATTACHMENTS:
- "1" - Legal Description
 - "2" - Master Plan for the ABACOA DRI
 - "3" - ABACOA Transportation Agreement
 - "4" - Flexibility in approving the location of neighborhood streets and squares intent, criteria and methodology: Condition 5
 - "5" - Flexibility in approving the location of neighborhood streets and squares intent, criteria and methodology: Condition 5
 - "6" - Excluded commercial parcel: Condition 9j
 - "7" - Required roadway buffer locations: Condition 10b, 10c, and 10d
 - "7A" - Typical buffer sections - Military Trail
 - "8" - Required recreation facility buffer locations: Condition 12
 - "9" - ~~Read "A" and "B" locations; Condition 16~~ DELETED RES. NO. 23-00
 - "10" - Exchange Matrix: Condition 18
 - "11" - Internal Roadways for Condition 75
 - "12" - Internal Roadways for Condition 85
 - "13" - ~~Phasing locations within the project: Section 5~~ DELETED RES. NO. 23-00
 - "14" - New wellsite locations - Exhibit 48 - Condition 48
 - "15" - Cumulative list of Development Order Changes

REVISED RES. NO. 59-97; RES. NO. 93-97; RES. NO. 46-98; RES. NO. 46-06

ABACOA LEGAL DESCRIPTION

A parcel of land lying in Sections 13, 14, 23 and 24, Township 41 South, Range 42 East being more particularly described as follows;

COMMENCE at the Northwest corner of the Northwest One-Quarter (NW 1/4) of said Section 14;

THENCE on a grid bearing of S 02° 12' 34" W along the West line of the said Northwest One-Quarter (NW 1/4) of Section 14 a distance of 60.00 feet to the South Right-of-Way line of Indian Creek Parkway as recorded in Official Records Book 4107, Page 43 of the Public Records of Palm Beach County, Florida said point being the POINT OF BEGINNING;

THENCE continue S 02° 12' 34" W along said West line a distance of 702.03 feet to the Northwest corner of a parcel of land recorded in Official Records Book 6318, Page 339 of the Public Records of Palm Beach County, Florida;

THENCE S 87° 47' 26" E along the North line of said parcel a distance of 144.65 feet to a point on the arc of a non-tangent curve concave to the Southeast, a radial line of said curve through said point having a bearing of S 56° 30' 30" E;

THENCE Southwesterly along the Easterly line of said parcel along the arc of said curve to the left having a central angle of 31° 16' 57" and a radius of 995.00 feet for an arc distance of 543.25 feet to a point of tangency on the said West line of the Northwest One-Quarter (NW 1/4);

THENCE S 02° 12' 34" W along said West line a distance of 1370.40 feet to the Southwest corner of the said Northwest One-Quarter (NW 1/4);

THENCE N 89° 36' 14" E along the North line of a parcel of land described in Official Records Book 5561, Page 1924 of the Public Records of Palm Beach County, Florida being the South line of the said Northwest One-Quarter (NW 1/4) a distance of 80.08 feet to a line 80.00 feet East of and parallel with the West line of the Southwest One-Quarter (SW 1/4) of said Section 14;

THENCE S 2° 12' 34" W along the Easterly line of said parcel, along said parallel line a distance of 3.64 feet to a point of curvature of a tangent curve concave to the Northwest;

5/26/95

Revised 3/25/96

Revised 5/13/97

WHS Revised 11/24/97 (Removed S*Road @SWA)

WHS Revised 11/26/97 (Removed 80' @SWA)

WHS Revised 3/19/98 (NOPC8)

WHS Revised 12/01/99 (Removed FAU)

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ATTACHMENT "1"

REVISED RES. NO. 59-97; RES. NO. 93-97; RES. NO. 46-98; RES. NO. 46-06

THENCE Southerly along said Easterly line along the arc of said curve to the right having a central angle of 7° 43' 20" and a radius of 2240.00 feet for an arc distance of 301.90 feet to a point of reverse curvature of a tangent curve concave to the Southeast;

THENCE Southerly along said Easterly line along the arc of said curve to the left having a central angle of 7° 43' 54" and a radius of 2160.00 feet for an arc distance of 291.48 feet to a point of tangency on a line 40.00 feet East of and parallel with the said West line of the Southwest One-Quarter (SW 1/4) of Section 14;

THENCE S 2° 12' 00" W along the East line of said parcel along said parallel line a distance of 2057.20 feet to a line 40.00 feet East of and parallel with the West line of the Northwest One-Quarter (NW 1/4) of said Section 23;

THENCE S 00° 35' 39" W along said East line along said parallel line a distance of 2588.55 feet to a line 40.00 feet East of and parallel with the West line of the Southwest One-Quarter (SW 1/4) of said Section 23;

THENCE S 00° 35' 39" W along said East line and along the Southerly extension thereof as described in Official Records Book 4240, Page 867 of the Public Records of Palm Beach County Florida, a distance of 1629.66 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Southeasterly along the arc of said curve to the left having a central angle of 39° 15' 41" and a radius of 460.00 feet for an arc distance of 315.21 feet to a point of tangency;

THENCE S 38° 40' 02" E a distance of 343.68 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Southeasterly and Easterly along the arc of said curve to the left having a central angle of 51° 24' 11" and a radius of 420.00 feet for an arc distance of 376.80 feet to a point of tangency;

THENCE N 89° 55' 47" E a distance of 978.98 feet to a point of curvature of a tangent curve concave to the Southwest;

THENCE Southeasterly and Southerly along the arc of said curve to the right having a central angle of 87° 38' 29" and a radius of 120.00 feet for an arc distance of 183.56 feet to a point on a non-tangent line;

5/26/95

Revised 3/25/96

Revised 5/13/97

WHS Revised 11/24/97 (Removed 5" Road @ SWA)

WHS Revised 11/26/97 (Removed 80' @ SWA)

WHS Revised 3/19/98 (NOPC8)

WHS Revised 12/01/99 (Removed FAU)

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ATTACHMENT 7"

REVISED RES. NO. 59-97; RES. NO. 93-97; RES. NO. 46-98; RES. NO. 46-06

THENCE N 89° 55' 47" E a distance of 724.67 feet;

THENCE S 70° 46' 50" E a distance of 105.95 feet;

THENCE N 89° 55' 47" E a distance of 200.00 feet;

THENCE S 81° 32' 23" E a distance of 101.12 feet to a line 75.00 feet North of and parallel with the South line of the Southeast One-Quarter (SE 1/4) of said Section 23, said line being the North Right-of-Way line of Donald Ross Road as described in Deed Book 1031, Page 628 of the Public Records of Palm Beach County, Florida;

THENCE N 89° 55' 48" E along said parallel line a distance of 2413.46 feet to a line 75.00 feet North of and parallel with the South line of the Southwest One-Quarter (SW 1/4) of said Section 24;

THENCE S 89° 50' 06" E along said parallel line a distance of 2561.81 feet to the Southwest corner of a parcel of land described in Official Records Book 7483, Page 1765 of the Public Records of Palm Beach County, Florida;

THENCE N 45° 47' 10" E along said parcel a distance of 55.95 feet;

THENCE N 01° 24' 25" E along said parcel a distance of 290.65 feet;

THENCE N 06° 29' 12" E along said parcel a distance of 180.71 feet to a line 60.00 feet West of and parallel with the East line of the said Southwest One-Quarter (SW 1/4) of Section 24, said line being the West Right-of-Way line of Military Trail as described in Official Records Book 2353, Page 154 of the Public Records of Palm Beach County, Florida;

THENCE N 01° 24' 25" E along said parallel line a distance of 54.18 feet to the South line of a parcel of land described in Official Records Book 5618, Page 1103 of the Public Records of Palm Beach County, Florida;

THENCE S 89° 58' 02" W along said South line a distance of 1590.81 feet to the West line of said parcel;

THENCE N 00° 48' 04" E along said West line a distance of 640.07 feet to a line 40.00 feet South of and parallel with the North line of the South One-Half (S 1/2) of the said Southwest One-Quarter (SW 1/4) of said Section 24;

THENCE N 89° 58' 02" E along the North line of said parcel, along said parallel line a

5/26/95

Revised 3/25/96

Revised 5/13/97

WHS Revised 11/24/97 (Removed S^W Road @ SWA)

WHS Revised 11/26/97 (Removed 80' @ SWA)

WHS Revised 3/19/98 (NOPC8)

WHS Revised 12/01/99 (Removed FAU)

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ATTACHMENT "1"

REVISED RES. NO. 59-97; RES. NO. 93-97; RES. NO. 46-98; RES. NO. 46-06

distance of 1597.58 feet to said line being 60.00 feet West of and parallel with the said East line of the Southwest One-Quarter (SW 1/4) of said Section 24;

THENCE N 01° 24' 25" E along said parallel line a distance of 3035.72 feet to the Southerly most point of a parcel of land described in Official Records Book 7483, Page 1769 of the Public Records of Palm Beach County, Florida;

THENCE N 00° 25' 03" E along the Westerly line of said parcel a distance of 550.08 feet;

THENCE N 01° 24' 25" E along the said Westerly line of a distance of 286.23 feet;

THENCE N 44° 35' 59" W along said Westerly line a distance of 57.55 feet;

THENCE S 89° 23' 37" W along said Westerly line a distance of 3.97 feet;

THENCE N 00° 36' 23" W along said Westerly line a distance of 141.50 feet;

THENCE N 45° 28' 28" E along said Westerly line a distance of 55.49 feet;

THENCE N 01° 33' 18" E along said Westerly line a distance of 302.86 feet;

THENCE N 06° 30' 33" E along said Westerly line a distance of 180.64 feet;

THENCE N 02° 28' 07" E along said Westerly line a distance of 370.08 feet to said line being 60.00 feet West of and parallel with the East line of the Southwest One-Quarter (SW 1/4) of said Section 13;

THENCE N 01° 33' 18" E along said parallel line a distance of 413.19 feet to a line 40.00 feet North of and parallel with the South line of the North One-Half (N 1/2) of the South One-Half (S 1/2) of said Section 13, said line being the South line of a parcel of land described in Official Records Book 3609, Page 354 of the Public Records of Palm Beach County, Florida;

THENCE S 89° 05' 31" W along said parallel line a distance of 900.00 feet to the West line of said parcel;

THENCE N 01° 33' 18" E along said West line a distance of 386.61 feet to the South line of a parcel of land described in Official Records Book 5610, Page 444 of the Public Records of Palm Beach County, Florida;

5/26/95

Revised 3/25/96

Revised 5/13/97

WHS Revised 11/24/97 (Removed "S" Road @ SWA)

WHS Revised 11/26/97 (Removed 80' @ SWA)

WHS Revised 3/19/98 (NOPC8)

WHS Revised 12/01/99 (Removed FAU)

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ATTACHMENT "1"

REVISED RES. NO. 59-97; RES. NO. 93-97; RES. NO. 46-98; RES. NO. 46-06

THENCE S 89° 05' 29" W along said South line a distance of 820.00 feet to the West line of said parcel;

THENCE N 01° 33' 18" E along said West line a distance of 1063.39 feet to the North line of said parcel;

THENCE N 89° 05' 29" E along said North line a distance of 150.14 feet to the West line of a parcel of land described in Official Records Book 5610, Page 446 of the Public Records of Palm Beach County, Florida;

THENCE N 01° 33' 18" E along said West line a distance of 80.07 feet to the North line of said parcel;

THENCE N 89° 05' 29" E along said North line a distance of 1539.56 feet to the Westerly line of a parcel of land described in Official Records Book 7483, Page 1771 of the Public Records of Palm Beach, County, Florida;

THENCE N 45° 19' 24" E along said Westerly line a distance of 26.43 feet;

THENCE N 01° 33' 18" E along said Westerly line a distance of 209.11 feet;

THENCE N 05° 22' 11" E along said Westerly line a distance of 180.40 feet to said line being 60.00 West of and parallel with the East line of the Northwest One-Quarter (NW 1/4) of said Section 13;

THENCE N 01° 33' 18" E along said parallel line a distance of 160.01 feet to the Southerly most point of a parcel of land described in Official Records Book 7483, Page 1773 of the Public Records of Palm Beach County, Florida;

THENCE N 00° 24' 33" E along said parcel a distance of 850.17 feet;

THENCE N 01° 33' 18" E along said parcel a distance of 252.48 feet;

THENCE N 44° 28' 21" W along said parcel a distance of 57.57 feet;

THENCE S 89° 30' 00" W along said parcel a distance of 298.76 feet;

THENCE N 86° 50' 17" W along said parcel a distance of 250.51 feet to the said South Right-of-Way line of Indian Creek Parkway;

5/26/95

Revised 3/25/96

Revised 5/13/97

WHS Revised 11/24/97 (Removed "S" Road @ SWA)

WHS Revised 11/26/97 (Removed 80' @ SWA)

WHS Revised 3/19/98 (NOPC8)

WHS Revised 12/01/99 (Removed FAU)

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ATTACHMENT "1"

REVISED RES. NO. 59-97; RES. NO. 93-97; RES. NO. 46-98; RES. NO. 46-06

THENCE S 89° 30' 00" W along said South Right-of-Way line a distance of 697.24 feet to a point of curvature of a tangent curve concave to the Northeast;

THENCE Northwesterly along said South Right-of-Way line along the arc of said curve to the right having a central angle of 17° 11' 15" and a radius of 2924.79 feet for an arc distance of 877.37 feet to a point of tangency;

THENCE N 73° 18' 45" W along said South Right-of-Way line a distance of 505.51 feet to a point of curvature of a tangent curve concave to the Southwest;

THENCE Northwesterly and Westerly along said South Right-of-Way line along the arc of said curve to the left having a central angle of 14° 50' 11" and a radius of 2804.80 feet for an arc distance of 726.28 feet to a point of tangency on a line 60.00 feet South of and parallel with the North line of the Northeast One-Quarter (NE 1/4) of said Section 14;

THENCE N 88° 08' 56" W along said South Right-of-Way line, along said parallel line a distance of 1901.10 feet to a line 60.00 feet South of and parallel with the North line of the said Northwest One-Quarter (NW 1/4) of Section 14;

THENCE N 88° 08' 55" W along said South Right-of-Way line, along said parallel line a distance of 2677.84 feet to the POINT OF BEGINNING;

TOGETHER WITH a parcel of land lying in the East One-Half (E 1/2) of said Section 24 being more particularly described as follows:

COMMENCE at the Southeast corner of the Southeast One-Quarter (SE 1/4) of said Section 24;

THENCE on a grid bearing of N 01° 23' 06" E along the East line of the said Southeast One-Quarter (SE 1/4) a distance of 75.02 feet to a line 75.00 feet North of and parallel with the South line of the said Southeast One-Quarter (SE 1/4), said line being the North Right-of-Way line of Donald Ross Road as described in Deed Book 1031, Page 628 of the Public Records of Palm Beach County, Florida;

THENCE N 89° 51' 12" W along said parallel line a distance of 130.41 feet to the West Right-of-Way line of the Florida East Coast Railway, said point being the POINT OF BEGINNING;

5/26/95

Revised 3/25/96

Revised 5/13/97

WHS Revised 11/24/97 (Removed "S" Road @ SWA)

WHS Revised 11/26/97 (Removed 80' @ SWA)

WHS Revised 3/19/98 (NOPC8)

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ATTACHMENT "1"

REVISED RES. NO. 59-97; RES. NO. 93-97; RES. NO. 46-98; RES. NO. 46-06

THENCE continue N 89° 51' 12" W along said parallel line a distance of 1891.95 feet to the Easterly most point of a parcel of land described in Official Records Book 7483, Page 1763 of the Public Records of Palm Beach County, Florida;

THENCE N 89° 30' 35" W along said parcel a distance of 250.00 feet;

THENCE N 89° 51' 12" W along said parcel a distance of 298.41 feet;

THENCE N 44° 13' 23" W along said parcel a distance of 57.19 feet;

THENCE N 01° 24' 25" E along said parcel a distance of 284.35 feet;

THENCE N 00° 29' 25" E along said parcel a distance of 250.03 feet to a line 60.00 feet East of and parallel with the West line of the said Southeast One-Quarter (SE 1/4) of Section 24, said line being the East Right-of-Way line of Military Trail as described in Official Records Book 2353, Page 1545 of the Public Records of Palm Beach County, Florida;

THENCE N 01° 24' 25" E along said parallel line a distance of 4030.11 feet to the Southerly most point of a parcel of land described in Official Records Book 7483, Page 1767 of the Public Records of Palm Beach County, Florida;

THENCE N 04° 44' 38" E along said parcel a distance of 180.31 feet;

THENCE N 01° 24' 25" E along said parcel a distance of 306.02 feet;

THENCE N 45° 23' 08" E along said parcel a distance of 55.55 feet;

THENCE N 89° 21' 50" E along said parcel a distance of 288.33 feet;

THENCE N 88° 16' 32" E along said parcel a distance of 500.09 feet to a line 60.00 feet South of and parallel with the North line of said Northeast One-Quarter (NE 1/4) of Section 24, said line being the South Right-of-Way line of Frederick Small Road as recorded in Official Records Book 4991, Page 203 of the Public Records of Palm Beach County, Florida;

THENCE N 89° 21' 50" E along said parallel line a distance of 1641.84 feet to the said West Right-of-Way line of the Florida East Coast Railway;

5/26/95

Revised 3/25/96

Revised 5/13/97

WHS Revised 11/24/97 (Removed "S" Road @ SWA)

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THENCE S 01° 19' 34" W along said West Right-of-Way line a distance of 5174.39 feet to the POINT OF BEGINNING;

LESS a parcel of land described in Official Records Book 6318, Page 341 of the Public Records of Palm Beach County, Florida lying in the Northwest One-Quarter (NW 1/4) of said Section 14 being more particularly described as follows:

COMMENCE at the Northwest corner of said Section;

THENCE S 2° 12' 34" W along the West line of said Section a distance of 1402.03 feet;

THENCE S 87° 47' 26" E a distance of 80.00 feet to the POINT OF BEGINNING;

THENCE continue S 87° 47' 26" E a distance of 100.00 feet;

THENCE S 2° 12' 34" W a distance of 100.00 feet;

THENCE N 87° 47' 26" W a distance of 100.00 feet;

THENCE N 2° 12' 04" E a distance of 100.00 feet to the POINT OF BEGINNING .

AND LESS: All of Tract UN1 of ABACOA PLAT NO. 1, as recorded in Plat Book 78, Pages 145 through 163, inclusive, of the public records of Palm Beach County, Florida

The above described lands lying in Palm Beach County, Florida containing 1919.79 acres more or less.

5/26/95

Revised 3/25/96

Revised 5/13/97

WHS Revised 11/24/97 (Removed "S" Road @ SWA)

WHS Revised 11/26/97 (Removed 80' @ SWA)

WHS Revised 3/19/98 (NOPC8)

WHS Revised 12/01/99 (Removed FAU)

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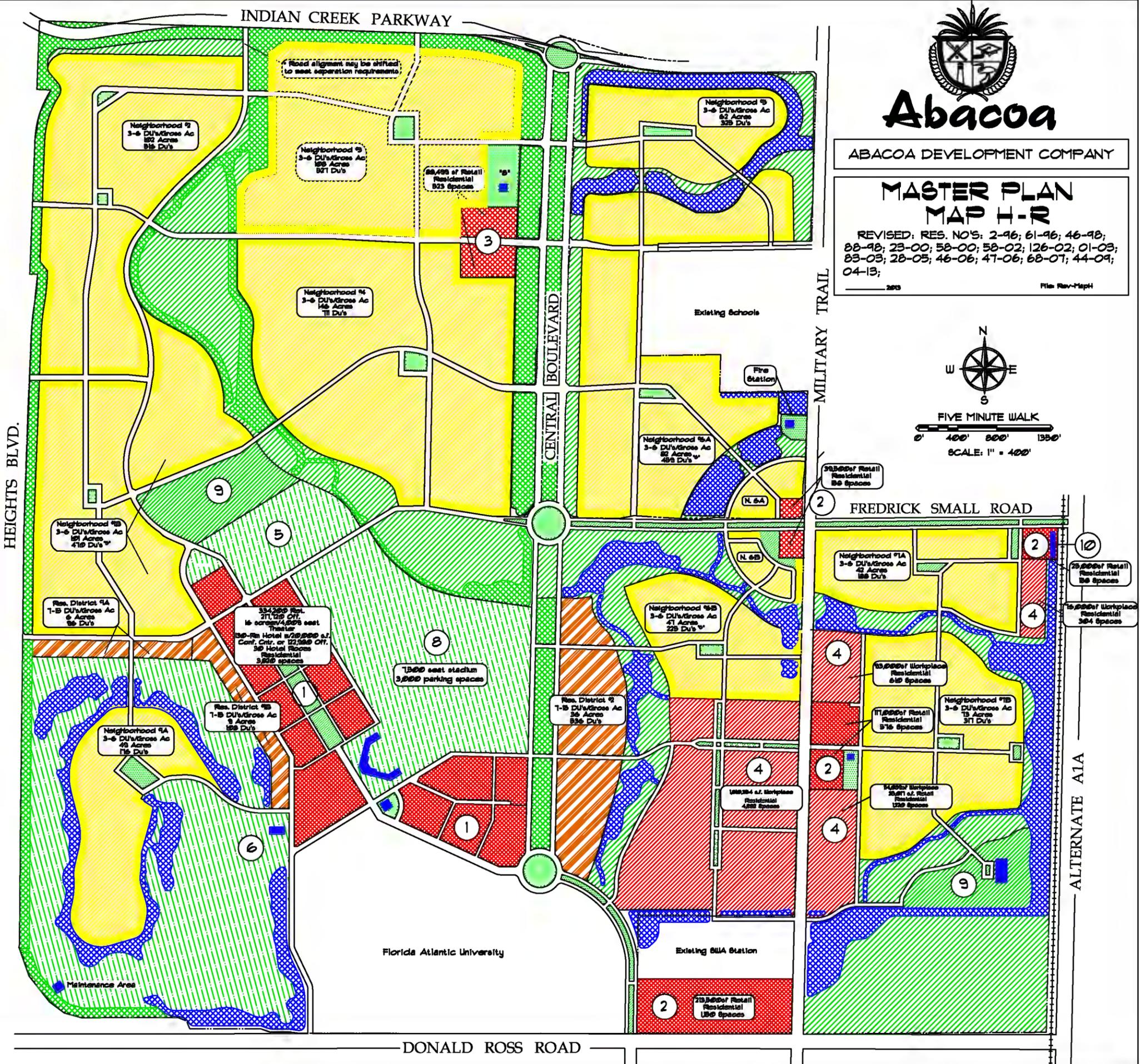
ATTACHMENT "1"

LEGEND

	Dwelling units (DU)	Gross sq. ft.	Gross Acres
Residential Neighborhood	3,916		82
Residential District	740		51
Town Center District ¹ , Regional	1,061	334,200 Ret. ² 271,120 Off. ³	63
Commercial District - Community	61	16 screen/4,000 seat Theater 150-Rm Hotel w/20,000 s.f. Conf. Ctr. or 12,500 Off. 30 Additional Hotel Rooms ⁴	34
Commercial District - Neighborhood	150 ⁵	60,493 Ret. ⁶	9
Workplace District ^{1,4}	146	2,093,393 Off. ^{7,8} 25,071 Ret. ⁹	93
Sub Total	6,120	842,716 Ret. 2,311,13 Off.	1,674²
OPEN SPACE¹⁰			
Municipal Parks & Rec. Facility			
Upland Preservation Areas (Greenway)			
Dry Water Management Areas			
Sub Total			393
Golf Course (including ancillary uses)			16
Wet Water Management Areas (including lakes)			93
Attraction - Baseball Training Facility			83
Institutional Sites: Civic Bldg's & Schools			36
Community Building Sites			9
Roadways ⁴			18
Sub Total			492
Squares and Greens			
Proposed Tri-Rail Station			
TOTAL			1,919

- Permitted uses: L, Inc., Office, Med. Office, R & D, Residential
- Gross acreage includes squares & roads in the Neigh. & Districts
- Includes: Municipal Parks & Rec. Facility, Upland Preservation, and Dry Water Management areas
- Excluding roads within the Neighborhoods and Districts Street network illustrated may deviate from depicted locations
- Deleted pursuant to Resolution 46-06
- 63 Units may be moved to Neigh. 6A for 10 with Town Council approval. Transfer did occur and number of units in each Neighborhood has been Revised to reflect transfer.
- 10 Units Transferred from Workplace District to Residential District 2 per Condition 10a.
- Actual parcel configuration may be modified in site plan approval process. Site may be relocated in the site plan approval process as long as the site remains adjacent to the north, east or south side of the Neighborhood Commercial District. Site was reconfigured and relocated to the North side of the Neighborhood Commercial District and Map HR has been amended to reflect new site and location.
- 40,000 SF. of Research and Development/Industrial may occur in the Town Center per Condition 11.
- 40 Units Transferred from Community Commercial District to Workplace District Per Condition 10a.
- 150 Community Commercial units transferred to Workplace per Condition 10a and 60 Workplace units (210 Total) converted to 254,800 s.f. Workplace per Condition 11.
- 370 Units transferred from Workplace to Town Center per Condition 10a.
- 60 Units added and 42,201 SF. of Retail deleted pursuant to Resolution 64-13

- Cond. 10.c. Exchange Matrix Uses:**
- 10,000 s.f. of Town Center Office converted to 110 Town Center Units
 - 14,000 s.f. of Community Commercial Retail converted to 31 Town Center units
 - 90,000 SF. of Neighborhood Commercial Retail converted to 48 Neighborhood Commercial Units. Conversion cancelled in change detailed in note 13.
 - 16,489 SF. of Community Commercial converted to 8342 SF. of Workplace Office
 - 30,000 SF. of Town Center Retail converted to 30 Hotel Rooms



ABACOA DEVELOPMENT COMPANY

MASTER PLAN MAP H-R

REVISED: RES. NO'S: 2-96; 61-96; 46-98;
88-98; 23-00; 58-00; 58-02; 126-02; 01-03;
83-03; 28-05; 46-06; 47-06; 68-07; 44-09;
04-13;
2005 File Rev-MapH



R95 418D

ABACOA TRANSPORTATION AGREEMENT

MAR 21 1995

This Agreement is entered into this _____ day of _____, _____, by FOD, Inc., a Florida corporation, hereinafter the "Developer", and Palm Beach County, hereinafter the "County".

WHEREAS, the Developer is developing a project known as the Abacoa Development of Regional Impact, located in the Town of Jupiter, in the area roughly bounded by Donald Ross Road to the south, Alternate A1A and Military Trail to the east, Indian Creek Parkway to the north, and Heights Boulevard to the west; and

WHEREAS, certain roads must be improved in order for Abacoa to meet the concurrency requirements of the Palm Beach County Traffic Performance Standards and Rule 9J-2.045, F.A.C. (the required road improvements); and

WHEREAS, all of the required road link improvements are contained in the Palm Beach County 2010 Interim Transportation Systems Plan (2010 Plan), which, pursuant to the County's adopted comprehensive plan, are planned to be constructed prior to 2010, whether or not the Abacoa project is developed; and

WHEREAS, the Developer and County desire to allocate the responsibility for and timing of construction the required road improvements; and

WHEREAS, the County and Developer have allocated the responsibility for funding or constructing the required road improvements by identifying the improvements necessitated by Abacoa project traffic and the improvements necessitated by background traffic that are required for Abacoa to meet concurrency pursuant to the County's Traffic Performance

Standards for the roads addressed herein; and

WHEREAS, this Agreement is necessary to comply with the Rule 9J-2.045(7)(a)1., F.A.C., requirement that the DRI development order contain a binding and enforceable commitment by the developer and local government to address needed roadway improvements concurrently with the development schedule approved in the development order.

NOW THEREFORE, the Developer and County agree as follows:

A. DEVELOPER RESPONSIBILITIES

1. The Developer will be responsible for funding for and constructing certain road improvements or funding the construction by the County of the required road improvements necessitated by project traffic as shown in Exhibit A. Funding shall include all plan preparation, right-of-way acquisition and construction costs incurred by the County. These improvements, the schedule of construction by year, and estimated cost are listed in Exhibit A. The Developer shall be entitled to credit for the cost of the non-site related improvements constructed by (with the County's consent) or funded by the developer against the County's traffic impact fees pursuant to Chapter 10 of the County's Unified Land Development Code. If bonds are sold to fund these road improvements, impact fees may be collected and allocated to pay the appropriate portion of these bonds, subject to a separate agreement between the Developer and the County. Exhibit A identifies the site-related and other road improvements that may be constructed by the Developer. The Developer must secure permits from the County or FDOT as applicable for the construction of any of the road improvements that the Developer constructs.

2. The Developer shall construct the site-related improvements and shall fund the non-site related road improvements to be constructed by the County concurrently with the phasing

schedule listed in Exhibit A, or where different, with the development schedule contained in the DRI development order to be issued by the Town of Jupiter which shall hereinafter be incorporated by reference. The development of the Abacoa DRI shall be phased to the construction of these road improvements as required by the Palm Beach County Traffic Performance Standards Ordinance. The Developer must provide that the roads listed in Exhibit A are secured by Performance Security no later than four years prior to the scheduled construction date unless the road improvement is already funded in an improvement bond issued by the Northern Palm Beach County Water Control District.

B. COUNTY RESPONSIBILITIES

3. The County will be responsible for the construction of the road improvements listed in Exhibit B. Exhibit B contains the list of road improvements and the schedule for construction of the road improvement by year.

4. The County agrees that all impact fees collected from the Abacoa project will be placed in a special Abacoa Trust Account within the Zone A impact fee trust account. Funds in the Abacoa Trust Account shall be used to fund the construction of the required road improvements that are the County's responsibility pursuant to paragraph 3. Excess impact fees may be utilized for other road projects in the appropriate impact fee zone when all the road improvements in this agreement are completed. The County may use other sources of funds, including the money in the Impact Fee Zone A Trust Account, to construct the required road improvements listed in Exhibit B.

5. The road improvements listed in Exhibit B are all required in various phases of the Abacoa project. All of the road link improvements are included in the County's 2010 Plan, which means they are anticipated to be under construction no later than 2010. As long as there is adequate money allocated for these road improvements in the Impact Fee Zone A Trust Account, the County agrees to include these road improvements in the County's adopted five-year road

program for construction no later than the year specified in Exhibit B, and agrees to commence construction of the road improvement in the year it is scheduled in the five-year road program. If a road improvement is not included in the adopted five-year road program consistent with Exhibit B because there is not adequate money in the Abacoa Trust Account combined with the Impact Fee Zone A Trust Account, the County will, at the latest, program the road improvement for construction in the first year of the next five-year road program after adequate funds become available in these impact fee trust accounts.

6. If the County cannot commence construction of any road improvement in the year listed in Exhibit A or Exhibit B or if the Developer desires to have an road improvement constructed earlier than is required by Exhibit A or Exhibit B, the Developer may fund the improvement or fund any shortfall. Any Developer funding pursuant to this paragraph shall be accomplished through a separate agreement. The repayment of any advanced funding shall be specified in that agreement.

7. In addition to the road improvements listed in paragraph 3, Donald Ross Road from Prosperity Farms Road to US 1, including the bridge over the Intracoastal Waterway (The Donald Ross Road Bridge) is in the County's Five Year Road Program. Abacoa is proposed to be phased to the Donald Ross Road Bridge. In addition, Abacoa is proposed to be phased to the grade separated interchange at PGA Blvd. and Alternate A1A, and improvements to I-95, US 1, and Alternate A-1-A, which are the responsibility of the state or another developer. The details of these improvements are contained in Exhibit C. All of these road improvements are necessitated by background traffic and all are in the County's 2010 Plan. The County recognizes that the Developer has relied on the construction of these road improvements and is phased to their

commencement. Therefore, the County agrees to the following concerning these road improvements:

A. Donald Ross Road. The Donald Ross Road Bridge is in the County's adopted five-year road program for construction during fiscal year 1996-1997. Since the Donald Ross Road Bridge is in the first three years of the County's five-year road program and otherwise meets the definition of "assured construction", the County agrees that, subject to budget constraints, it will not delay construction of the Donald Ross Road Bridge in a manner that would prevent the Developer from pulling building permits pursuant to the Abacoa DRI phasing conditions. If the Donald Ross Road Bridge is proposed to be delayed in a manner that would stop the Developer from pulling building permits, the County shall comply with state law which requires an amendment to the comprehensive plan to delay the Donald Ross Road Bridge. At the same time, the County will initiate an amendment to the comprehensive plan that could allow the Abacoa development to continue to proceed until the County actually commences construction of the Donald Ross Road Bridge. This amendment may establish a tiered level of service or may consist of another change to the County's regulatory program that could allow Abacoa to proceed.

B. PGA Blvd. - Alternate A1A Interchange. The PGA Blvd. - Alternate A1A grade separated interchange is in the County's 2010 Plan. The proposed DRI phasing schedule would require this road improvement to commence by December 31, 2002, unless it met the County's definition of "assured construction" on that date. The County agrees that when DOT schedules this road improvement in its Adopted Work Program in a manner that will meet the County's definition of assured construction, the County will initiate whatever action is required so this road improvement meets all of the requirements of the County's definition of "assured construction"

pursuant to the DRI provisions initially placed in Policy 4-h of the Traffic Circulation Element in December, 1994. If this road improvement will not commence or meet the definition of assured construction by the end of 2002 or a later period if the Abacoa phasing date for this road improvement is changed, the County agrees to consider a tiered level of service for this roadway or consider revision of its comprehensive plan and regulatory program in a manner that would allow the Abacoa development to continue to proceed until the road improvement actually commences.

C. I-95 Improvements - The widening of I-95 from Northlake Boulevard to PGA Boulevard, from PGA Boulevard to Donald Ross Road, and from Donald Ross Road to Indiantown Road is in the County's 2010 Plan. The proposed DRI phasing schedule would require the Northlake Boulevard to PGA Boulevard road improvement to commence by December 31, 2001; the PGA Boulevard to Donald Ross Road road improvement to commence by December 31, 2009; and the Donald Ross Road to Indiantown Road road improvement to commence by December 31, 2013, unless any of these road improvements meets the County's definition of "assured construction" at that time. The County agrees that when DOT schedules any of these road improvements in its Adopted Work Program in a manner that will meet the County's definition of assured construction, the County will initiate whatever action is required so that the road improvement meets all of the requirements of the County's definition of "assured construction" pursuant to the DRI provisions initially placed in Policy 4-h of the Traffic Circulation Element in December, 1994. If these I-95 road improvements will not commence or meet the definition of assured construction in the years delineated above or a later period if the Abacoa phasing date for this road improvement is changed, the County agrees to consider a

tiered level of service for this roadway or consider revision of its comprehensive plan and regulatory program in a manner that would allow the Abacoa development to continue to proceed until these road improvements actually commence.

D. US 1 Improvements - The widening of US 1 from Marcinski Road to Donald Ross Road, and from PGA Boulevard to Juno Isles Boulevard is in the County's 2010 Plan. The proposed DRI phasing schedule would require the Marcinski Road to Donald Ross Road road improvement to commence by December 31, 2010 and the PGA Boulevard to Juno Isles Boulevard road improvement to commence by December 31, 2013, unless the road improvement meets the County's definition of "assured construction" at that time. The County agrees that when DOT schedules either of these road improvements in its Adopted Work Program in a manner that will meet the County's definition of assured construction, the County will initiate whatever action is required so that the road improvement meets all of the requirements of the County's definition of "assured construction" pursuant to the DRI provisions initially placed in Policy 4-h of the Traffic Circulation Element in December, 1994. If these road improvements will not commence or meet the definition of assured construction in the years delineated above or a later period if the Abacoa phasing date for this road improvement is changed, the County agrees to consider a tiered level of service for this roadway or consider revision of its comprehensive plan and regulatory program in a manner that would allow the Abacoa development to continue to proceed until these road improvements actually commence.

C. MODIFICATION OF REQUIRED ROAD IMPROVEMENTS AND SCHEDULE OF IMPROVEMENTS

8. If the DRI development order is amended to delete or modify a required road

improvement listed in Exhibit A or Exhibit B of this Agreement, the parties agree to review this Agreement to determine whether it should be modified consistent with the amended DRI development order.

D. CONCURRENCY

9. The County agrees that the Developer shall meet the transportation concurrency requirements imposed by the County's Traffic Performance Standard based on the construction of the required road improvements listed in Exhibits A, B and C of this Agreement, as long as the road improvements are phased to the schedule of development in the DRI development order; the County receives a compliance finding from DCA for the 94-2 Comprehensive Plan Amendment to Policy 4-h; and the County incorporates the regulatory requirements necessary to comply with revised Policy 4-h into the ULDC.

E. AMENDMENT

10. This Agreement shall not be amended or modified in any manner except in writing executed by all the parties.

F. SEVERABILITY

11. In the event that any part, term, or provision of this Agreement is found by a court of competent jurisdiction to be illegal, the validity of the remaining portions and provisions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if this Agreement did not contain the particular part, term, or provision held to be invalid.

G. BINDING EFFECT

12. All terms, conditions, responsibilities, duties, promises and obligations of the parties shall be binding upon the parties, their successors and assigns.

H. EFFECTIVE DATE AND TERM

13. This Agreement shall be effective upon execution of all parties and shall terminate December 31, 2015, unless extended by written agreement between the parties. In the event the Abacoa DRI development order does not become final and binding, this Agreement shall be null and void.

I. REPRESENTATIONS

14. FOD, Inc. is a corporation duly organized and validly existing and in good standing under the laws of the State of Florida. The officers executing this Agreement have been duly authorized to consummate this Agreement on behalf of the Corporation.

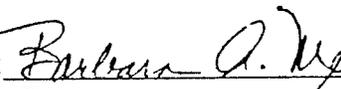
IN WITNESS WHEREOF, the undersigned have hereto set their hand and seals the day and year first written above.

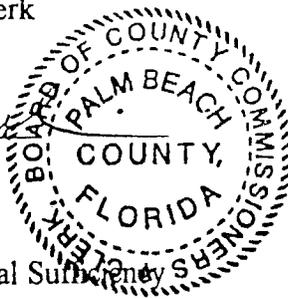
R95 418D
MAR 21 1995

PALM BEACH COUNTY, a Political
Subdivision of the State of Florida


By: Ken Foster, Chair

Attest: Dorothy C. Wilken, Clerk

By: 
Deputy Clerk



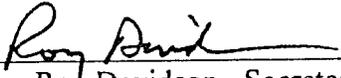
FOD, INC. SIGNATURE NEXT PAGE

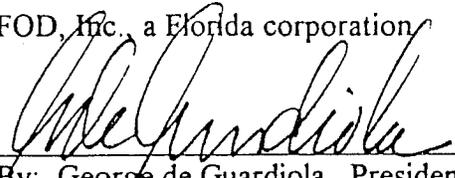
Approved as to Form and Legal Sufficiency

By: 
ASST. County Attorney

ATTEST:

FOD, Inc., a Florida corporation


By: Roy Davidson, Secretary


By: George de Guardiola, President

February 28, 1995

R95 418D

MAR 21 1995

EXHIBIT A

ABACOA DEVELOPER ROAD IMPROVEMENTS

<u>DRI*</u>	<u>ROAD</u>	<u>LIMIT</u>	<u>IMPROVEMENT</u>	<u>YEAR</u>
50	Central Blvd.	Donald Ross Rd. to Southern Circle	Four-Lane (d)**	1995
51	Central Blvd.	Southern Circle to Fredrick Small Rd.	Four-Lane (d)**	1995
52	Fredrick Small Rd.	Military Trail to Central Blvd.	Two-Lane (d)***	2000
55	Alternate A1A	Donald Ross Rd. to Hood Rd.	Six-Lane (c)	2004
62	Central Blvd.	Fredrick Small Rd. to Indian Creek Prky.	Four-Lane (d)**	2005
68	Donald Ross Rd.	I-95 to Central Blvd.	Six-Lane (c)	2011
69	Donald Ross Rd.	Central Blvd. to Military Trail	Six-Lane (c)	2011
70	Donald Ross Rd.	Military Trail to Alternate A1A	Six-Lane (c)	2012
71	Donald Ross Rd.	Alternate A1A to Prosperity Farms Rd.	Six-Lane (c)	2012

- * Condition numbers refer to Treasure Coast Regional Planning Council Assessment Report
- ** Site-related improvement - first two lanes required for access - no impact fee credit for first two lanes
- *** Site-related improvement - required for access - no impact fee credit
- (c) To be constructed by the County and funded by the Developer
- (d) To be funded and constructed by the Developer

ABACOA DEVELOPER INTERSECTION IMPROVEMENTS

<u>DRI*</u>	<u>INTERSECTION</u>	<u>IMPROVEMENT</u>	<u>YEAR</u>
53	Central Blvd. & Donald Ross Rd. ¹	Westbound - Right-turn lane	**
		Southbound - Right-turn lane/through lane/left-turn lane	1995**
58	Donald Ross Rd. & Military Trail	Eastbound - Second left-turn lane	2001
60	Alternate A1A & Indiantown Rd.	Westbound - Third through lane	2003
	Alternate A1A & Hood Rd. ²	Northbound - Second left-turn lane/third through lane	2003
		Southbound - third through lane	2003
73	Donald Ross Rd & Military Trail	Westbound - Third through lane	
		Eastbound - Third through lane (convert right-turn lane)	2001
74	Central Blvd. & Donald Ross Rd.	Westbound - Second left-turn lane	
		Southbound - Second through lane/second left-turn lane	2006**
77	Alternate A1A & Fredrick Small Rd. ³	Southbound & Northbound - Third through lane	2010
81	Military Trail & Hood Rd.	Eastbound - Right-turn lane	2015

- * Condition numbers refer to Treasure Coast Regional Planning Council Assessment Report
- ** Site-related improvement - no impact fee credit
- 1 To be constructed with the improvement listed in condition 50
- 2 To be constructed with the improvement listed in condition 47
- 3 To be constructed with the improvement listed in condition 64

February 27, 1995

EXHIBIT B

COUNTY ROAD IMPROVEMENTS

<u>DRI*</u>	<u>ROAD</u>	<u>LIMIT</u>	<u>IMPROVEMENT</u>	<u>YEAR</u>
56	Prosperity Farms Rd.	Lone Pine Rd. to PGA Blvd.	Four/Five-Lane	2005
64	Alternate A1A	Toney Penna Drive to Fredrick Small Rd.	Six-Lane	2008
65	Alternate A1A	Indiantown Rd. to Toney Penna Drive	Six-Lane	2007
66	Alternate A1A	Fredrick Small Rd. to Donald Ross Rd.	Six-Lane	2010

* Condition numbers refer to Treasure Coast Regional Planning Council Assessment Report

COUNTY INTERSECTION IMPROVEMENTS

<u>DRI*</u>	<u>INTERSECTION</u>	<u>IMPROVEMENT</u>	<u>YEAR</u>
48	Alternate A1A & Donald Ross Rd.	Eastbound - Second left-turn lane	
		Westbound - Right-turn lane/second left-turn lane	1997

<u>DRI*</u>	<u>INTERSECTION</u>	<u>IMPROVEMENT</u>	<u>YEAR</u>
49	Alternate A1A & Toney Penna Drive	Southbound - Right-turn lane	1998
57	Alternate A1A & Donald Ross Rd.	Northbound - Third through lane	2001
	Donald Ross Rd. & Prosperity Farms Rd.	Westbound - Second through lane	2001
58	Alternate A1A & Toney Penna Drive	Eastbound - Second left-turn lane	2001
59	Indiantown Rd. & US 1	Eastbound - Second through lane	2002
61	Central Blvd. & PGA Blvd.	Eastbound - Second left-turn lane	2005
73	Alternate A1A & Donald Ross Road	Eastbound/Westbound/Southbound - Third through lane	2006
	Indiantown Rd. & US 1	Eastbound - Right-turn lane	
		Westbound - Second through lane	2006
74	Donald Ross Rd. & Prosperity Farms Rd. ⁴	Eastbound - Second through lane	2006
75	Alternate A1A & Toney Penna Drive ⁵	Southbound - Third through lane	2007
76	Indiantown Rd. & Alternate A1A	Eastbound - Third through lane	2008
77	Alternate A1A & RCA Blvd.	Eastbound & Northbound - Right-turn lane	2010
78	Alternate A1A & Lighthouse Drive	Westbound - Right-turn lane/Southbound second left-turn	2011
79	Military Trail & Burns Rd.	Southbound - Second left-turn lane	2012

DRI* INTERSECTION

IMPROVEMENT

YEAR

80 PGA Blvd. & Prosperity Farms Rd. Eastbound/Westbound - Second left-turn lane 2013

- * Condition numbers refer to Treasure Coast Regional Planning Council Assessment Report
- 4 To be constructed with the Donald Ross Road Bridge project
- 5 To be constructed with the improvement listed in condition 65

February 27, 1995

EXHIBIT C

OTHER ROAD IMPROVEMENTS

<u>DRI*</u>	<u>ROAD</u>	<u>LIMIT</u>	<u>IMPROVEMENT</u>	<u>YEAR</u>
47	Alternate A1A	Hood Rd. to PGA Blvd.	Six-Lane	1997**
82	I-95	Northlake Blvd. to PGA Blvd.	Eight-lane	2001***
83	I-95	PGA Blvd. to Donald Ross Rd.	Eight-lane	2009***
84	I-95	Donald Ross Road to Indiantown Rd.	Eight-lane	2013***
67	US 1	Marcinski Rd. to Donald Ross Rd.	Six-lane	2010***
72	US 1	Juno Isles to PGA Blvd.	Six-lane	2013***

* Condition numbers refer to Treasure Coast Regional Planning Council Assessment Report

** Improvement is obligation of another developer - is to be constructed by that developer when traffic exceeds 30,700 trips.
However, must meet the County's definition of Assured Construction within six months of the issuance of the DRI Development Order.

*** State Road - obligation of FDOT

OTHER INTERSECTION IMPROVEMENTS

<u>DRI*</u>	<u>INTERSECTION</u>	<u>IMPROVEMENT</u>	<u>YEAR</u>
59	PGA Blvd. and Alternate A-1-A	Interchange with grade separation	2002**

* Condition numbers refer to Treasure Coast Regional Planning Council Assessment Report

** State Road - obligation of FDOT

March 3, 1995

indian river

st. lucie

martin

palm beach

treasure
coast
regional
planning
council

September 6, 1994

Mr. J. Thomas Beck, Bureau Chief
Bureau of State Planning
Department of Community Affairs
2740 Centerview Drive
The Rhyne Building
Tallahassee, FL 32399

Subject: Abacoa Development of Regional Impact

Dear Tom:

Council is considering adding caveats to the Abacoa Master Plan addressing the location of neighborhood streets and squares. This is being considered to give the developer the right to modify the location of these features without having to go through the formal notice of proposed change process.

Limiting conditions are being considered under which adjustments to the location of neighborhood streets and squares could be made without formally amending the Master Plan. For example, locational flexibility of neighborhood streets and squares would be allowed if it did not: 1) affect the distribution of traffic on the external roadway system; 2) impact preservation areas; 3) negatively affect the connectivity of squares and neighborhoods to one another; 4) reduce the size of public square or green area within the neighborhood; and 5) affect the central nature of the square by reducing the number of residential lots in the neighborhood currently within walking distance (~1300 feet). Some examples of the amount of flexibility the developer is looking for is illustrated on the attached Master Plan.

The detail provided on the Abacoa Master Plan is far more than we typically receive, especially as it relates to the network of internal streets and neighborhood squares. Unfortunately, rules regulating changes to DRI master plans do not respond to the need for flexibility that Traditional Neighborhood Development proposals often require. In fact, these rules encourage developers to provide as little detail as possible. This makes development reviews and development

Mr. J. Thomas Beck
September 6, 1994
Page Two

orders unnecessarily adversarial and complex. More importantly, it discourages developers from proposing forms of development which are extremely beneficial to the State and the Region.

The Department is certainly in the position to approve the criteria providing flexibility for the Abacoa Master Plan as part of any development order issued for the project. Given this fact, Council is requesting a written response from you addressing whether the approach outlined above is an acceptable one to the Department.

If there are questions, please call.

Sincerely,

A handwritten signature in black ink, appearing to read 'M.J. Busha', with a long horizontal flourish extending to the right.

Michael J. Busha, AICP
Assistant Director

MJB:lg

Attachment

cc: Tony Dominski, DCA
Lynn Zippay, DCA
Eric Riel, Town of Jupiter
George de Guardiola, Abacoa



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

EMERGENCY MANAGEMENT • HOUSING AND COMMUNITY DEVELOPMENT • RESOURCE PLANNING AND MANAGEMENT

LAWTON CHILES
Governor

LINDA LOOMIS SHELLEY
Secretary

September 20, 1994

Mr. Michael J. Busha
Treasure Coast Regional
Planning Council
Post Office Box 1529
Palm City, Florida 34990

Re: Abacoa DRI; File No. ADA-1094-013

Dear Mr. Busha:

We have received your letter of September 6, 1994, regarding the Abacoa development of regional impact (DRI) Master Plan, and commend you for your concept of providing flexibility for the locations of neighborhood streets and squares without review pursuant to Section 380.06(19), Florida Statutes. To ensure adequate monitoring, each Master Plan change should be reported to the reviewing agencies at least 15 days prior to effectuating the change and in the Annual Report. Each report of change should analyze how the change is consistent with the criteria in the development order for flexibility and should discuss the cumulative results of previous Master Plan changes. We may have additional comments on Master Plan flexibility upon our review of specific draft DO language approving the concept.

We thank you for the opportunity to comment on potential development order conditions for the Abacoa DRI. If you have any questions or comments, please contact me or Tony Dominski in the Bureau of State Planning at (904) 488-4925.

Sincerely,

Mike McDaniel
for J. Thomas Beck, Chief
Bureau of State Planning

JTB/cb

cc: Eric Riel (Town of Jupiter)
George de Guardiola (Abacoa)

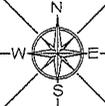
2740 CENTERVIEW DRIVE • TALLAHASSEE, FLORIDA 32399-2100

FLORIDA KEYS AREA OF CRITICAL STATE CONCERN
FIELD OFFICE
2796 Overseas Highway, Suite 212
Marathon, Florida 33050-2227

SOUTH FLORIDA RECOVERY OFFICE
P.O. Box 4022
8600 N.W. 36th Street
Miami, Florida 33159-4022

GREEN SWAMP AREA OF CRITICAL STATE CONCERN
FIELD OFFICE
155 East Summerlin
Bartow, Florida 33830-4641

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AUG 02 2007
PLANNING & ZONING

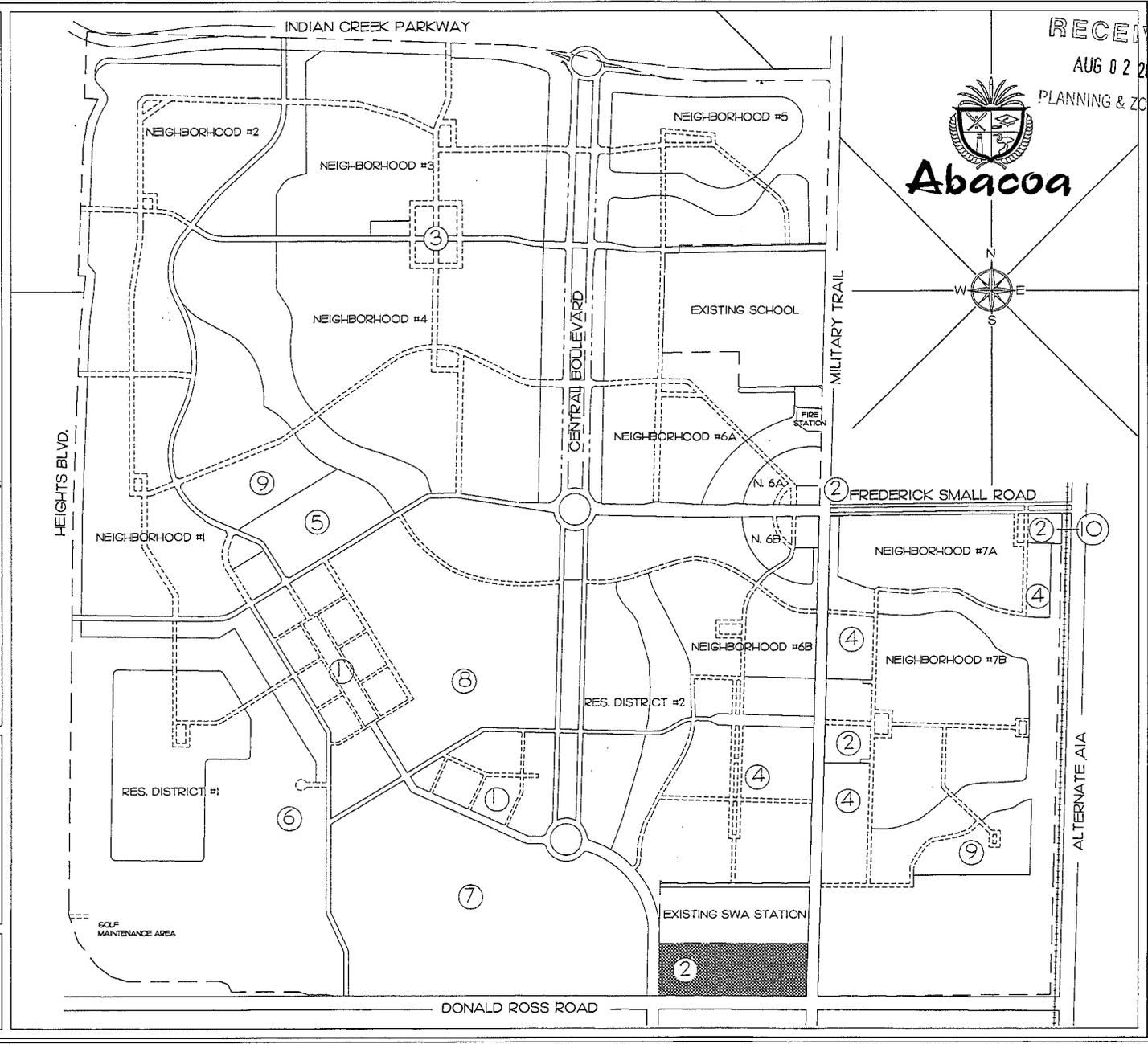


LEGEND

-  EXCLUDED COMMERCIAL PARCEL

-  TOWN CENTER DISTRICT : REGIONAL
-  COMMERCIAL DISTRICT : COMMUNITY
-  COMMERCIAL DISTRICT : NEIGHBORHOOD
-  WORKPLACE DISTRICT
-  MUNICIPAL PARKS & REC. FACILITY
-  GOLF COURSE (INCLUDING ANCILLARY USES)
-  F.A.U. NORTH CAMPUS (NOT INCLUDED IN DRI)
-  ATTRACTION : BASEBALL TRAINING FACILITY
-  INSTITUTIONAL SITES: CIVIC BLDG'S & SCHOOLS
-  PROPOSED TRI-RAIL STATION

ATTACHMENT "6"



ABACOA
EXHIBIT TO CONDITION

REVISED: RES. NO'S. 57-01; 60-07

MAY 2007

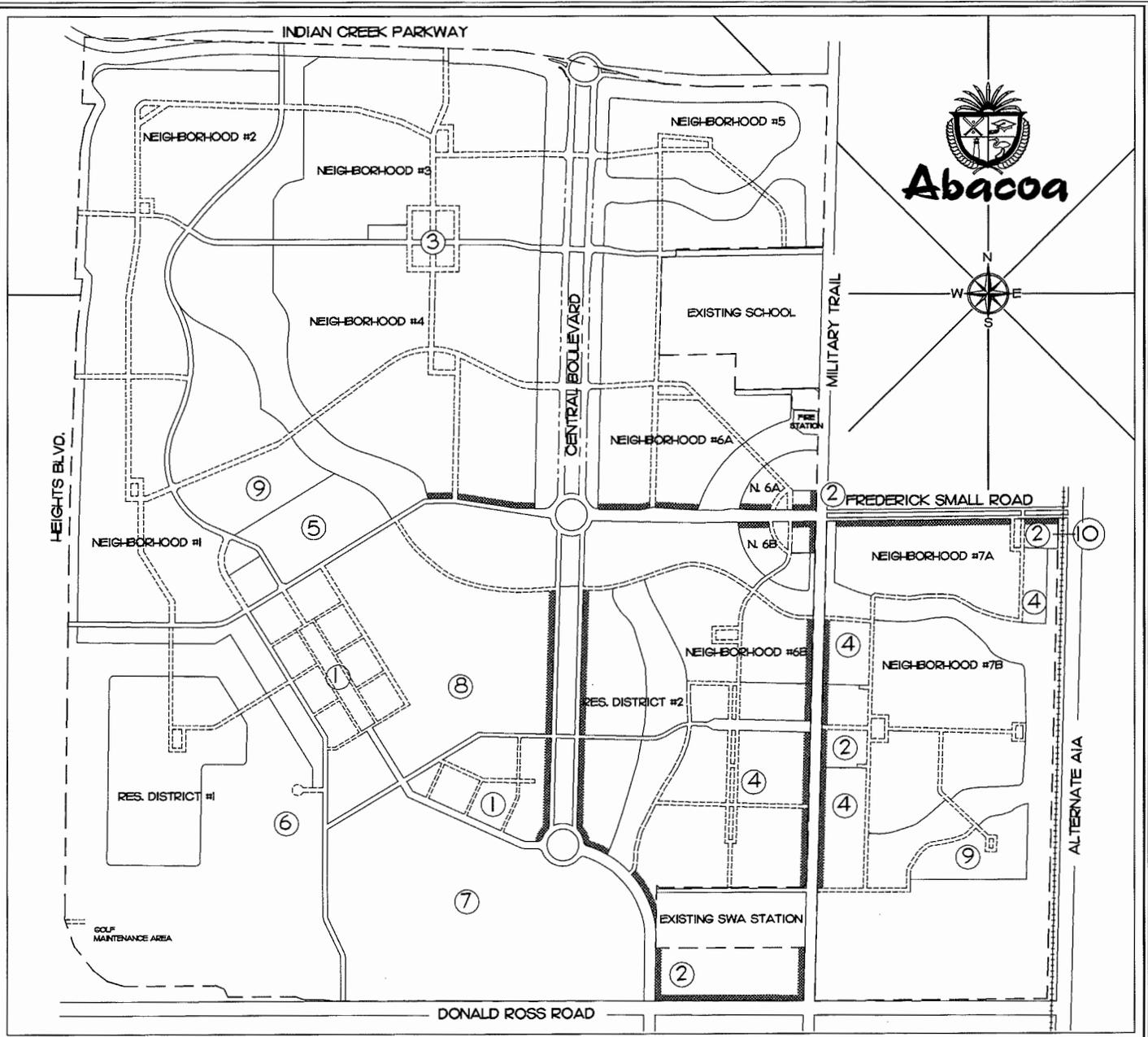
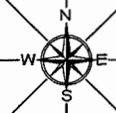
File: Attach-6

Attachment "6"

LEGEND

REQUIRED BUFFER LOCATIONS

- 1 TOWN CENTER DISTRICT - REGIONAL
- 2 COMMERCIAL DISTRICT - COMMUNITY
- 3 COMMERCIAL DISTRICT - NEIGHBORHOOD
- 4 WORKPLACE DISTRICT
- 5 MUNICIPAL PARKS & REC. FACILITY
- 6 GOLF COURSE (INCLUDING ANCILLARY USES)
- 7 FALL NORTH CAMPUS (NOT INCLUDED IN DRI)
- 8 ATTRACTION - BASEBALL TRAINING FACILITY
- 9 INSTITUTIONAL SITES- CIVIC BLDG'S & SCHOOLS
- 10 PROPOSED TRI-RAIL STATION



ABACOA EXHIBIT TO CONDITION

REVISED: RES. NO'S. 57-01; 68-07

MAY 2007

File: Attach-7

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JAN 30 2003

PLANNING & ZONING



GEORGE G. GENTILE & ASSOCIATES, INC.
Landscape Architects
Planners and
Environmental Consultants

675 W. Indianon Road
Suite 201
Jupiter, Florida 33458
Tel: 570-8001
Tel: 570-3368 FAX
Tel: 748-8711 MOBILE

TREE LEGEND

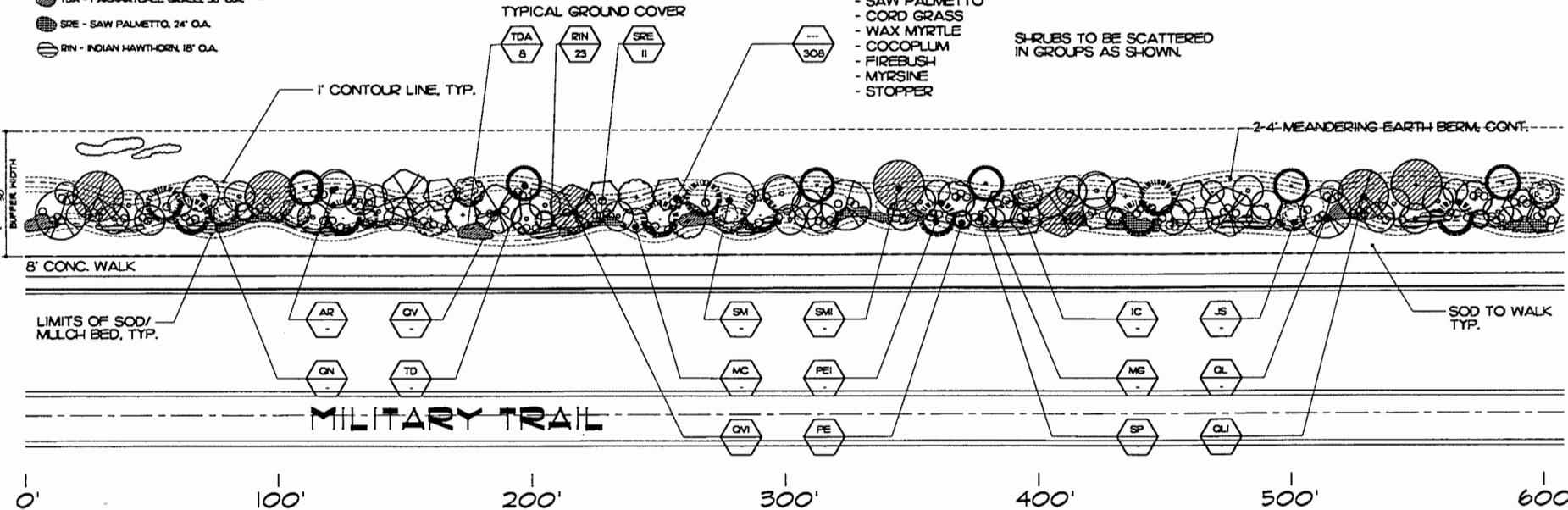
- PE - S. FL. SLASH PINE, 6-8' O.A.
- MC - WAX MYRTLE, 6-8' O.A.
- MG - MYRSINE, 6-8' O.A.
- PEI - S. FL. SLASH PINE, 10-12' O.A.
- TD - BALD CYPRESS, 10-12' O.A.
- AR - RED MAPLE, 10-12' O.A.
- IC - DAHOON HOLLY, 10-12' O.A.
- JS - SOUTHERN RED CEDAR, 10-12' O.A.
- QN - NUTTAL OAK, 10-12' O.A.
- TDA - FAKAHATCHEE GRASS, 36" O.A.
- SRE - SAW PALMETTO, 24" O.A.
- RN - INDIAN HAWTHORN, 18" O.A.
- SP - CABBAGE PALM, 15-18" O.A.
- QV - LIVE OAK, 15-16' O.A.
- QL - LAUREL OAK, 15-16' O.A.
- SM - MAHOGANY, 15-16' O.A.
- OVI - LIVE OAK, 15" O.A.
- SMI - MAHOGANY, 15" O.A.
- QLI - LAUREL OAK, 15" O.A.

NOTES:

- FOR BUFFERS ALONG MILITARY TRAIL, THE SIZE OF PLANT MATERIALS INSTALLED MUST MATCH, TO THE EXTENT POSSIBLE, THE SIZE OF THE INSTALLED PLANT MATERIAL IN ANY BUFFER ON ANY DIRECTLY ADJACENT PARCEL WITHIN ABACOA.
- PLANT SPECIES AS INDICATED ARE SUGGESTIVE ONLY. REFER TO THE ABACOA DEVELOPMENT ORDER, CONDITION 10.6.4. FOR THE REQUIRED PLANTING PALLET.

- SAW PALMETTO
- CORD GRASS
- WAX MYRTLE
- COCOPLUM
- FIREBUSH
- MYRSINE
- STOPPER

SHRUBS TO BE SCATTERED IN GROUPS AS SHOWN.



TYPICAL BUFFER SECTION

TYPICAL PLANT LIST

SET	SYL.	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	REMARKS
PE		Pinus Elliottii Densa	S. FL. SLASH PINE	6-8' O.A.	A.S.	FULL E T+HXC
MC		Mirrica Oerifera	WAX MYRTLE	6-8' O.A.	A.S.	FULL E T+HXC TO BASE, MULTI-STEM
MG		Myrsine Guianensis	MYRSINE	6-8' O.A.	A.S.	FULL E T+HXC TO BASE
PEI		Pinus Elliottii Densa	S. FL. SLASH PINE	10-12' O.A.	A.S.	FULL E T+HXC
TD		Taxodium Distichum	BALD CYPRESS	10-12' O.A.	A.S.	FULL E T+HXC
AR		Acer Rubrum	RED MAPLE	10-12' O.A.	A.S.	FULL E T+HXC
IC		Ilex Cassine	DAHOON HOLLY	10-12' O.A.	A.S.	FULL E T+HXC
JS		Juniperus Shucicola	SOUTHERN RED CEDAR	10-12' O.A.	A.S.	FULL E T+HXC TO BASE
QN		Quercus Nuttallii	NUTTAL OAK	10-12' O.A.	A.S.	FULL E T+HXC
SP		Sabal Palmetto	CABBAGE PALM	15-20' O.A.	A.S.	HURRICANE CUT HEAD
QV		Quercus Virginiana	LIVE OAK	15-16' O.A.	A.S.	FULL E T+HXC
QL		Quercus Laevis	LAUREL OAK	15-16' O.A.	A.S.	FULL E T+HXC
SM		Swietenia Mahogani	MAHOGANY	15-16' O.A.	A.S.	FULL E T+HXC
OVI		Quercus Virginiana	LIVE OAK	15" O.A.	A.S.	FULL E T+HXC
QLI		Quercus Laevis	LAUREL OAK	15" O.A.	A.S.	FULL E T+HXC
SMI		Swietenia Mahogani	MAHOGANY	15" O.A.	A.S.	FULL E T+HXC
SRE		Serronia Repens	SAW PALMETTO	7, 15" O.A.	36" O.C.	FULL E T+HXC TO BASE
SEA		Spartina Bakersii	CORD GRASS	3, 24" O.A.	36" O.C.	FULL E T+HXC TO BASE
MCE		Mirrica Oerifera	WAX MYRTLE	3, 24" O.A.	36" O.C.	FULL E T+HXC TO BASE
CIC		Chrysobalanus Icaco	COCOPLUM	3, 24" O.A.	36" O.C.	FULL E T+HXC TO BASE
NFA		Namelia Patens	FIREBUSH	3, 24" O.A.	36" O.C.	FULL E T+HXC TO BASE
MSJ		Myrsine Guianensis	MYRSINE	3, 24" O.A.	36" O.C.	FULL E T+HXC TO BASE
MFR		Myracantes Fragrans	SIMPSONS STOPPER	3, 24" O.A.	36" O.C.	FULL E T+HXC TO BASE
TDA		Tripogon Dactyloides	FAKAHATCHEE GRASS	3, 24" O.A.	36" O.C.	FULL E T+HXC TO BASE
RN		Rap-Holders Indica	INDIAN HAWTHORN	3, 18" O.A.	20" O.C.	FULL E T+HXC TO BASE

3" CHIPPED RECYCLED MULCH AS PROVIDED BY THE OWNER, SHALL BE APPLIED TO ALL PLANTING BEDS. ARGENTINE BAHA SOD TO BE UTILIZED WITHIN ALL SOD AREAS.

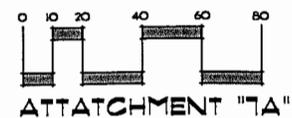
NON-RESIDENTIAL

BUFFER REQUIREMENTS (EXAMPLE)

TOTAL LINEAR FEET (VEHICULAR & PEDESTRIAN ACCESS) 6,140 LF
TOTAL BUFFER LENGTH 3,780 LF
TOTAL TREES REQUIRED 810 (24" X 5780)
TOTAL SHRUBS REQUIRED 1,445 (25" X 5780)
TOTAL TREES PROVIDED 1510
TOTAL SHRUBS PROVIDED 2,428 (BASED ON 5,780 LF. BUFFER)
TOTAL GROUND COVERS PROVIDED 80
TOTAL NATIVE 1008
TOTAL PALMS REQUIRED 80
TOTAL PALMS PROVIDED 80
THREE PALMS - 1 TREE

PLANT HEIGHTS	1/2" REQUIRED	1/2" PROVIDED
6-10' O.A.	51/41	51/20
10-15' O.A.	501/405	501/443
15-18' O.A.	151/12	151/36
18" O.A.	101/81	101/31

TYPICAL BUFFER SECTION



TYPICAL BUFFER SECTION FOR: **MILITARY TRAIL**

Designed: HHL
Drawn: HHL
Approved: GGG
Date: 3/20/02
Job no. 00-0000
Revisions: 2/2/02

ADOPTED: RES NO. 46-98

LC 000011
Sheet Title
Typical Buffer Section
Attachment 7A
Scale: 1" = 20'

Sheet No.
L-1

ATTACHMENT "7A"

Attachment "7A"

LEGEND

REQUIRED BUFFER LOCATIONS

- 1 Town Center District : Regional
- 2 Commercial District : Community
- 3 Commercial District : Neighborhood
- 4 Workplace District
- 5 Municipal Parks & Rec. Facility
- 6 Golf Course (including ancillary uses)
- 7 FAU, North Campus (Not Included in DRI)
- 8 Attraction : Baseball Training Facility
- 9 Institutional Sites: Civic Bldg's & Schools
- 10 Proposed Tri-Rail Station

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AUG 02 2007

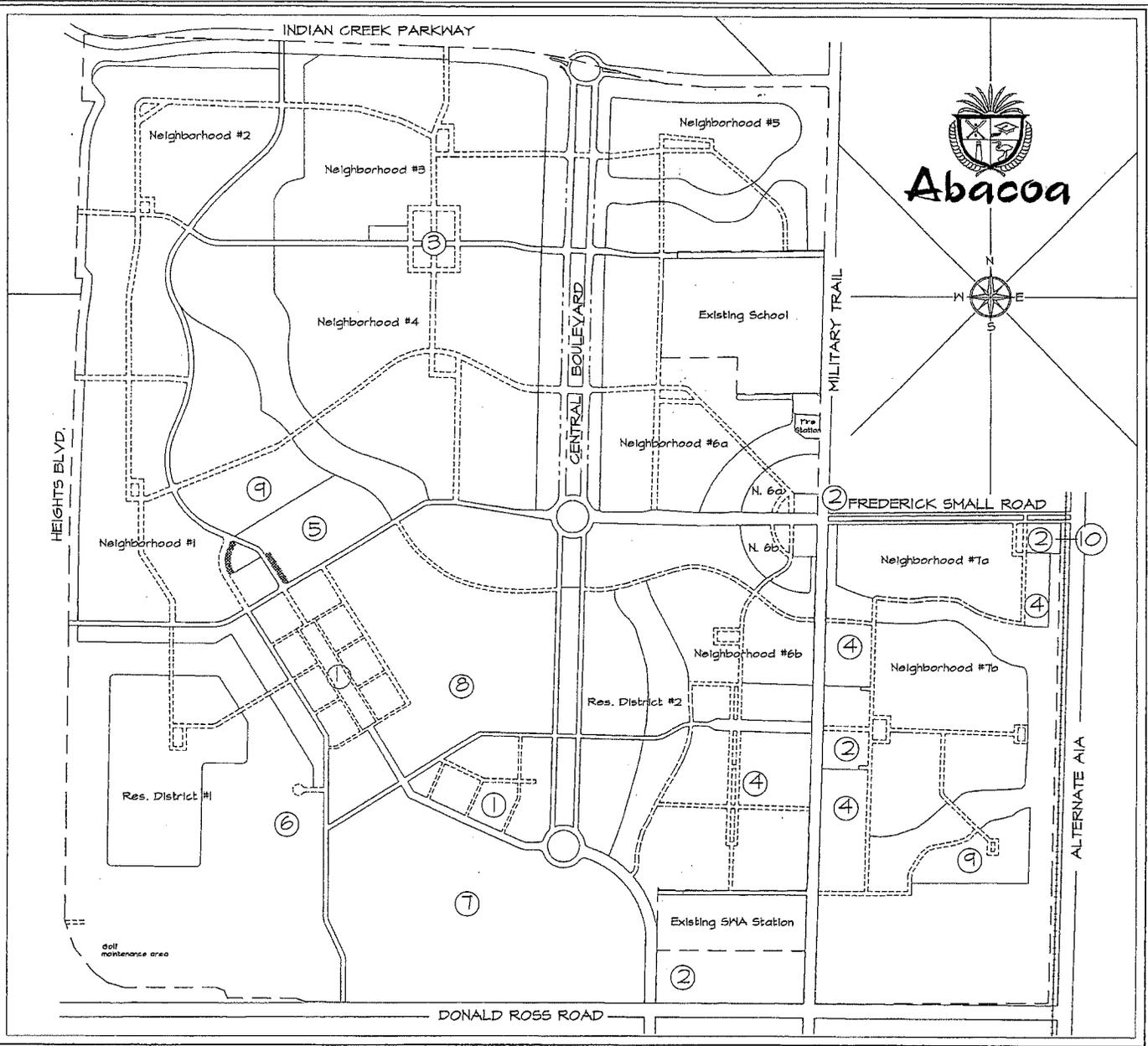
PLANNING & ZONING

ABACOA
ATTACHMENT "8"

REVISED: RES. NO's. 61-96; 57-01; 68-07

MAY 2007

File: Attach-8



ATTACHMENT "9"

DELETED

RESOLUTION NO. 23-00

CHANGE TO (Proposed land Use)	CHANGE FROM (Existing approved land Use)						
	1) Retail Type 1: Town Center	2) Retail Type 2: Community 1	3) Retail Type 3: Community 2	4) Retail Type 4: Neighborhood	5) Office Type 1: Town Center	6) Workplace Type 1: Med. Office/Office	7) Workplace Type 2: Res. & Dev./Indust.
A) Residential Type 1: Single-family; each dwelling unit (DU) is equal to:	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	3,000 sq. ft.	1,500 sq. ft.	1,500 sq. ft.	1,870 sq. ft.
B) Residential Typ 2: Multi-family; each dwelling unit (DU) is equal to:	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,500 sq. ft.
C) Retail Type 1: Town Center 1,000 square feet (KSF) is equal to:		1,384 sq. ft.	1,037 sq. ft.	1,000 sq. ft.	5,578 sq. ft.	1,817 sq. ft.	8,849 sq. ft.
D) Retail Type 2: Community 1 1,000 square feet (KSF) is equal to:	1,090 sq. ft.		1,000 sq. ft.	1,000 sq. ft.	4,030 sq. ft.	1,610 sq. ft.	6,393 sq. ft.
E) Retail Type 3: Community 2 1,000 square feet (KSF) is equal to:	1,090 sq. ft.	1,334 sq. ft.		1,000 sq. ft.	5,377 sq. ft.	1,751 sq. ft.	8,530 sq. ft.
F) Retail Type 4: Neighborhood 1,000 square feet (KSF) is equal to:	1,582 sq. ft.	2,190 sq. ft.	1,642 sq. ft.		8,826 sq. ft.	2,875 sq. ft.	14,002 sq. ft.
G) Office Type 1: Town Center 1,000 square feet (KSF) is equal to:	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.		1,250 sq. ft.	2,500 sq. ft.
H) Workplace Type 1: Medical Office/Office 1,000 square feet (KSF) is equal to:	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	3,070 sq. ft.		NA
I) Workplace Type 2: Res. & Dev./Indust. 1,000 square feet (KSF) is equal to:	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	2,000 sq. ft.	1,000 sq. ft.	NA	
J) Workplace Type 3: Hotel each room (RM) proposed is equal to:	1,000 sq. ft.	NA	NA	NA	925 sq. ft.	NA	NA

*Note: (DU) = Dwelling Unit, (KSF) = Thousand Square Feet, (RM) = Room

Land Use exchanges are based on the buildout of the Abacoa DRI. Exchanges within the matrix are derived from the highest associated impact with regard to: transportation, potable water, waste water, solid waste and affordable housing.

Example exchanges:

Add 5,000 sq.ft. of Retail Type 2 in exchange for Office Type 1.

- step 1. Using row (D) and column (5); 1,000sf. (KSF) of Retail Type 2, is equal to 4,030sf. of Office Type 1
- step 2. 5 Ksf x 4,030sf = 20,150 sf.
- step 3. Reduce the approved Office Type 1 by 20,150 square feet.

Add 50 Residential Type 2: multi-family units in exchange for Retail Type 2

- step 1. Using row (B) and column (2); 1 dwelling unit (DU) of Residential Type 2 is equal to 2,000sf. of Retail Type 2.
- step 2. 50 x 2,000sf = 100,000sf.
- step 3. Reduce the approved Retail Type 2 by 100,000 square feet.

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JAN 30 2003

PLANNING & ZONING

Attachment "10"

ATTACHMENT "10"

LEGEND

- ROADS REQUIRED BY CONDITION 75
- SECONDARY ROADWAY NETWORK

- 1 TOWN CENTER DISTRICT : REGIONAL
- 2 COMMERCIAL DISTRICT : COMMUNITY
- 3 COMMERCIAL DISTRICT : NEIGHBORHOOD
- 4 WORKPLACE DISTRICT
- 5 MUNICIPAL PARKS & REC. FACILITY
- 6 GOLF COURSE (INCLUDING ANCILLARY USES)
- 7 F.A.U. NORTH CAMPUS (NOT INCLUDED IN DRI)
- 8 ATTRACTION : BASEBALL TRAINING FACILITY
- 9 INSTITUTIONAL SITES: CIVIC BLDG'S & SCHOOLS
- 10 PROPOSED TRI-RAIL STATION

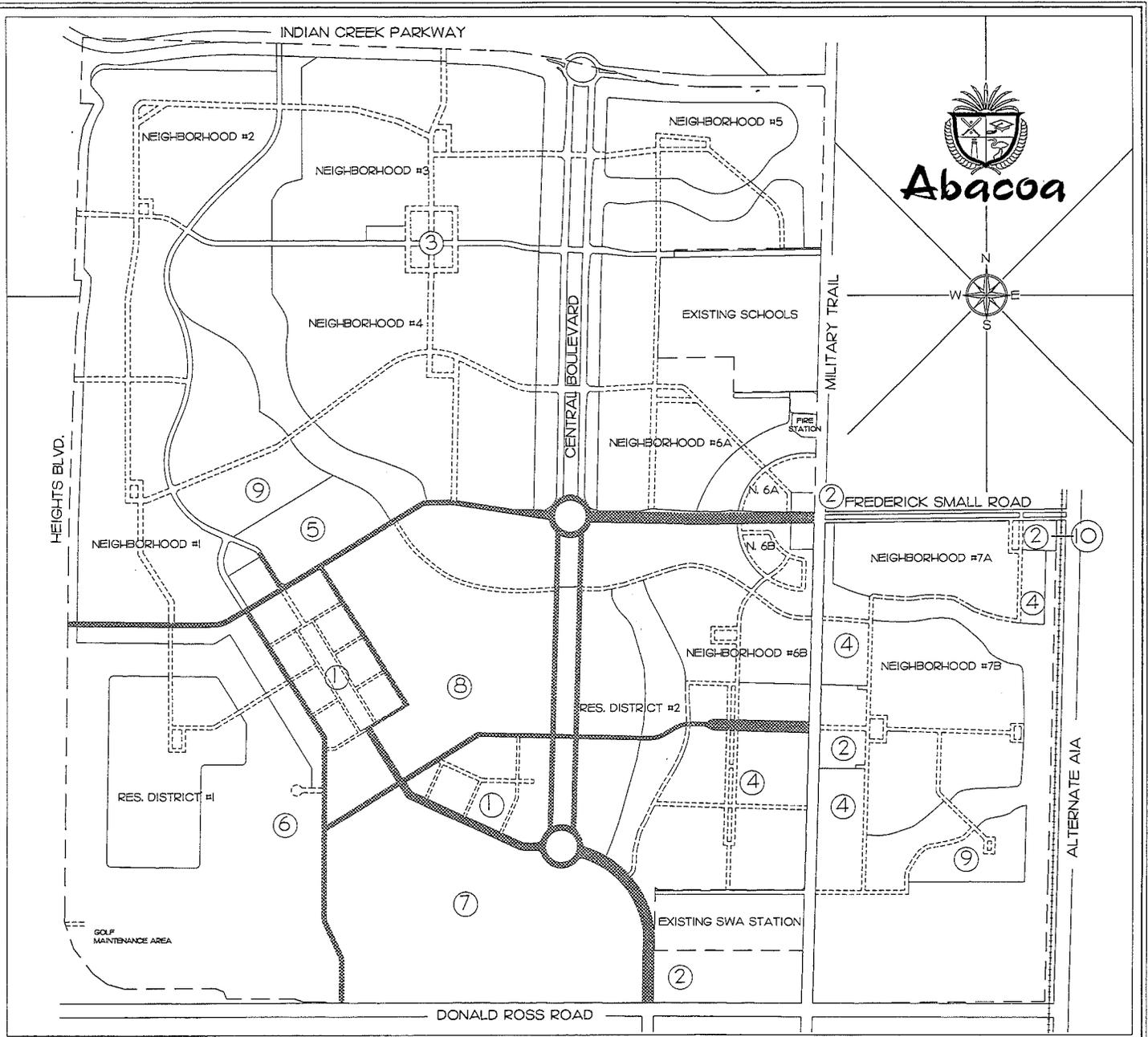
RECEIVED

AUG 02 2007

PLANNING & ZONING

ABACOA ATTACHMENT "II"

REVISED: RES. NO'S. 46-4B, 23-00, 126-02, 6B-07
MAY 2007 File: Attach-II



LEGEND

- ROADS REQUIRED BY CONDITION B5
- SECONDARY ROADWAY NETWORK

- TOWN CENTER DISTRICT - REGIONAL
- COMMERCIAL DISTRICT - COMMUNITY
- COMMERCIAL DISTRICT - NEIGHBORHOOD
- WORKPLACE DISTRICT
- MUNICIPAL PARKS & REC. FACILITY
- GOLF COURSE (INCLUDING ANCILLARY USES)
- F.A.U. NORTH CAMPUS (NOT INCLUDED IN DRI)
- ATTRACTION - BASEBALL TRAINING FACILITY
- INSTITUTIONAL SITES- CIVIC BLDG'S & SCHOOLS
- PROPOSED TRI-RAIL STATION

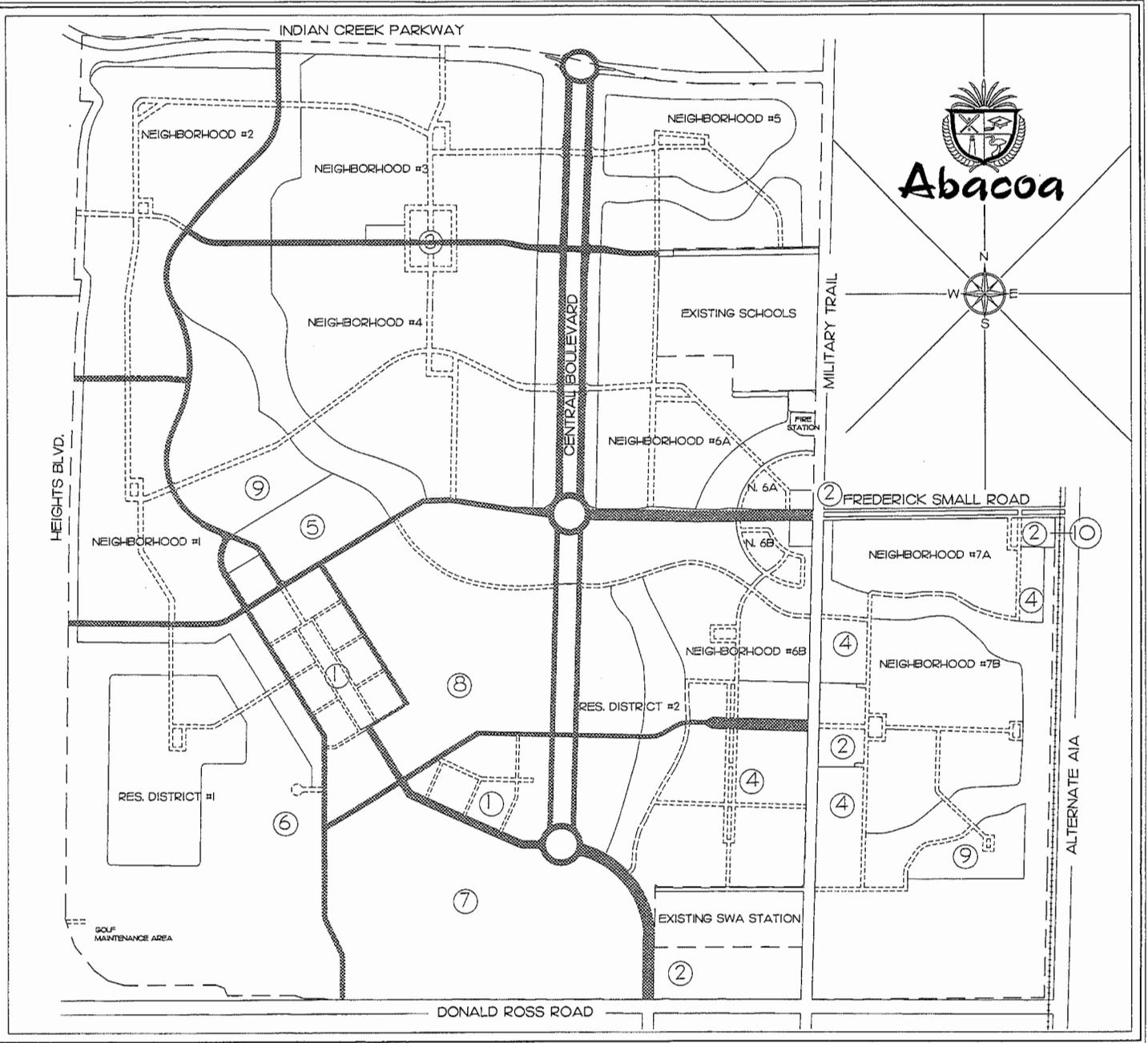
RECEIVED

AUG 02 2007

PLANNING & ZONING

ABACOA
ATTACHMENT "12"

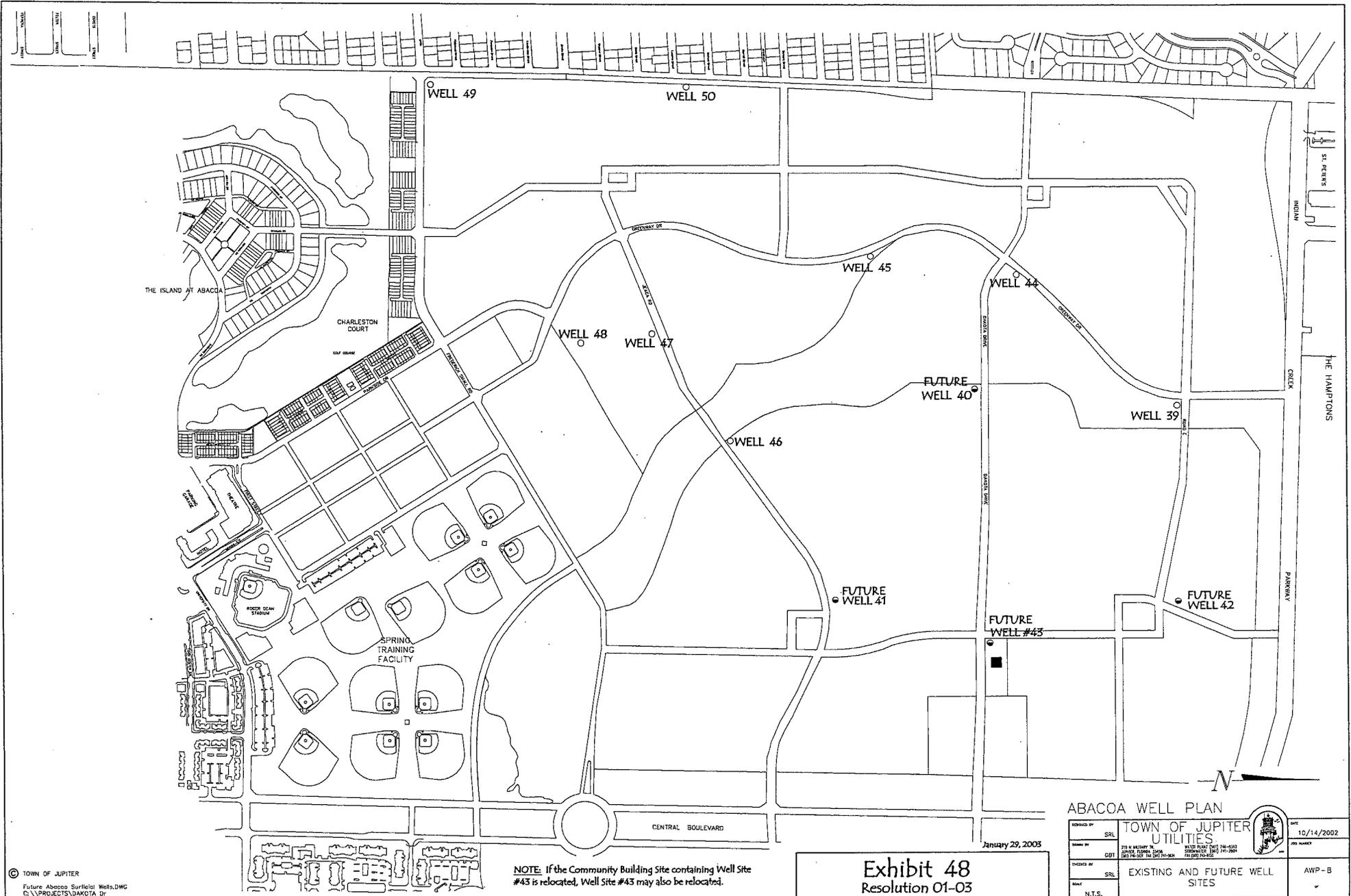
REVISED: RES. NO'S. 23-00; 126-02; 68-07
May 2007 File: Attach-12



ATTACHMENT "13"

DELETED

RESOLUTION NO. 23-00



NOTE: If the Community Building Site containing Well Site #43 is relocated, Well Site #43 may also be relocated.

Exhibit 48
Resolution 01-03

REVISIONS		DATE	
DESIGNED BY	SRL	10/14/2002	
DRAWN BY	CSH		
CHECKED BY	SRL		
DATE	N.T.S.		

ABACOA WELL PLAN

TOWN OF JUPITER UTILITIES

270 N. WASHINGTON ST. SUITE 200 JUPITER FL 33411
 561-746-1234 FAX 561-746-1235

AWP - B

**ADOPTED RES. NO. 46-98; REVISED RES. NO. 88-98; RES. NO. 15-99;
RES. NO. 23-00; RES. NO. 58-00; RES. NO. 57-01; RES. NO. 58-02; RES.
NO. 126-02; RES. NO. 01-03; RES. NO. 83-03; RES. NO. 08-04; RES. NO.
46-04; RES. NO. 28-05; RES. NO. 46-06; RES. NO. 47-06; RES. NO. 68-07;
RES. NO. 44-09; RES. NO. 4-13; RES. NO. 47-16**

ATTACHMENT "15"

ABACOA DEVELOPMENT ORDER AMENDMENT HISTORY

Amendment/ NOPC	Approval Date	Resolution	Revised Conditions/Plan Revisions
1	June 20, 1995	Res. No. 37-95	17, 18
2	Feb. 6, 1996	Res. No. 2-96	Master Plan (Map H)
3	Nov. 19, 1996	Res. No. 61-96	12, 20.1, 48, 53, 58, 63, 115, 120, 141, 143, Attachments 8 & 14, and Master Plan (Map H-R)
4	July 15, 1997	Res. No. 54-97	10
5	August 5, 1997	Res. No. 59-97	141, 143, 154, 155, 156, and legal description (Attachment 1)
6	Dec. 16, 1997	Res. No. 93-97	5, 10, 14, 69 and legal description (Attachment 1)
7	May 19, 1998	Res. No. 46-98	10, 13, 137, 141, a new DO section 14, legal description (Attachment 1), Master Plan (Map H-R - Attachment 2) and Attachments 7A, 11, 13 and 15
8	Jan. 19, 1999	Res. No. 88-98	138, Fourth Whereas Clause, Section 3, Master Plan (Map H-R - Attachment 2) and Attachment 15
9	March 16, 1999	Res. No. 15-99	20.1 and Attachment 15
10	March 21, 2000	Res. No. 23-00	3, 6, 11, 14, 16, 18, 19, 21, 22, 24, 27, 28, 29, 31, 32, 35, 39, 63, 75, 79, 85, 109, 115, 130, 138, 139, 140, 143, 154, 155, 156, 157, D.O. Section 5, Master Plan (Map H-R - Attachment 2), and Attachments 9, 11, 12, 13 and 15
	June 6, 2000	Res. No. 58-00	143 & 155 and the Master Plan (Map H-R)
11	June 19, 2001	Res. No. 57-01	10, 12, 13, 79.b., 92, 95.a., 140, 143, 155, Attachments 6, 7, 8 and 15, Section 14
12	Denied on December 18, 2001	Res. No. 95-01	Master Plan (Map H-R - Attachment 2) Section 3
13	May 7, 2002	Res. No. 58-02	Master Plan (Map H-R - Attachment 2)
14	Oct. 15, 2002	Res. No. 126-02	Master Plan (Map H-R - Attachment 2), Attachment 11, Attachment 12, Section 13
15	Feb. 4, 2003	Res. No. 01-03	138, Master Plan (Map H-R - Attachment 2), Attachment 14

ATTACHMENT 15 (CONT.)

Amendment/ NOPC	Approval Date	Resolution	Revised Conditions/Plan Revisions
16	Aug. 19, 2003	Res. No. 83-03	79.a., Master Plan (Map H-R - Attachment 2), Attachment 14
17	Feb. 17, 2004	Res. No. 08-04	134, 135, 136, 137
18	April 20, 2004	Res. No. 46-04	17, 19
19	April 19, 2005	Res. No. 28-05	17, 18, 79, 130, 138, Section 3, Master Plan (Map H-R – Attachment 2)
20	June 20, 2006	Res. No. 46-06	Section 3, 89, 94, Master Plan (Map H-R – Attachment 2), legal description (Attachment 1)
21	January 30, 2007	Res. No. 47-06	10, 130, Section 3, Master Plan (Map H-R – Attachment 2)
22	August 21, 2007	Res. No. 68-07	55, 72, 79.a, 145, 146, 147, 148, Master Plan (Map H-R- Attachment 2), Attachments 6, 7, 8, 11, 12
23	November 17, 2009	Res. No. 44-09	10, 17, 99.a., 100, 130, 138.a., Section 3, Master Plan (Map H-R - Attachment 2)
	March 19, 2013	Res. No. 4-13	130, Section 3, Master Plan (Map H-R - Attachment 2)
		Res. No. 47-16	18