# CALLERY-JUDGE GROVE
## DEVELOPMENT OF REGIONAL IMPACT
### ASSESSMENT REPORT

TREASURE COAST REGIONAL PLANNING COUNCIL
INDIAN RIVER - MARTIN - ST. LUCIE - PALM BEACH

# A DEVELOPMENT OF REGIONAL IMPACT ASSESSMENT REPORT

# FOR

# CALLERY-JUDGE GROVE

# PALM BEACH COUNTY, FLORIDA

# MARCH 2006


**PREPARED BY:**

**TREASURE COAST REGIONAL PLANNING COUNCIL**
**301 EAST OCEAN BOULEVARD**
**STUART, FLORIDA 34994**
**(772) 221-4060**

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# ABBREVIATIONS

The following abbreviations are used throughout this report:

| | |
|---|---|
| ADA | Application for Development Approval |
| ART_PLAN | Arterial Planning Analysis |
| BMP | Best Management Practice |
| Council | Treasure Coast Regional Planning Council |
| CRALLS | Constrained Roadway at a Lower Level of Service |
| CSA | School District's Concurrency Service Area |
| DO | Development Order |
| DRI | Development of Regional Impact |
| FAC | Florida Administrative Code |
| FDEP | Florida Department of Environmental Protection |
| FFWCC | Florida Fish and Wildlife Conservation Commission |
| FDOT | Florida Department of Transportation |
| FPL | Florida Power and Light Company |
| GPD | Gallons per Day |
| HCM | Highway Capacity Manual |
| HUD | United States Department of Housing and Urban Development |
| ITID | Indian Trail Improvement District |
| LOS | Level of Service |
| NGVD | National Geodetic Vertical Datum |
| PBC | Palm Beach County |
| SF | Square Feet |
| SFWMD | South Florida Water Management District |
| SRPP | Strategic Regional Policy Plan |
| TPS | Traffic Performance Standards |
| USFWS | United States Fish and Wildlife Service |

# CALLERY-JUDGE GROVE DRI
# REPORT AND RECOMMENDATIONS

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# INTRODUCTION

This assessment of the Callery-Judge Grove Development of Regional Impact (DRI) has been prepared by the Treasure Coast Regional Planning Council (Council) as required by Section 380.06(12), Florida Statutes and 9J-2.024(1), Florida Administrative Code (FAC). The primary purpose of the assessment report is to identify the regional impacts, both positive and negative, that can reasonably be expected to occur should the proposed project be approved. In carrying out this objective, the report through its recommendations, suggests opportunities to eliminate or mitigate negative impacts that are expected to occur and where possible to enhance the positive features of the proposed development.

The Callery-Judge Grove Application for Development Approval (ADA) was originally submitted on July 8, 2004 and was supplemented with additional information submitted on July 27, 2005 and November 23, 2005. On January 24, 2006 the County and the applicant were notified that the ADA for the Callery-Judge Grove DRI has been found to be complete pursuant to Section 380.06(10), Florida Statutes. The County was notified that the public hearing may be set for the proposed DRI pursuant to Section 380.06(11), Florida Statutes, and that Council will prepare the regional assessment report.

The series of recommendations contained in the Callery-Judge Grove assessment report are based on the goals, strategies, and policies of the Strategic Regional Policy Plan (SRPP), adopted pursuant to Section 186.508, Florida Statutes. The recommendations of the Council are provided to assist the County in creating a development order (DO) for the DRI, consistent with 9J-2.025, FAC. This report and the recommendations are primarily directed at regional systems and facilities and do not necessarily address all local concerns. The recommendations do not foreclose or abridge the legal responsibility of the local government to act pursuant to applicable local laws or ordinances.

Once Council adopts the Callery-Judge Grove DRI assessment report it is transmitted to the County. From there the County shall hold the public hearing that has been set for the proposed Callery-Judge Grove DRI. At the hearing the County shall approve, deny or approve with conditions, restrictions, or limitations taking into consideration whether and the extent to which:

1. the development is consistent with local comprehensive plan and local land development regulations;
2. the development is consistent with the report and recommendations of the regional planning council; and
3. the development is consistent with the State Comprehensive Plan.

The County is required to render a decision on the proposed Callery-Judge Grove DRI within 30 days after the hearing unless an extension is requested by the developer.

# PROJECT INFORMATION

**Project Name:** Callery-Judge Grove

**Applicant:** Callery-Judge Grove, L.P.

**Jurisdiction:** Palm Beach County

**Size:** 3924 Acres

**Location:** On Seminole-Pratt Whitney Road, about 4 miles north of Southern Boulevard

**Employment:** 7935 permanent jobs

**Uses:**

- 10,000 Residential Units in a mix of Single-Family detached units,Townhomes, Condominiums, and Apartments
- 150 Rooms Hotel
- 1,300,000 SF Retail
- 2,000,000 SF Workplace Office, Industrial, High Tech Research & Development
- 500,000 SF Office within Town Center areas
- 2000 Students College or University
- 2000 Students Elementary Schools (public)
-1,300 Students Middle School (public)
-18 holes Golf Course/Recreation and Country Club

**Buildout Date:** 2019

**Phases:** 3 Phases as described in the following table:

| Phase | Years | Residential [1] (DU) | Hotel (rooms) | Retail (SF) | Workplace[2] (SF) | Office[3] (SF) | Golf[4] (holes) |
|---|---|---|---|---|---|---|---|
| 1 | 2005-2009 | 3,000 | 0 | 500,000 | 300,000 | 100,000 | 18 |
| 2 | 2010-2014 | 3,313 | 150 | 300,000 | 900,000 | 200,000 | 0 |
| 3 | 2015-2019 | 3,687 | 0 | 500,000 | 800,000 | 200,000 | 0 |
| Total | 2005-2019 | 10,000 | 150 | 1,300,000 | 2,000,000 | 500,000 | 18 |

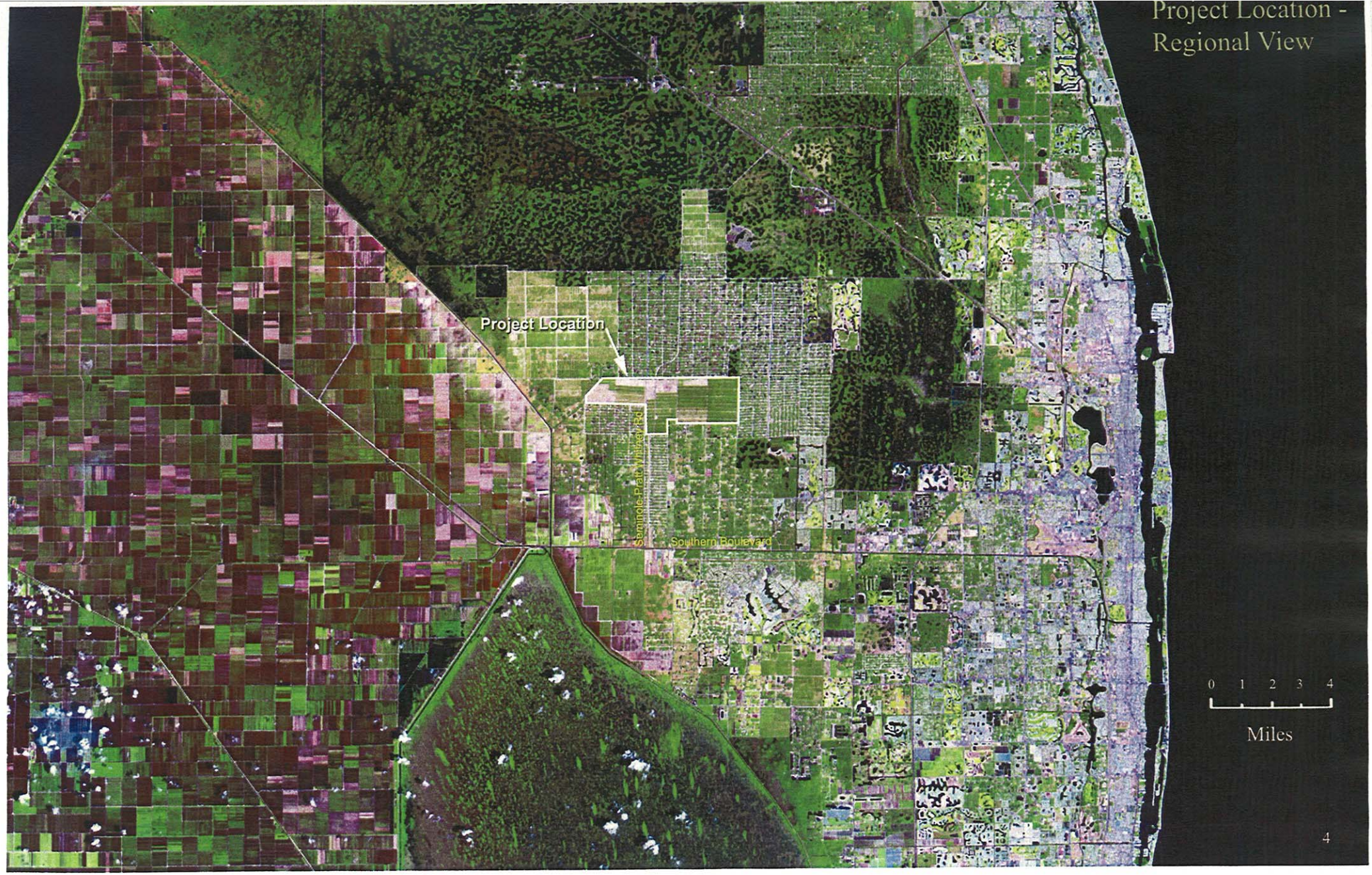
[1]Includes Single-family detached units, Townhomes, Condominiums, and Apartments
[2]Includes Workplace Office, Industrial, and High Tech Research & Development
[3]Includes Office within Town Center areas
[4]Includes Golf Course/Recreation and Country Club

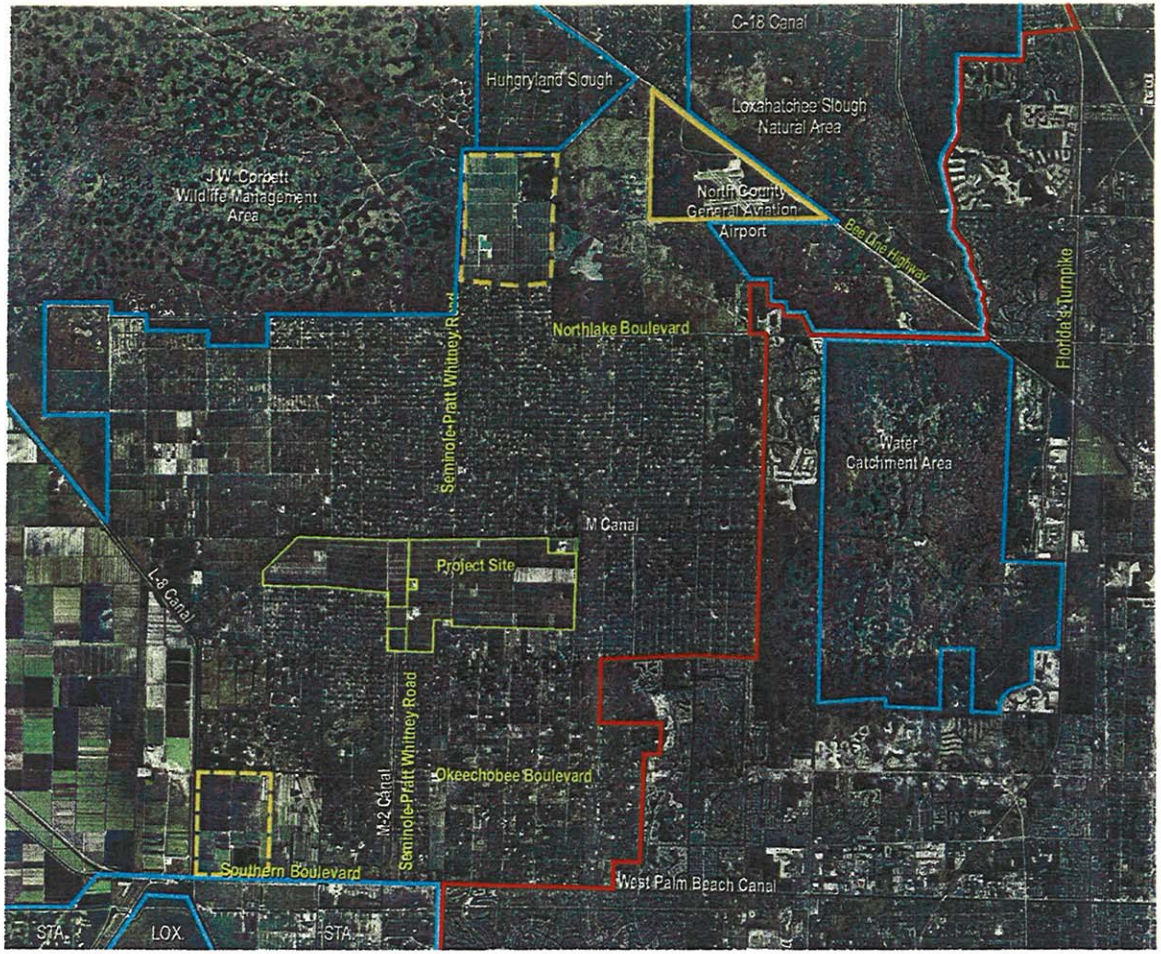
# GENERAL PROJECT DESCRIPTION

The Callery-Judge Grove Development of Regional Impact (DRI) is a proposed mixed-use project on approximately 3,924 acres west of West Palm Beach, Florida. The project site is located in unincorporated Palm Beach County along Pratt and Whitney Road, about 4 miles north of Southern Boulevard. The property is currently an active commercial citrus grove, which has been in operation for 40 years. The site is bounded on the north, east, and south by existing large lot single family-homes in areas known as the Acreage and Loxahatchee Groves. There is an existing citrus grove located west of the project site. Location maps and the proposed Master Development Plan are included in the following pages.

The Master Development Plan proposes the following land uses: residential (10,000 dwelling units), hotel (150 rooms), retail (1,300,000 SF), workplace office/industrial/high tech research and development (2,000,000 SF), town center office (500,000 SF), college or university (2000 students), elementary schools (2,000 students), middle school (1,300 students), and golf course/recreation and country club (18 holes). Development is proposed to occur in three five-year phases with buildout in 2019. Water, sewer, stormwater, parks, and other municipal-type services are to be provided by the Seminole Improvement District, which currently serves the existing citrus grove. The Seminole Improvement District is Special Taxing District created by Chapter 298, Florida Statutes.

The project site is currently zoned Agricultural/Residential (AR) and has a future land use designation of Rural Residential 10 (RR-10), which would allow up to one dwelling unit per ten acres. The proposed plan of development calling for 10,000 dwelling units would result in an overall density of about 2.5 dwelling units per acre. The Palm Beach County Comprehensive Plan will have to be amended for the project to be approved. The developer is recommending that the future land use designation be changed from RR-10 to Traditional Town Development (TTD)/Low Density Residential Two (LR-2). The TTD designation allows mixed use, compact development and provides for integration of land uses, including residential, retail, office, and recreation in close proximity to each other.


Project Location - Regional View
Project Location
Seminole Pratt Whitney Rd
Southern Boulevard
0 1 2 3 4
Miles




Legend

- Urban Service Boundary Area
- Natural Area
- Project Site
- Limited Urban Service Boundary Area
- Proposed Limited Urban Boundary Area

THE CALLERY-JUDGE GROVE DRI

*July 2004*

N

# Map A

General Location Map

Not to Scale

**Immediate Vicinity**

**Callery-Judge Grove Master Development Plan**
**Superimposed on Aerial Photograph**

**Cumulative Land Uses by Phase With Approximate Land Areas and Densities**

| | East of Seminole Pratt Whitney Road | | West of Seminole Pratt Whitney Road | | Total | |
|---|---|---|---|---|---|---|
| | Scale | Land Area | Scale | Land Area | Scale | Land Area |
| **Phase 1** | | | | | | |
| Residential | 2249 du | 534.5 ac. | 751 du | 182.5 ac. | 3000 du | 717 ac. |
| Retail | 400,000 sq.ft. | 64 ac. | 100,000 sq.ft. | 16 ac. | 500,000 sq.ft. | 80 ac. |
| Hotel | | | | | | |
| Office | | | 100,000 sq.ft. | 11.1 ac. | 100,000 sq.ft. | 11.1 ac. |
| Industrial Park / R&D | 300,000 sq.ft. | 95.2 ac. | | | 300,000 sq.ft. | 95.2 ac. |
| College | | | | | | |
| Open, public, and civic | | 736.57 ac. | | 377.44 ac. | | 1,114.01 ac. |
| Net Densities | | | | | | |
| Residential Development | | 1.77 du / acre | | 1.34 du / acre | | 1.64 du / acre |
| Non-residential Development | | 0.10 FAR | | 0.17 FAR | | 0.11 FAR |
| **Phase 2** | | | | | | |
| Residential | 4740 du | 1062 ac. | 1573 du | 362 ac. | 6313 du | 1424 ac. |
| Retail | 700,000 sq.ft. | 136.9 ac. | 100,000 sq.ft. | 19.5 ac. | 800,000 sq.ft. | 156.4 ac. |
| Hotel | 150 rms. | * | | | 150 rms. | * |
| Office | 100,000 sq.ft. | * ac. | 200,000 sq.ft. | 21.1 ac. | 300,000 sq.ft. | 21.1 ac. |
| Industrial Park / R&D | 1,100,000 sq.ft. | 174.4 ac. | 100,000 sq.ft. | 15.8 ac. | 1,200,000 sq.ft. | 190.2 ac. |
| College | | | 2000 stud | 54 ac. | 2,000 stud | 54 ac. |
| Open, public, and civic | | 1080.47 ac. | | 629.54 ac. | | 1,720.01 ac. |
| Net Densities | | | | | | |
| Residential Development | | 2.30 du / acre | | 1.50 du / acre | | 1.97 du / acre |
| Non-residential Development | | 0.15 FAR | | 0.16 FAR | | 0.15 FAR |
| **Buildout (Phase 3)** | | | | | | |
| Residential | 7516 du | 1062 ac. | 2484 du | 362 ac. | 10,000 du | 1424 ac. |
| Retail | 1,200,000 sq.ft. | 144.4 ac. | 100,000 sq.ft. | 12 ac. | 1,300,000 sq.ft. | 156.4 ac. |
| Hotel | 150 rms. | * | | | 150 rms. | * |
| Office | 200,000 sq.ft. | * | 300,000 sq.ft. | 21.1 ac. | 500,000 sq.ft. | 21.1 ac. |
| Industrial Park / R&D | 1,750,000 sq.ft. | 168.4 ac. | 250,000 sq.ft. | 23.8 ac. | 2,000,000 sq.ft. | 190.2 ac. |
| College | | | 2000 stud | 54 ac. | 2000 stud | 54 ac. |
| Open, public, and civic | | 1317.97 ac. | | 760.04 ac. | | 2078.01 ac. |
| Net Densities | | | | | | |
| Residential Development | | 3.16 du / acre | | 2.11 du / acre | | 2.81 du / acre |
| Non-residential Development | | 0.24 FAR | | 0.26 FAR | | 0.25 FAR |

* Land Area included in the Town Center area; tabulated as a part of retail area

## Notes/Legend

Locations and configurations of proposed land uses, roads, lakes, neighborhood greens, parks, greenway, and buffers are conceptually shown and are subject to change during design and permitting.

A total of 500 acres of public open space is to be provided.

Phase 1 development may occur on all areas of the site. Phase 2 and 3 will include infill or increased densification on the site.

Boundary of waterflow areas will be determined through the permitting process. Approximately 600 acres of water will be provided.

Major utilities are expected to follow major road alignments.

- College Campus
- Residential/Neighborhood-Scale Service and Retail/Recreation
- Retail/Office/Residential/Hotel
- Workplace/Office/Industrial/High Tech
- Open Space / Trail Network (Pedestrian and Equestrian) / Recreation / Bicycle / Other Amenities
- Civic Use
- Schools
- Fire Station, Sheriff's Department and Library Site
- Existing Potable Water Well

THE CALLERY-JUDGE GROVE DRI

*Revised November 2005*

N

# Map H

Master Development Plan

Scale: 1"=2000'

# OVERVIEW OF CALLERY-JUDGE GROVE

*It seems we are faced with insurmountable opportunities.*
Pogo--excerpt from the *Okeefenokee Star* collection,
1942-1987

The current development program for the 3,924-acre Callery-Judge Grove DRI includes: 10,000 dwelling units, 1,300,000 square feet of retail, a 150 room hotel, 500,000 square feet of office, and 2,000,000 square feet of industrial/research and development space. It is not so much the quantity of development proposed which should concern the County as much as: 1) how these uses are arranged and organized in the landscape to define its urban form; 2) how its relationship with the surrounding community can be improved; and 3) how to utilize this development opportunity to correct certain limitations and deficiencies associated with existing land use patterns of the area that have had far-reaching environmental, fiscal, and transportation impacts.

The Callery-Judge Grove property is the central undeveloped land feature in a much larger planning district for the County known as the Central Western Communities Sector Plan area. This area comprises approximately 53,000 acres or about 85 square miles (see map of Central Western Communities Sector Plan in Appendix A).

In the Sector Plan region, there are over 19,000 grandfathered single-family lots, ranging in size primarily from 1.25 acres to 10 acres covering almost 34,000 acres or about 59 percent of the total land area. The remaining lands are in agriculture, predominantly citrus production, or held in conservation.

Until the last two decades, the region was sparsely populated reflecting a largely rural lifestyle consistent with its agricultural economy. By 1990, about 4,400 dwelling units housed a population of approximately 14,000 persons. During the ensuing twelve years, the population tripled. As of January 2006, approximately 14,500 dwelling units were in place and the population had grown to over approximately 45,000 residents.

The rapid growth of the Central Western Communities area during the 1990's overwhelmed the region's infrastructure and service systems and altered its rural character. If this development trend continues at the current pace, the area will be home to over 62,700 residents by the year 2020.

Much of the area surrounding the Callery-Judge Grove property is platted into 1 to 1.25 acre residential lots with public streets and blocks. An insufficient amount of attention was paid to the need for public spaces and to the other factors which result in sustainable and easily serviceable neighborhoods. As a result, few identifiable neighborhoods have formed. The platting and sale of the residential lots has greatly complicated the opportunity to retrofit land uses. Sites are lacking for small commercial neighborhood centers, workplace districts, neighborhood parks, and other public and institutional uses which are important and help create identity and certain efficiencies for the area.

The Callery-Judge Grove property by all accounts, represents the County's best chance to correct and retrofit certain limitations associated with surrounding land use patterns. It is designed to be part of the area's fabric, and not as an isolated "project." One of the unsustainable ideas behind projects is the very notion that they are projects, abstracted out of the ordinary neighborhood or town and set apart. To think of salvaging, regulating, or improving projects, is to compound this root mistake and foster growth by "projects," forever weakening the fabric of the area. The aim should be to get that project, the potential promise or "patch" of prosperity for the community, rewoven back into the fabric--and in doing so, strengthen the surrounding fabric as well. This is the aim of the Callery-Judge Grove proposal.

The Callery-Judge Grove DRI is designed to be consistent with all elements of the SRPP. It is designed to deliver the positive fiscal, environmental and social impact the County and developer hope to achieve, without all the negatives of sprawl. At the same time, it remains the County's choice of how much and what form of development to approve. As evidenced in a recent memorandum from the County Planning Division staff, which recommended denial of the DRI as proposed, there continues to be debate and concern over these questions (see Appendix B, Correspondence).

Growth is coming to North Central Palm Beach County and the Treasure Coast Region. Where the next 25-year increment of this growth is located and the form it takes will have a profound affect on the quality of life for future generations.

## Callery-Judge Grove and Council's Regional Settlement Plan for North Central Palm Beach County

Palm Beach County, like most counties in the Treasure Coast Region, is experiencing explosive growth. The continual flood of new residents into Palm Beach County has necessitated the reassessment of land use and density propositions, some of which were recently put in place. Although the County has adopted various growth management strategies as part of its comprehensive plan such as the Managed Growth Tier System and the Central Western Community Sector Plan, the pressure to change land use and zoning designations to allow more development is constant. North Central County agricultural and rural lands, once sacrosanct from development, are now the subject of several development proposals.

In an effort to assist the County in dealing with these development proposals, Council staff prepared a detailed conceptual Regional Settlement Plan for North Central Palm Beach County. The plan was presented to Council on October 15, 2004 and transmitted to the County Commission (see Appendix L). The plan explores patterns of new development in the County's Rural Tier that could accommodate an influx of new residents, preserves great amounts of vital open space, proposes meaningful watershed and flow way systems, works toward maintaining the character of the area, and creates a comprehensive system of compact settlements.

A central purpose of this conceptual Regional Settlement Plan for North Central Palm Beach County is to: 1) support the ongoing sector planning work by the County; and 2) form a plausible strategy and basis for Regional Planning Council recommendations about future growth in this area. Without a clear and easily understood strategy for accommodating this growth, there is concern that an accelerated proliferation of suburban sprawl, traffic congestion, degradation of the public realm, and hardship to the natural environment will be the end result.

The settlement plan contains several policy recommendations for the County to consider in moving forward. Perhaps the most important is for the County to consider not approving any new projects in this area prior to adoption of a Regional Plan or Sector Plan for settlement, unless the following conditions are met:

a. the proposed project is contained within a submitted DRI;
b. the proposed project is consistent with the Regional Settlement Plan for North Central Palm Beach County;
c. the proposed project is consistent with the Strategic Regional Policy Plan; and
d. the proposed project master plan is developed using the public planning charrette process for community input and involvement.

Within the context and purposes of Council's Regional Settlement Plan for North Central Palm Beach County, the Callery-Judge Grove DRI proposal is consistent with this primary recommendation.

# CONCLUSION

> *The current model requires people to persist in building wasteful, inadequate communities and then compensate for the communities' failings by buying private vehicles and driving all over the metropolitan area in search of what ought to be available close to home.*
>
> - Philip Langdon, *A Better Place to Live* (1994)

Palm Beach County has always exercised great control of its future through its comprehensive plan. Regardless of the SRPP, the State Comprehensive Plan, or any private sector plan, the County still maintains control of their plan and the right to choose its future. The choice this time is between two models of growth: the traditional neighborhood or the continuation of suburban sprawl. They are polar opposites in appearance, function and character. They look different, they act differently, and affect us in different ways (see Appendix K, Two Ways to Grow). While there continues to be debate at the local level over the scale and magnitude of this proposal, the fundamental choice about form remains the same.

The Callery-Judge Grove DRI is strategically located and designed to correct certain limitations associated with existing development patterns in this area and will influence development patterns in a positive way for years to come. There is a great opportunity for the County to ensure there is a regular network of streets and blocks, and a detailed plan is prepared which results in self-contained neighborhoods and mixed-use districts which connect all the important components of public and private life (sites for homes, shopping, parks, jobs, schools, churches, civic use, etc.). In other words, correcting the problems of community design, balance and serviceability that plague the rest of this area.

If the County chooses to: 1) change its comprehensive plan; 2) approve the plan of development for this DRI; and 3) provide it the opportunity to develop consistent with the SRPP's preferred form, Council's DRI assessment report provides a phased strategy for this to occur. If the County chooses suburban sprawl, the master development plan will need to radically change and the recommended DO conditions redesigned to minimize regional impacts and reduce the damage associated with sprawl projects.

# RECOMMENDATION

As the Treasure Coast Region matures, planning efforts should start to differentiate between acceptable and excellent. The Treasure Coast Region is ready to set standards that reach beyond the mere provision of basic services and propose the creation of mixed-use neighborhoods and districts. The proposed Master Development Plan meets this standard.

The Callery-Judge Grove DRI Master Development Plan is consistent with the SRPP. There exists within the property a great opportunity to design and organize development to completely address all key regional issues and mitigate regional impacts. **It is recommended that Palm Beach County approve the Callery-Judge Grove DRI subject to the general conditions of approval contained within Council's DRI Assessment Report.**

# SUMMARY OF REGIONAL IMPACTS

During review of the proposed Callery-Judge Grove DRI, Council identified several issues that will have significant impact on the Palm Beach County and the Region. These issues are related to: 1) the master development plan, 2) transportation, 2) environmental and natural resources, and, 4) human resources. This section summarizes the impacts. The proposed general conditions of approval contained in a following section of this report are designed to reduce or mitigate the impacts to the Region.

## MASTER DEVELOPMENT PLAN

> *Does anyone suppose that, in real life, answers to any of the great questions that worry us today are going to come out of homogeneous subdivisions and shopping malls?*
>
> -Jane Jacobs, *The Death and Life of Great American Cities* (1961)

The Callery-Judge Grove DRI Master Development Plan is a conceptual plan whose structure is generally consistent with the SRPP. It is organized as a series of interconnected neighborhoods of walkable size that include a mix of uses and building types, a network of public greens, a mixed-use town center, as well as a variety of other proposed public and civic uses. The current project site and master plan present a great opportunity to develop and organize a new town in a way that completely addresses all key regional issues and mitigates regional impacts. In order to address larger land use issues and needs of this developing area, the Master Development Plan should include the following:

1. **Increased Public Open Space.** Public open space/countryside areas depicted in the plan are limited. They appear to be mainly designed for water management purposes and appear insufficient to create significant public open space for multiple uses (e.g. agricultural, etc.). In many cases they unnecessarily and artificially divide urban neighborhoods and do not create an adequate edge between this new town, existing development, and the countryside. Open space is critical to address water treatment needs, as well as to preserve the community's rural character and current residents' quality of life. At least 60 percent of the proposed site should be dedicated to public open space as defined in Appendix G, Components of Open Space and the Countryside. This amount and rearrangement of public open space can be achieved by: 1) compressing developed areas; 2) replacing some of the artificial neighborhood edge conditions via the use of authentic avenues, boulevards, and formal linear parks rather than wide "greenways" or "flowways"; and 3) either increasing net density within the proposed neighborhoods, or eliminating residential units altogether. This amount and arrangement of public open space and more was contemplated in Council's Regional Settlement Plan for North Central Palm Beach County and is important if this general area is to maintain some semblance of rural character (see

Appendix J, Rationale for Traditional Patterns of Development and Open Space Requirements for the countryside). Appendix N, Suggested Master Development Plan Modifications, illustrates how the DRI Master Plan can be altered to address the points raised above.

2. **Increased Connectivity.** Given the proposed number of units and the limited neighborhood services in surrounding development, new connections to the surrounding fabric (particularly north/south connections) should be established and incorporated into the plan to relieve traffic from main arterials. At least two east-west and four north-south external street network connections to the surrounding fabric should be established.

## TRANSPORTATION

*"The cities will be part of the country; I shall live 30 miles from my office in one direction, under a pine tree; my secretary will live 30 miles away from it too, in the other direction, under another pine tree. We shall both have our own car. We shall use up tires, wear out road surfaces and gears, consume oil and gasoline. All of which will necessitate a great deal of work ... enough for all."*

-Le Corbusier, The Radiant City (1967)

*"...we shall solve the City Problem by leaving the City."*

-Henry Ford (1922)

The proposed Callery-Judge Grove DRI has the potential to generate a substantial amount of traffic. This traffic has not been included in any of the long range traffic projections as the current land use does not allow a project of this density and intensity on the site. As a result, the existing roadway network would have to be expanded to allow this additional traffic. The following roadways, which were proposed to be extended to allow traffic generated by the Palm Beach County Biotechnology Research Park, will also serve Callery-Judge Grove DRI:

- Seminole Pratt-Whitney Road from Northlake Boulevard to Beeline Highway and
- SR 7 from Okeechobee Boulevard to Persimmon Boulevard.

Even with the extension of these roadways, the magnitude of traffic impact is substantial. While this assessment evaluates and makes recommendations to accommodate traffic generated by the first phase of development (year 2009), the total impact of the project requires the adoption of Constrained Roadways at Lower Level of Service (CRALLS) in several roadway segments. The CRALLS designation allocates a "hypothetical" service volume or capacity on these roadway segments. While the roadways would not be able to handle the additional traffic allocated by the CRALLS designation, it would result in additional impact to the roadway network. Travel time is expected to increase significantly in some of the roadways within the study area. Alternate modes of transportation need to be evaluated closely to alleviate traffic impact of the proposed development.

This project needs to meet the requirements of *Palm Beach County Traffic Performance Standards (TPS)*. Therefore, the required traffic analyses need to be presented to the County for approval. Test Two of the TPS evaluates all traffic from both approved-built and approved-unbuilt projects by using the *Florida Standard Urban Transportation Model Structure* (FSUTMS), "the model". A model run needs to be performed by the County Engineer to evaluate this Test Two.

The proposed development is expected to impact the level of service (LOS) on the regional roadway network. Rule 9J-2.045, FAC requires that state and regional roads be maintained at their adopted LOS. Mitigation through widening of roadways, expansion of intersections, and the provision of adequate lane geometry is necessary to ensure that an acceptable LOS can be maintained on the regional roadways given the growth in the area.

Okeechobee Boulevard east of SR-7, which is currently scheduled to be widened to an eight lane-divided cross-section, is projected to be over capacity by the year 2009. This is mainly due to the significant amount of development already approved by Palm Beach County which will have traffic impact on this road. Therefore, this road will not be able to meet adopted levels of service. If Callery-Judge Grove is significant on this segment of Okeechobee Boulevard, mitigation will be required. It appears the only mitigation available would be adoption of CRALLS designations. Conditions have been recommended to obtain CRALLS designations for Okeechobee Boulevard. However, there is on-going debate as to the traffic distribution and assignment for this project. In order to evaluate traffic impact on Okeechobee Boulevard, a condition has been recommended which estimates project impact on this road based on an origin/destination survey.

Several projects have been either planned or proposed for the area of Palm Beach County near the Callery-Judge Grove DRI. These projects will have a significant amount of traffic impact in the roadway network. There is uncertainty about the Palm Beach County Biotechnology Research Park and its future development. This project was approved to host Scripps and included other land uses to support Scripps. Right now, Scripps may be moved to a different area in the County. What would the development be for the Palm Beach County Biotechnology Research Park? When will this project be developed? Is the County still committed to build the extension of PGA Boulevard to Seminole Pratt-Whitney Road? How will the roads which are currently reaching capacity be able to handle traffic from all the additional developments? What other mitigation measures will be implemented to assure people can move from point "a" to point "b"? Will alternate modes of transportation be implemented? These and many other questions are still pending. Given the degree of uncertainty and the amount of development proposed in this area of Palm Beach County, a regional comprehensive traffic study has been recommended at the end of Phase 1 in the year 2009. This study needs to be presented to Palm Beach County, the Florida Department of Transportation, and Council for approval.

Additional conditions of development are to be incorporated into the development order once the study is finalized and approved.

Some factors may affect government's ability to maintain an acceptable LOS on the regional roadway network. Changes to the Palm Beach County adopted Five Year Road Program and/or the Florida Department of Transportation Adopted Transportation Improvement Program may expedite or delay construction of the required improvements to maintain adequate LOS on the regional roadway network. Rule 9J-2.045 (7) (1) (b) FAC requires an assessment and report of the guaranteed improvements on no less than a biennial basis. This report needs to identify the timing of improvements to assure they will be constructed according to schedule.

## ENVIRONMENTAL AND NATURAL RESOURCES

### Habitat, Vegetation, and Wildlife

The entire Callery-Judge Grove property previously was cleared for agriculture. The uses on the property include citrus grove, row crops, and tree nurseries (see map of Existing Land Uses in Appendix A). No regional issues have been identified related to habitat, vegetation, and wildlife. The proposed general conditions of approval include standard language concerning the control of exotic species and protection of listed species in the event they are found on the project site. There is also a recommendation to provide Wood Stork foraging habitat by ensuring that surface waters created on the site include features specifically designed to provide preferred foraging habitat for this federally endangered species (see Appendix E, Wood Stork Habitat Guidelines).

### Stormwater Management

The proposed stormwater management system for the Callery-Judge Grove project will consist of a network of inlets, culverts, lakes, created shallow vegetated wetland areas, and an outfall structure. Water quality treatment will be provided on-site in the lakes and shallow vegetated wetlands. Dry pretreatment areas will be provided for the commercial and industrial areas prior to discharge into the on-site water bodies. Discharges will be directed to the M-2 Canal, which flows into the C-51 Canal. The ADA indicates that the proposed stormwater management system will be designed to meet the requirements of the SFWMD C-51 Basin Rule. The long-term operation and maintenance of the stormwater management system will be performed by the Seminole Improvement District (SID), which has operated the system for the existing grove for the last 30 years.

A special feature of the stormwater management system is a proposal to allow the SFWMD to divert water from the M-Canal onto the project site at appropriate times of the season for purposes of providing water quality treatment. The storm water management system on the project site will be designed to: 1) manage project stormwater primarily during the wet season; 2) provide treatment of water transferred through the M-Canal from the L-8 Basin to Grassy Waters Preserve primarily during the dry season; 3)

allow water to be diverted from the M-Canal near the west side of the project and returned to the M-Canal near the northeast side of the project; and 4) provide a minimum of 600 acres of shallow vegetated wetland areas to serve as a filter marsh for stormwater. These design features will help further the goals and objectives of the Comprehensive Everglades Restoration Plan.

Water Supply

Potable water will be supplied to the Callery-Judge Grove DRI by the SID. The Callery-Judge Grove DRI development lies entirely within the SID Area. The applicant has projected that total potable water demand is 3.503 million gallons per day (MGD) at build out. This is broken down to be 2.04 MGD for residential development at build out and 1.463 MGD for non-residential development. The demand for non-potable water is projected to be 2.329 MGD for residential development and 1.434 MGD for non-residential development.

Potable water will be treated by the SID existing water treatment facility while non-potable water will be supplied from on-site surface water through the SID. The SID has five potable water wells within the DRI project site.

The South Florida Water Management District (SFWMD) has indicated there are unresolved water service delivery issues that will need to be addressed by the applicant during the permit application review process including the project's proposed potable and non-potable water supply (see Appendix B, Correspondence). The SID's Water Use Permit, (Permit No. 50-03711-W) has a permitted allocation of 0.365 MGD, which does not meet the project's projected potable water demand. Moreover, the District has indicated that approximately 6.0 MGD of raw water supply would be needed to accommodate the potable water demands of the proposed project at build out instead of the applicant's calculation of 3.50 MGD. Finally, SFWMD suggests neither the current Palm Beach County comprehensive plan, nor the current SID Water Control Plan on file at the District, show future infrastructure plans for the SID sufficient for the provision of potable water adequate to serve the Callery-Judge Grove DRI. Therefore, neither the consumptive use permitting nor the required water supply facility planning by the SID is in place to provide water supplies sufficient to meet the potable water demands of the DRI.

Wastewater Management

Wastewater generated by the project at build out is estimated to be 2.555 MGD, approximately 1.025 MGD for residential development and 1.53 MGD for commercial and civic uses. The SID, which has a wastewater treatment plant within the DRI project boundary will provide wastewater treatment services to the project. Septic tanks are not proposed for the project.

Solid Waste and Hazardous Materials

The proposed development's industrial and research and development park portion of the project may contain laboratories, storage facilities, and warehouse space where hazardous materials may be utilized, generated or stored. The types and quantities of hazardous materials are not identifiable at this time. All tenants and users will separate, manage and dispose of hazardous waste within the requirements of all applicable laws and regulations. The project will define hazardous materials handlers management and facility plans as those specific users are identified.

Off-site disposal plans for hazardous waste generated by all businesses within this project are required and expected to dispose of hazardous waste within the requirement of all applicable laws and regulations and are expected to utilize qualified and certified disposal contractors. The Solid Waste Authority of Palm Beach County has the ability to provide solid waste disposal capacity of the proposed development.

## HUMAN RESOURCE ISSUES

Revenue Generation Summary

The Callery-Judge Grove DRI is expected to generate ongoing revenue benefits to Palm Beach County. The projected revenues generated by the DRI include ad valorem, sales tax, utility taxes, gas taxes, permits, licenses and impact fees.

At project build out (2019) the project is estimated to generate over $70 million in recurring local revenue. This comprises approximately $66 million in ad valorem taxes and about $4 million in sales, gas and tourism taxes generated by the project.

For fiscal year 2002-2003 the existing level of expenditures per capita in Palm Beach County was approximately $1,737 (Florida Statistical Abstract 2005. University of Florida, Bureau of Economic and Business Research). Based upon an applicant estimated total permanent population in the Callery-Judge Grove DRI development of approximately 23,500 persons, the County's annual cost of services to support the development is projected to be about $40 million. At the end of Phase 1 (2009) the project is expected to generate an annual ad valorem tax revenue stream of about $17.8 million, increasing to $66.3 million at build out in 2019, generating a net positive fiscal impact for Palm Beach County.

Development of the project is expected to generate a need for approximately $232 million in capital facility outlays. The major needs are for some $195 million in transportation improvements, $35 million in potable water and wastewater facility improvements and recreation and open space needs of $2 million.

Total impact fee revenue from the project generated over the build out period of the DRI development is expected to reach over $85.8 million with the majority from roads, schools and parks impact fees.

Fiscal Impacts

The net fiscal impacts to Palm Beach County are expected to be positive. As stated above, it is estimated that the project at build out will generate approximately $70 million per year in local tax revenues, $66 million of which will be from ad valorem taxes. This would be contrast against approximately $40 million in expenditures to service the DRI project. Palm Beach County planning has estimated the net present value of impacts from the project over a twenty (20) year time period to be $99.6 million.

Housing

The Callery-Judge Grove DRI is expected to create approximately 7,935 new full-time jobs on site by 2019. This level of permanent employment will, in turn, generate a demand for some 2,947 housing units spread across very low, low and moderate income households. The applicant's affordable housing needs analysis has determined the project will create an unmet need of 569 units of housing for moderate income households at an income level of $63,750. In order to mitigate this need, the applicant has proposed to construct 569 units on-site (either for-sale or rental) that would range in price from $200,000 to $275,000 for for-sale housing and $1,165 to $1,540 monthly rent for apartments.

Schools

The Callery-Judge Grove DRI proposes an entirely new town upon property currently utilized for agricultural purposes. Based on data provided in the ADA, the project proposes 10,000 new dwelling units while the current land use would yield only 392 dwelling units. The project is included within the School District's Concurrency Service Area (CSA) 10, an area characterized by predominately rural residential and agricultural land uses. Based upon the Palm Beach County's (PBC) School District multipliers, 10,000 units would be expected to generate a total of 2,900 new students as follows:

1500 elementary school students
600 middle school students
800 high school students

The project's projected 2,900 new students is a radical departure from the School District's student populations historically associated with this area. According to current local and state policies, this will generate the demand for two new elementary schools, one-half of a new middle school, and one-third of a new high school, representing unanticipated construction costs of approximately $100 Million in addition to land and infrastructure costs, according to current School District estimates. These issues are

discussed in greater detail below, and a copy of the School District's analysis, dated March 1, 2006, is included in Appendix B.

To accommodate the new students from the Callery-Judge Grove DRI, state and local school requirements require the construction of two new elementary schools, one new middle school, and one new high school. Within CSA 10, the School District currently operates five schools in the vicinity of the Callery-Judge Grove DRI: two elementary schools (each over-capacity by 106% and 116%), two middle schools (each over-capacity at 101% and 102%), and one high school (opened in 2005 at 90% capacity and projected to reach 109% capacity by 2010). In its "land bank," the School District has already acquired land for a new high school in CSA 10; however, the District's five-year facilities plan includes no funding for its construction. The District has acquired no property for new elementary or middle schools in CSA 10.

Anticipating the educational impacts of its development, the proposed master plan for Callery-Judge Grove nicely locates three proposed new school sites within the boundaries of the DRI. Two fifteen-acre elementary school sites and one twenty-acre middle school site are suggested. Both elementary school sites meet the School District's minimum size criteria, and the middle school site would be workable for the School District in terms of size if the drainage for this facility was accommodated off-site as part of a larger master drainage program. Each of the three proposed school sites within the DRI is well-integrated into the proposed development plan. Each of the proposed school sites will require infrastructure connections, including water and wastewater connections, stormwater, and roadway and pedestrian access.

It is important to emphasize the proposed DRI will require significant and extensive modifications for PBC School District's current plans and population projections for this area. The School District's adopted Capital Construction Plan does not anticipate the impacts of the proposed development, and as a result, it has no funding sources for the planning, design, construction, or infrastructure provision for any of the new school sites necessary to support the impacts of the development. In its review of the proposed development, the School District states it has "exhausted all available capital funding sources," and further, funds would either (1) need to be diverted from other planned projects, or (2) a new funding source must be identified to fund the school facilities necessary to support the proposed development.

For Palm Beach County, diversion of funds away from other planned projects would jeopardize the school concurrency program that has been in place since 2002. Palm Beach County was the first Florida county to adopt school concurrency, and recent legislation (SB 360) now requires all Florida counties to develop school concurrency programs with their school districts. The County Comprehensive Plan includes a Public Facilities Element, adopted in 2002, which establishes a level of service in Policy 1.1-a of "110 % utilization for all schools of each type within the School District," measured as the average for all schools of each type within each of the County's twenty-one Concurrency Service Areas. As required by the Comprehensive Plan, the School District

has adopted a financially feasible capital facilities plan which outlines facility improvements for each of the CSAs to maintain the level of service through the five-year planning timeframe. This aggressive capital plan identifies nearly $3.3 Billion in improvements through 2010.

To fully fund the capital plan, in addition to utilizing all available local funding sources, Palm Beach County voters approved a half-cent sales tax in November 2004 for the funding of new schools and modernization of existing schools. The School District has no reserve funding to fund the construction of new schools not identified in the capital facilities plan, and there are no additional funding sources available for the construction of new facilities. However, there is a remedy for this quandary in the County's Public Facilities Element. In Policy 1.2-a, three mitigation alternatives are identified for developers: (1) donation of buildings, (2) renovation of existing buildings, and (3) construction of permanent student stations or core capacity. For the Callery-Judge Grove DRI, there are no existing buildings that can be renovated; therefore, the developer must fund the construction of buildings and/or permanent student stations to maintain adopted levels of service and support the impacts of the proposed development.

The SRPP includes several pertinent strategies on this issue that should be noted (see Appendix C, SRPP Goals, Strategies, and Policies). Policy 4.3.2 directs local school districts and local governments to adopt level of service standards with a financially feasible public school capital facilities program. Policy 4.3.9 supports implementation of school concurrency as a means to ensure the availability of educational facilities. Each of these strategies would be furthered by the maintenance of the school concurrency program as adopted and the funding of new schools for the new proposed development by the development itself.

In addition to the adopted plans of Palm Beach County, the Palm Beach County School District, and Council, the Palm Beach County School Board has also addressed this issue directly by a policy decision adopted in January, 2006. Due to the rapid pace of development activity, a shortage of educational facilities, and funding constraints, the Palm Beach County School Board has adopted a policy of requesting developers fund new school facilities necessary to support the impacts of their development. A copy of this policy is included in Appendix B. Accordingly, in reviewing the proposed development, the School District recommends the developer take the following actions:

(1) donate two elementary school sites and one middle school site as indicated in the project master plan, provided that drainage for the middle school site be accommodated off-site as part of a larger master stormwater program

(2) adopt a development agreement with the Palm Beach County School District that assures the following financial contributions:

a. construction of two new elementary schools (to accommodate the anticipated 1,500 new middle school students)

b. a proportionate share of all of all costs necessary for the construction of one new middle school (to accommodate the anticipated 600 new middle school students)

c. a proportionate share of all costs necessary for the construction of one new high school (to accommodate the anticipated 800 new high school students)

The Callery-Judge Grove DRI is proposed for development in three phases. Therefore, it is appropriate to assign these development costs per phase, given the proposed number of dwelling units in each. In Phase 1, the applicant proposes 3,000 dwelling units which will produce the following student population according to current School District student generation rates:

| School Type | Student Generation Rate per d.u. | Phase 1 Total Students (3,000 d.u.) | Typical # Students per School Type | % New Facility Costs to be Assigned to Developer in Phase 1 |
|---|---|---|---|---|
| Elementary School | 0.15 | 450 | 750 | 60% |
| Middle School | 0.06 | 180 | 1300 | 14% |
| High School | 0.08 | 240 | 2500 | 10% |

According to current Palm Beach County School District estimates, the cost of new educational facilities in 2006 are as follows: Elementary School = $25 Million; Middle School = $40 Million; High School = $100 Million. These figures would be adjusted by the School District for future phases of the development given cost escalations and inflation. Given these costs, the developer would therefore be required to contribute approximately $30.6 Million to Palm Beach County School District to fund the proportionate share of impacts generated by Phase 1 of the proposed development. For all future phases of development, a similar cost breakdown would be calculated and assigned to the developer utilizing Palm Beach County School District student generation rates and the proposed number of dwelling units.

To off-set these developer contributions, the School District suggests the developer be reimbursed for school impact fees that would be otherwise required of the residential units constructed in the DRI. According to the current Palm Beach County impact fee schedule, the estimated impact fee credit for the 3,000 dwelling units proposed in Phase 1 is estimated to be approximately $10.5 Million in current year dollars.

A developer agreement between the Palm Beach County School District and the developer which assigns development costs as described above would be wholly consistent with the adopted Palm Beach County Comprehensive Plan, School District Capital Facilities Plan, and Strategic Regional Policy Plan. Further, a direct financial contribution by the developer to fund the schools necessitated by the proposed development is the most appropriate mechanism to ensure the project's impacts will be

mitigated without jeopardizing adopted levels of service for educational facilities in Palm Beach County.

Police and Fire Protection

The proposed development will increase the need for additional personnel for law enforcement services. Palm Beach County Fire Rescue indicates it is able to serve the development with its present manpower and facility located at 5060 Seminole Pratt Whitney Road (Station #22) but suggests its service response would be enhanced if the more intense elements of the development were clustered near Seminole Pratt Whitney Road. The applicant has agreed to dedicate 12.5 acres to accommodate Sheriff, fire/rescue and other public uses.

Hurricane Preparedness

The proposed development is not within the Coastal High Hazard and Storm Surge zone within Palm Beach County. In the event of a significant hurricane (Category 3 or above), the proposal describes a strategy to lessen impacts on County shelter resources by encouraging residents to "shelter in place." However, with the proposed development of 10,000 residential units (23,500 persons), there will be an increased need for public shelter space capacity. According to the 2003 Treasure Coast Regional Hurricane Evacuation Study, up to twenty percent (4,700 persons) of the development's population will evacuate. Approximately twenty percent (940 persons) of this group of evacuees will seek public shelter locally. Two schools have been identified near the development that may be used for safe sheltering.

Historic and Archaeological Sites

A Reconnaissance Level Cultural Resource Survey of the Callery-Judge Grove property was conducted in June 2004 in accordance with the rules of the Division of Historical Resources, Florida Department of State. One elevated location in the east central portion of the project site produced a variety of faunal material and one shell fragment. The location has been identified as site 8PB11369 and recorded with the Florida Master Site File of the Division of Historical Resources (see the Archaeological Site map in Appendix A). A recommended Development Order condition requires a Phase 1 Cultural Resource Survey on the entire project site to identify if additional archaeological deposits and cultural resources are present on the property, and determine the significance of site 8PB11369. The Phase 1 Cultural Resource Survey will include recommendations for the protection of all locations on the project site determined to be significant by the Division of Historical Resources.

Energy

The cumulative total energy demand of the Callery-Judge Grove development at buildout is estimated to be 987,167 kilowatt hours per day. The ADA includes a letter from Florida

Power and Light Company (FPL) indicating that at the present time they have sufficient capacity to provide electric service to the project. The ADA also includes a letter from Florida Public Utilities indicating that they are confident in their ability to provide the Callery-Judge Grove project with natural gas service. The recommended Development Order conditions require that a variety of energy saving methods be incorporated into the project (see Appendix D, Energy Saving Methods).

# GENERAL CONDITIONS OF APPROVAL

Incorporation of the Application for Development Approval and Town-Making Principles by reference, recital of the quantities of uses approved, recital of phasing and buildout dates, providing a termination date and providing for biennial reports are required by the Department of Community Affairs rules regarding the content of the Development Order. The expiration date should be set to allow reasonable time for completion of all development and compliance with all conditions in the Development Order. Enough time should be allowed between the buildout date and the expiration date for the developer to request any needed extension to the buildout date. These requirements can be met by including the following conditions in the Development Order:

**Application for Development Approval**

1. The Callery-Judge Grove Development of Regional Impact Application for Development Approval dated July 8, 2004; supplemental information dated July 27, 2005 and November 23, 2005; and Callery-Judge Grove Town-Making Principles submitted with the Application for Development Approval are incorporated herein by reference. It is relied upon, but not to the exclusion of other available information, by the parties in discharging their statute duties under Chapter 380, Florida Statutes. Substantial compliance with the representations contained in the Application for Development Approval and Design Guidelines, as modified by Development Order conditions, is a condition for approval.

**Commencement and Process of Development**

2. In the event the developer fails, within one year from the effective date of the Development Order, to commence significant physical development beyond the development in existence on the approval date of the Development Order, development approval shall terminate and the development shall be subject to further Development of Regional Impact review by the Council, Department of Community Affairs, and Palm Beach County pursuant to Section 380.06, Florida Statutes. This period shall be tolled pending approval of the Master Development Plan revisions described in Development Order Condition 12, and receipt of any state and local government approvals necessary to construct pursuant to the Master Development Plan, as revised and any administrative or legal challenges to same. For the purpose of this paragraph, construction shall be deemed to have initiated after placement of permanent evidence of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation or a land clearing, or construction of a permanent access road.

**Phasing**

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

| Phase | Years | Residential [1] (DU) | Hotel (rooms) | Retail (SF) | Workplace[2] (SF) | Office[3] (SF) | Golf[4] (holes) |
|---|---|---|---|---|---|---|---|
| 1 | 2005-2009 | 3,000 | 0 | 500,000 | 300,000 | 100,000 | 18 |
| 2 | 2010-2014 | 3,313 | 150 | 300,000 | 900,000 | 200,000 | 0 |
| 3 | 2015-2019 | 3,687 | 0 | 500,000 | 800,000 | 200,000 | 0 |
| Total | 2005-2019 | 10,000 | 150 | 1,300,000 | 2,000,000 | 500,000 | 18 |

[1]Includes Single-family detached units, Townhomes, Condominiums, and Apartments
[2]Includes Workplace Office, Industrial, and High Tech Research & Development
[3]Includes Office within Town Center areas
[4]Includes Golf Course/Recreation and Country Club

**Buildout Date**

4. This Project shall have a buildout date of December 31, 2019, unless otherwise amended pursuant to the conditions of this Development Order and Section 380.06, Florida Statutes.

**Termination Date**

5. This Development Order shall expire on December 31, 2026.

**Transfer of Approval**

6. Notice of transfer of all or a portion of the subject property shall be filed with the Palm Beach County Board of County Commissioners. Prior to transfer, the transferee shall assume in writing on a form acceptable to the County Attorney, any and all applicable commitments, responsibilities, and obligations pursuant to the Development Order. The intent of this Provision is to ensure that subsequent property transfers do not jeopardize the unified control, responsibilities, and obligations required of the project as a whole.

**Biennial Report**

7. The biennial report required by subsection 380.06(18), Florida Statutes, shall be submitted every two years on the anniversary date of the adoption of the Development Order to Palm Beach County, the Council, the Florida Department of Environmental Protection, the Florida Department of Transportation, the South Florida Water Management District and such additional parties as may be appropriate or required by law. The contents of the report shall include those items required by this Development Order and Rule 9J-2.025(7), Florida Administrative Code. The Palm

Beach County planning director shall be the local official assigned the responsibility for monitoring the development and enforcing the terms of the Development Order.

**General Provisions**

8. Any modifications or deviation from the approved plans or requirements of this Development Order shall be made according to and processed in compliance with the requirements of Section 380.06(19), Florida Statutes and Rule 9J-2, Florida Administrative Code.

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

10. 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.

11. This Development Order shall be binding upon the developer and its assignees or successors in interest.

MASTER DEVELOPMENT PLAN

12. The developer shall revise the Master Development Plan for Callery-Judge Grove Development of Regional Impact to: 1) increase public space, civic uses, recreational uses, open space and conservation areas to 60 percent of the total site, with substantial open space concentrated towards the edges of the property as suggested in Council's Assessment Report for the Callery-Judge Grove Development of Regional Impact Appendix N, Suggested Master Plan Modifications, and calculated consistent with Appendix G, Components of Public Open Space and the Countryside; and 2) allow establishment of north-south connectivity by providing at least four north-south and two east-west connections between the proposed development and existing neighborhoods. At a minimum, the revised Master Development Plan shall be consistent with the goals, strategies and policies contained in the Strategic Regional Policy Plan and Appendix H, Components of the Traditional Urban Neighborhood – Authentic Mixed Use for DRIs. The revised Master Development Plan shall be approved by Palm Beach County in consultation with Council prior to the commencement of any development activities on the project site.

TOWN PLANNING

13. To assure a mixed-use, compact, and pedestrian/bicycle-friendly environment, ready to accommodate all modes of public transportation, the following should be incorporated into the Development Order:

a) A Compendium of Street Sections shall be established for this property to regulate allowable shapes and sizes of streets; placement of parking, street trees, street lights and furniture, and buildings and utilities; and pavement and sidewalk widths (see Appendix I, Compendium of Street Sections for the Callery-Judge Grove Development of Regional Impact).

b) A set of Land Development Regulations or Zoning Code for the Callery-Judge Grove Development of Regional Impact should be established to remove regulatory impediments that would interfere with building the Callery-Judge Grove Development of Regional Impact consistent with the Master Development Plan and regional recommendations contained in the Development of Regional Impact Assessment Report.

c) The applicant, subject to local government approval, can make modifications to Map H that will not trigger a Notice of Proposed Change such as the location, size, arrangement and design of neighborhoods and districts, squares, parks, greens, civic sites and uses, trails, local streets and driveways, aesthetic features, edge treatments, water bodies, and other design components that: 1) do not substantially change the character or impacts of the project; and 2) are consistent with the town planning and urban design principles outlined in Appendix H, Components of the Traditional Urban Neighborhood – Authentic Mixed Use for DRIs.

TRANSPORTATION

**Rights of Way**

14. No building permits for Callery-Judge Grove Development of Regional Impact shall be issued until right-of-way within the project along Seminole Pratt-Whitney Road, Persimmon Boulevard, and all intersections thereof, has been dedicated free and clear of all liens and encumbrances to Palm Beach County as necessary and consistent with the Palm Beach County Comprehensive Plan.

**External Roadway Modifications**

15. As a minimum, the developer shall pay a fair share contribution consistent with the road impact fee ordinance of Palm Beach County in effect at the time of issuance of building permits.

16. No buildings permits shall be issued for development that generates more than 886 net external PM peak hour trips until either: 1) contracts have been let for the following roadway widening; or 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order. Surety shall be provided to the satisfaction of Palm Beach County that sufficient funds will be available to complete

the following widening or the widening shall be include in the Palm Beach County 5 Year Road Program or the State Transportation Improvements Program:

a) Widen SR-7 between Persimmon Boulevard and Okeechobee Boulevard to a Four-Lane Divided cross section.

17. No buildings permits shall be issued for development that generates more than 1,129 net external PM peak hour trips until either: 1) contracts have been let for the following roadway widening; or 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order. Surety shall be provided to the satisfaction of Palm Beach County that sufficient funds will be available to complete the following widening or the widening shall be included in the Palm Beach County 5 Year Road Program or the State Transportation Improvements Program:

a) Widen Southern Boulevard (SR 80) between Big Blue Trace and Crestwood/Forest Hill Boulevard to a Six-Lane Divided cross section.

18. No buildings permits shall be issued for development that generates more than 1,421 net external PM peak hour trips until either: 1) contracts have been let for the following roadway widening; or 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order. Surety shall be provided to the satisfaction of Palm Beach County that sufficient funds will be available to complete the following widening or the widening shall be included in the Palm Beach County 5 Year Road Program or the State Transportation Improvements Program:

a) Widen Northlake Boulevard between Coconut Boulevard and Shoppes at Ibis to a Six-Lane Divided cross section.

19. No buildings permits shall be issued for development that generates more than 1,505 net external PM peak hour trips until either: 1) contracts have been let for the following roadway widenings; or 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order. Surety shall be provided to the satisfaction of Palm Beach County that sufficient funds will be available to complete the following widenings or the widenings shall be included in the Palm Beach County 5 Year Road Program or the State Transportation Improvements Program:

a) Widen Northlake Boulevard between Shoppes at Ibis and Beeline Highway to a Six-Lane Divided cross section.

b) Widen Okeechobee Boulevard between 140$^{th}$ Avenue to Crestwood Boulevard to a Four-Lane Divided cross section.

20. No buildings permits shall be issued for development that generates more than 1,943 net external PM peak hour trips until either: 1) contracts have been let for the following roadway widening; or 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order. Surety shall be provided to the satisfaction of Palm Beach County that sufficient funds will be available to complete the following widening or the widening shall be include in the Palm Beach County 5 Year Road Program or the State Transportation Improvements Program:

    a) Widen Seminole Pratt-Whitney Road between Indiantown Road and Beeline Highway to a Four-Lane Divided cross section.

    b) Construct, where feasible, Seminole-Pratt-Whitney Road as a four-lane divided boulevard within the limits of the Callery-Judge Grove property consistent with the cross-section and plan view concept for Seminole Pratt-Whitney Road contained in Appendix I, Compendium of Street Sections for the Callery-Judge Grove Development of Regional Impact and Callery-Judge Grove Town-Making Principles booklet submitted as part of the Callery-Judge Development of Regional Impact Application for Development Approval.

21. Recommended widenings included in the preceding five Development Order Conditions (16 – 20) may not be necessary if either of the procedures below is performed during the peak season of the year prior to the widening being required and is approved by Palm Beach County, the Florida Department of Transportation, and the Treasure Coast Regional Planning Council:

    - A recent traffic count shows existing traffic volumes projected to the end of Phase 1 using agreed upon study methodology do not exceed the adopted service volume, or

    - An ART_PLAN (Florida Department of Transportation Arterial Planning Analysis) or HCM (Transportation Research Board Highway Capacity Manual) arterial analysis shows the roadway segment operates at acceptable level of service

    The methodology and procedures used to perform the ART_PLAN analysis or the HCM arterial analysis shall be presented and approved by the review agencies. The relevant condition/s shall be amended to revise the new threshold for the improvement, if necessary.

22. The developer shall conduct an origin/destination survey two years after the first certificate of occupancy is issued within the Callery-Judge Grove Development of Regional Impact and continue every two years until buildout of Phase 1. The purpose

of the survey is to determine traffic assignment along Okeechobee Boulevard. The survey shall provide by actual counts or statistically reliable data:

a) the place of employment of residents;
b) the place of residence of employees;
c) information regarding the number of trips made to destinations within the project that travel through Okeechobee Boulevard; and
d) information regarding the number of trips originating within the project that travel through Okeechobee Boulevard.

The proposed methodology to be used in conducting this survey shall be submitted to Palm Beach County, the Florida Department of Transportation and the Treasure Coast Regional Planning Council for review and approval prior to the collection of data for the first study.

The developer shall submit a report summarizing the survey results as part of the biennial monitoring report. The report needs to be approved by Palm Beach County, the Florida Department of Transportation and the Treasure Coast Regional Planning Council. The following three Development Order Conditions (23 – 25) shall be evaluated based on the results of the origin/destination survey.

23. No buildings permits shall be issued for development that exceeds 5 percent significance level and Level of Service D until a CRALLS (Constrained Roadway at a Lower Level of Service) designation has been adopted by Palm Beach County with sufficient capacity to allow development of Phase 1 of the Callery-Judge Grove Development of Regional Impact for the following roadway segment:

    a) Okeechobee Boulevard between SR 7 and Sansbury's Way

24. No buildings permits shall be issued for development that exceeds 5 percent significance level and Level of Service D until a CRALLS designation has been adopted by Palm Beach County with sufficient capacity to allow development of Phase 1 of the Callery-Judge Grove Development of Regional Impact for the following roadway segment:

    a) Okeechobee Boulevard between Sansbury's Way and Skees Road

25. No buildings permits shall be issued for development that exceeds 5 percent significance level and Level of Service D until a CRALLS designation has been adopted by Palm Beach County with sufficient capacity to allow development of Phase 1 of the Callery-Judge Grove Development of Regional Impact for the following roadway segment:

    a) Okeechobee Boulevard between Skees Road and Jog Road

**Intersection Modifications**

26. No building permits shall be issued for development that generates more than 212 net external PM peak hour trips until either: 1) contracts have been let for the following intersection expansions; or 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order. Surety shall be provided to the satisfaction of either Palm Beach County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection expansions, including signalization modifications as warranted by City, County or State criteria:

    Seminole Pratt-Whitney Road and Sycamore Drive
    Add eastbound left-turn lane

27. No building permits shall be issued for development that generates more than 331 net external PM peak hour trips until either: 1) contracts have been let for the following intersection expansions; or 2) a local government development agreement consistent with sections 163.3220 through 163.3243, F.S. has been executed and attached as an exhibit to the Development Order. Surety shall be provided to the satisfaction of either Palm Beach County or the Florida Department of Transportation that sufficient funds will be available to complete the following intersection expansions, including signalization modifications as warranted by City, County or State criteria:

    Seminole Pratt-Whitney Road and Okeechobee Boulevard
    Add westbound right-turn lane

28. Commencing in January 2008, signal warrant analyses shall be performed at the following intersections:

    - Persimmon Boulevard and Avocado Boulevard
    - Persimmon Boulevard and Coconut Boulevard
    - Persimmon Boulevard and E Road (140th Avenue North)

    Signal warrant analyses shall be continued in a biennial basis until all signals are warranted. The analysis shall be performed during the peak season and presented to and approved by Palm Beach County.

    Additional certificates of occupancy shall not be issued after one year of the analysis showing a traffic signal is warranted until contracts are let for installation of the warranted signal including the appropriate lane geometry, pavement markings, signing, lighting, and the like as approved.

**Access Driveways**

29. No building permits shall be issued after December 31, 2008 until access has been provided from the project to Persimmon Boulevard and this road has been improved to a two-lane collector consistent with Palm Beach County standards.

30. At a minimum, the following expansions shall be provided at the intersection of 60th Street North and the project road at such time as access from the project is provided to 60th Street North:

    - Add northbound through lane
    - Add eastbound right-turn lane

31. At a minimum, Callery-Judge Grove Development of Regional Impact shall have the following connections to the external roadway network consistent with Map H included in the Application for Development Approval and dated November 2005:

    - Three connections to the west of the property
    - Four connections to Seminole Pratt-Whitney Road
    - Two connections to the east of the property

32. All internal roads presented in Map H of the Callery-Judge Grove Development of Regional Impact dated November 2005 shall be open to the public and provide access to adjacent property, where applicable.

33. At a minimum, the following lane geometry shall be provided at the following intersections at the time of construction of the roads within the project:

    a) Seminole Pratt-Whitney Road and North Project road

| | |
|---|---|
| Northbound | Two left-turn lanes |
| | Two through lanes |
| | One right-turn lane |
| Southbound | Two left-turn lanes |
| | Two through lanes |
| | One right-turn lane |
| Eastbound | One left-turn lane |
| | One through lane |
| | One right-turn lane |
| Westbound | Two left-turn lanes |
| | One through lane |
| | One right-turn lane |

    b) Seminole Pratt-Whitney Road and Central Project road

| | |
|---|---|
| Northbound | Two left-turn lanes |
| | Two through lanes |

| | |
|---|---|
| | One right-turn lane |
| Southbound | Two left-turn lanes |
| | Two through lanes |
| | One right-turn lane |
| Eastbound | Two left-turn lanes |
| | One through lane |
| | Two right-turn lanes |
| Westbound | Two left-turn lanes |
| | One through lane |
| | Two right-turn lanes |

c) Seminole Pratt-Whitney Road and High School and Project road

| | |
|---|---|
| Northbound | One left-turn lane |
| | Two through lanes |
| | One right-turn lane |
| Southbound | Two left-turn lanes |
| | Two through lanes |
| | One right-turn lane |
| Eastbound | One left-turn lane |
| | One through lane |
| | One right-turn lane |
| Westbound | Two left-turn lanes |
| | One through lane |
| | One right-turn lane |

d) Seminole Pratt-Whitney Road and South Project road

| | |
|---|---|
| Northbound | One left-turn lane |
| | Two through lanes |
| | One right-turn lane |
| Southbound | One left-turn lane |
| | Two through lanes |
| | One right-turn lane |
| Eastbound | One left-turn lane |
| | One through lane |
| | One right-turn lane |
| Westbound | One left-turn lane |
| | One through lane |
| | One right-turn lane |

Signalization at the intersections above shall be provided when warranted and approved by Palm Beach County.

**Other Issues**

34. A trip generation analysis shall be performed prior to site plan approval. The trip generation analysis shall present calculations for both AM and PM peak hour and shall be performed using trip generation rates included in the latest available Institute of Transportation Engineers Trip Generation Report. The trip generation analysis shall include internal capture and passer-by, if appropriate, to determine net trips generated by the development. The trip generation shall be cumulative and include all previous site plan approvals. Development order conditions shall be evaluated to determine triggering of any transportation conditions.

35. During the site plan approval process, a traffic study shall be submitted to Palm Beach County to determine, as a minimum:

    a) Lane geometry for internal roadways and their intersections;
    b) Timing of signalization improvements, if appropriate; and
    c) Phasing of lane geometry for project driveways to external roadways listed in Development Order Condition 33.

36. No additional building permits shall be issued after beyond Phase 1 development levels until a comprehensive regional traffic study has been conducted, submitted to and approved by Palm Beach County, Florida Department of Transportation, Treasure Coast Regional Planning Council, and the Department of Community Affairs. The comprehensive regional traffic study needs to consider the cumulative impact of all projects proposing development within the project's area of significant impact and needs to include, as a minimum the following developments: Scripps, Exploration Pointe, Florida Research Park, Pratt & Whitney, and the Brigger Tract. This comprehensive regional traffic study shall be performed in a manner consistent with methodology approved by Palm Beach County, Florida Department of Transportation and the Treasure Coast Regional Planning Council. The study shall identify any transportation network modifications necessary to maintain the subject transportation network at adopted levels of services consistent with the Palm Beach County Comprehensive Plan.

    Additional building permits shall not be issued after December 31, 2009 until the roadway modifications necessary to maintain adopted levels of service have been 1) approved by Palm Beach County, Florida Department of Transportation, Treasure Coast Regional Planning Council, and the Department of Community Affairs; and 2) incorporated into the development order.

37. No building permits shall be issued until a traffic study in compliance with the Palm Beach County Traffic Performance Standards has been submitted to and approved by Palm Beach County.

38. Commencing in 2007 and continuing every other year thereafter, the developer shall submit a Biennial Status Report indicating the status (schedule) of guaranteed transportation network modifications. This Biennial Status Report shall be submitted to Palm Beach County, Florida Department of Transportation, Treasure Coast Regional Planning Council and the Department of Community Affairs as part of the Development of Regional Impact Biennial Report.

    The Biennial Status Report shall list all roadway modifications needed to be constructed, the guaranteed date of completion for the construction of each needed modification, the party responsible for the guaranteed construction of each modification, and the form of the binding commitment that guarantees construction of each modification.

    No further building permits for the Callery-Judge Grove Development of Regional Impact shall be issued at the time the Biennial Status Report reveals that any needed transportation modification included in the Development Order is no longer scheduled or guaranteed, or has been delayed in schedule such that it is no guaranteed to be in place and operational, or under actual construction for the entire modification consistent with the timing criteria established in this development order.

ENVIRONMENTAL AND NATURAL RESOURCES

**Listed Species**

39. The developer shall provide Wood Stork foraging habitat by ensuring that surface waters created on the site, where appropriate, include features specifically designed to provide preferred foraging habitat for this species. The developer shall utilize the U.S. Fish and Wildlife Service published recommendations in the design and creation of foraging habitat for this federally endangered species (see Appendix E, Wood Stork Habitat Guidelines). Details of the Wood Stork design features shall be approved by Palm Beach County Department of Environmental Resources, in consultation with the South Florida Water Management District and the U.S. Fish and Wildlife Service.

40. In the event that it determined that any additional representative of a state or federally listed plant or animal species is resident on, or otherwise significantly dependent upon the project site, the developer shall cease all activities which might negatively affect that individual population and immediately notify Palm Beach County. Proper protection, to the satisfaction of Palm Beach County Department of Environmental Resources, in consultation with the U.S. Fish and Wildlife Service, Florida Fish and Wildlife Conservation Commission, and Treasure Coast Regional Planning Council shall be provided by the developer. These provisions shall be addressed in any land clearing permit(s) issued by Palm Beach County for the project.

**Exotic Species**

41. Prior to obtaining a certificate of occupancy for any future structure located on a development parcel, the developer shall remove from that parcel all Melaleuca, Brazilian pepper, Old World climbing fern, Australian pine, and any other nuisance and invasive exotic vegetation listed by the Florida Exotic Pest Plant Council and the Palm Beach County Unified Land Development Code, Article 14.C. Removal shall be in a manner that minimizes seed dispersal by any of these species. These provisions shall be addressed in any land clearing permit(s) issued by Palm Beach County for the project. There shall be no planting of these species on site. Methods for the removal of exotic and nuisance species should be described in the Vegetation Removal Permit Application. The entire site shall be maintained free of these species in perpetuity.

**Stormwater Management**

42. The developer shall design and construct a stormwater management system to retain the maximum volumes of water consistent with South Florida Water Management District criteria for flood control. All discharged water from the surface water management system shall meet the water quality standards of Florida Administrative Code Rule 17-3.

43. Prior to the commencement of any development activities on the project site, the developer shall enter into a cooperative agreement to allow the South Florida Water Management District to divert water from the M-Canal onto the project site at appropriate times of the season for purposes of providing water quality treatment. The storm water management system on the project site shall be designed to: 1) manage project stormwater primarily during the wet season; 2) provide treatment of water transferred through the M-Canal from the L-8 Basin to Grassy Waters Preserve primarily during the dry season; 3) allow water to be diverted from the M-Canal near the west side of the project and returned to the M-Canal near the northeast side of the project; and 4) provide a minimum of 600 acres of shallow vegetated wetland areas to serve as a filter marsh for stormwater. The terms of the cooperative agreement shall address the funding, operation and management of the stormwater management system and be subject to approval by the Seminole Improvement District, South Florida Water Management District, City of West Palm Beach, and Palm Beach County.

44. The developer shall work to minimize the amount of impervious surface constructed for automobile parking on the project site. The developer should consider the use of pervious parking lot materials where feasible.

45. The surface water management system shall utilize Best Management Practices to minimize the impact of chemical runoff associated with lawn and landscape maintenance. The developer shall coordinate with the South Florida Water

Management District to formulate and implement Best Management Practices to reduce the use of pesticides and fertilizers throughout the project.

46. Maintenance and management efforts required to assure the continued viability of all components of the surface water management system shall be detailed in a memorandum of understanding between Seminole Improvement District and South Florida Water Management District. Absent this agreement, maintenance and management of the system shall be the financial and physical responsibility of the developer. Any entities subsequently approved by South Florida Water Management District or Palm Beach County to replace the developer shall be required, at a minimum, to assume the responsibilities outlined above.

**Water Supply**

47. No building permits shall be issued for any phase of the Callery-Judge Grove DRI until the developer has provided written confirmation from Seminole Improvement District or any other accredited potable water services provider that adequate capacity of treated potable water and service/distribution infrastructure will exist by development of the phase.

48. All landscape irrigation systems constructed within the Callery-Judge Grove DRI shall be designed to accommodate reclaimed water. If the South Florida Water Management District determines, through the consumptive use permitting process, that the use of reclaimed water has become technically, economically, and environmentally feasible, the developer will be required to use reclaimed water, consistent with South Florida Water Management District criteria in effect at the time of permit application.

49. In order to reduce irrigation water demand, xeriscape landscaping shall be implemented throughout the project. At a minimum, 50 percent of all areas requiring landscaping material shall be landscaped with native drought-tolerant adapted to soil and climatic conditions existing on site. For public areas and along roads, Bahia species or other durable, drought-resistant turf shall be used for landscaping.

50. The project shall utilize ultra-low volume water use plumbing fixtures, self-closing and/or metered water faucets, xeriscape landscape techniques, and other water conserving devices and/or methods specified in the Water Conservation Act, Section 553.14, Florida Statutes. These devices and methods shall meet the criteria outlined in the water conservation plan of the public water supply permit issued to the Seminole Improvement District by the South Florida Water Management District.

**Wastewater Management**

51. No building permits shall be issued for the Callery-Judge Grove Development of Regional Impact until the developer has obtained written confirmation from the

Seminole Improvement District or any other accredited wastewater services provider that adequate wastewater treatment capacity is available to serve the proposed development. No certificates of occupancy shall be issued for the Callery-Judge Grove Development of Regional Impact until the developer obtained written confirmation from the wastewater services provider that service/collection infrastructure is operational to serve the proposed development.

**Solid Waste and Hazardous Materials**

52. Prior to issuing site plan approval for any phase of development, the developer shall provide to Palm Beach County planning staff written evidence from the Palm Beach County Waste Management Disposal District that adequate facilities will be available when needed.

**Air Quality**

53. No later than 180 days prior to the issuance of the first certificate of occupancy for Phase 1 (2009) the Developer shall meet with Palm Beach County Health Department and Florida Department of Environmental Protection to establish parameters for a Carbon Monoxide Air Quality Analysis. The analysis shall incorporate the methodology of the latest Florida Department of Environmental Protection guidelines and shall address worst case carbon monoxide concentrations for this phase. The analysis shall be limited to consideration of the following LOS "E" or "F" intersections:

    - Northlake Blvd. and Ibis Shopping Center
    - Northlake Blvd. and Ibis Blvd.
    - Persimmon Blvd. and Avocado Blvd.
    - Persimmon Blvd. and Coconut Blvd.
    - Okeechobee Blvd. and 140th Avenue

    In addition any surface parking area of 1500 vehicle trips per hour or parking garage of 750 vehicle trips per hour will also need to be considered for a Carbon Monoxide Air Quality Analysis.

54. No later than 90 days prior to the issuance of the first certificate of occupancy for Phase 1 (2009) the Developer shall submit a Carbon Monoxide Air Quality Analysis, based upon the agreed methodology, to Palm Beach County Health Department and Florida Department of Environmental Protection for their review and approval. The analysis shall demonstrate that the National Ambient Air Quality Standards for Carbon Monoxide will not be violated as a result of this project and if necessary, shall include mitigation measures for which the Developer shall be responsible.

55. Upon request for project approval of either Phase 2 (2014) or Phase 3 (2019) an air quality methodology meeting will be required to establish parameters for an

additional Carbon Monoxide Air Quality Analysis utilizing the latest Florida Department of Environmental Protection guidelines.

56. During land clearing and site preparation, soil treatment techniques appropriate for controlling unconfined particulate emissions shall be undertaken. If construction on a parcel will not begin within thirty days of clearing, the soil shall be stabilized until construction of the parcel begins. Cleared areas may be sodded, seeded, landscaped or mulched to stabilize the soil. Minimal clearing for access roads, survey lines, fence installation, or construction trailers and equipment staging areas is allowed without the need for soil stabilization. The purpose of this condition is to minimize dust and dirt production during land clearing and to prevent soil from becoming airborne between the time of clearing and construction. These provisions shall be addressed in any land clearing permit(s) issued by Palm Beach County for the project.

HUMAN RESOURCE ISSUES

**Housing**

57. Prior to undertaking the development of Phase 2, the developer shall provide a new analysis of affordable housing demand, supply and need using methodology agreed to by the Department of Community Affairs and Treasure Coast Regional Planning Council. The analysis shall be for the entire Callery-Judge Grove DRI plan of development not just Phase 2. The analysis will be submitted to Palm Beach County, the Department of Community Affairs and Treasure Coast Regional Planning Council for review and approval. If an adequate housing need is identified, then, consistent with Rule 9J-2.048, F.A.C., the developer shall undertake the appropriate remedial actions to mitigate the need consistent with Rule 9J-2.048, F.A.C.

58. The Callery-Judge Grove DRI is expected to generate an adequate housing demand of approximately 2,947 housing units and an unmet affordable housing need of 569 housing units for moderate income households. This level of adequate housing need exceeds the significance impact threshold established in Rule 9J-2.048 for Palm Beach County. The developer of record is required to mitigate for the significant adequate housing impact by constructing 569 owner-occupied or rental units in any combination therein on site within the affected affordability range shown in the table below. Rental units shall remain affordable as defined by Palm Beach County's Workforce Housing Program policies for a period of no less than 20 years from the issuance of the Certificate of Occupancy. Owner-occupied housing units shall remain affordable for a period of no less than 10 years from the issuance of the Certificate of Occupancy.

| Sales Price* | Monthly Rent* | Need | Minimum No. of Units Proposed for Construction |
|---|---|---|---|
| $200,000 to $245,000 | $1,165 to $1,400 | 163 | 163 |
| $245,000 to $275,000 | $1,400 to $1,540 | 406 | 406 |
| | | **569** | **569** |

*Sales prices and monthly rents of the affordable housing units should be adjusted annually to reflect changes in the HUD published area median income data for Palm Beach County.

**Schools**

59. Prior to the issuance of any site plan approvals, the developer shall secure a development agreement with the Palm Beach County School District that assures: 1) new student stations required to serve school age children from this development are available concurrent with the need; and 2) the following actions take place:

    a) The dedication of two fifteen-acre elementary school sites and one twenty-acre middle school site as indicated in the proposed site plan to the Palm Beach County School District, provided that drainage for the middle school site be accommodated off-site as part of a larger master stormwater program.

    b) For Phase 1, with a proposed development program of 3,000 dwelling units and current student generation rates for Palm Beach County, the developer shall contribute a proportionate share of all costs necessary to construct the following school facility types to be built according to current State of Florida and Palm Beach County School District standards and operated and maintained by the Palm Beach County School District:

        (1) 60% of all costs necessary to construct one new elementary school;

        (2) 14% of all costs necessary to construct one new middle school;

        (3) 10% of all costs necessary to construct one new high school.

    c) For all future phases of development, a similar breakdown of costs per facility type shall be calculated and assigned to the developer utilizing the proposed number of dwelling units and Palm Beach County School District student generation rates.

    d) The development agreement with the Palm Beach County School District shall provide for a formula for the reimbursement of educational impact fees that would normally be assessed of dwelling units within the proposed development.

**Police and Fire Protection**

60. Prior to obtaining specific site plan approvals, the developer shall provide Palm Beach County written confirmation from the Palm Beach County Sheriff that law enforcement is adequate to serve those portions of the project proposed for approval.

61. Prior to the commencement of any development activities on the project site, the developer shall provide 12.5 acres to Palm Beach County for sheriff, fire rescue, and other public facilities described in the Callery-Judge Development of Regional Impact Application for Development Approval pursuant to the December 2, 2003 Agreement for Donation of Lands between Palm Beach County and Callery-Judge Grove, L.P. (see Appendix M, Agreement for Donation of Lands). The developer shall dedicate the 12.5 acres free and clear of all liens and encumbrances at a location(s) acceptable to Palm Beach County, the Palm Beach County Sheriff, and Palm Beach County Department of Community Services Fire Rescue Division.

62. Prior to obtaining specific site plan approvals, the developer shall provide Palm Beach County written confirmation from Palm Beach County Fire Rescue that there is sufficient manpower, equipment and response time to adequately serve the fire protection/emergency medical service needs for those portions of the project proposed for approval.

**Hurricane Preparedness**

63. Prior to obtaining a certificate of occupancy for any residential structure located on any development parcel, the developer shall provide evidence from the Palm Beach County Department of Emergency Management, that emergency shelter facilities will be available to meet the estimated need based on the estimated percentage of evacuees expected to seek shelter locally. Emergency shelter requirements may be accomplished through providing a combination of safe spaces within each home and/or constructing community hurricane shelter spaces within the development.

**Historic and Archaeological Sites**

64. Prior to obtaining specific site plan approvals, the developer shall conduct a Phase 1 Cultural Resource Survey on the entire project site. The survey shall be designed to identify additional archaeological deposits and cultural resources, and determine the significance of site 8PB11369, which was identified on the project site during a Reconnaissance Level Cultural Survey and recorded with the Florida Master Site File of the Division of Historical Resources, Florida Department of State. The Phase 1 Cultural Resource Survey shall include recommendations for the protection of all locations on the project site determined to be significant by the Division of Historical Resources.

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

**Energy**

66. The final site and building designs shall comply with Florida Thermal Efficiency Code Part VII, Chapter 553, Florida Statutes. To the maximum extent feasible the project shall also incorporate measures identified in Council's energy plan guide entitled, Energy Planning in the Twenty-First Century: A Guide for Florida Communities, updated January 2003; and the Strategic Regional Policy Plan.

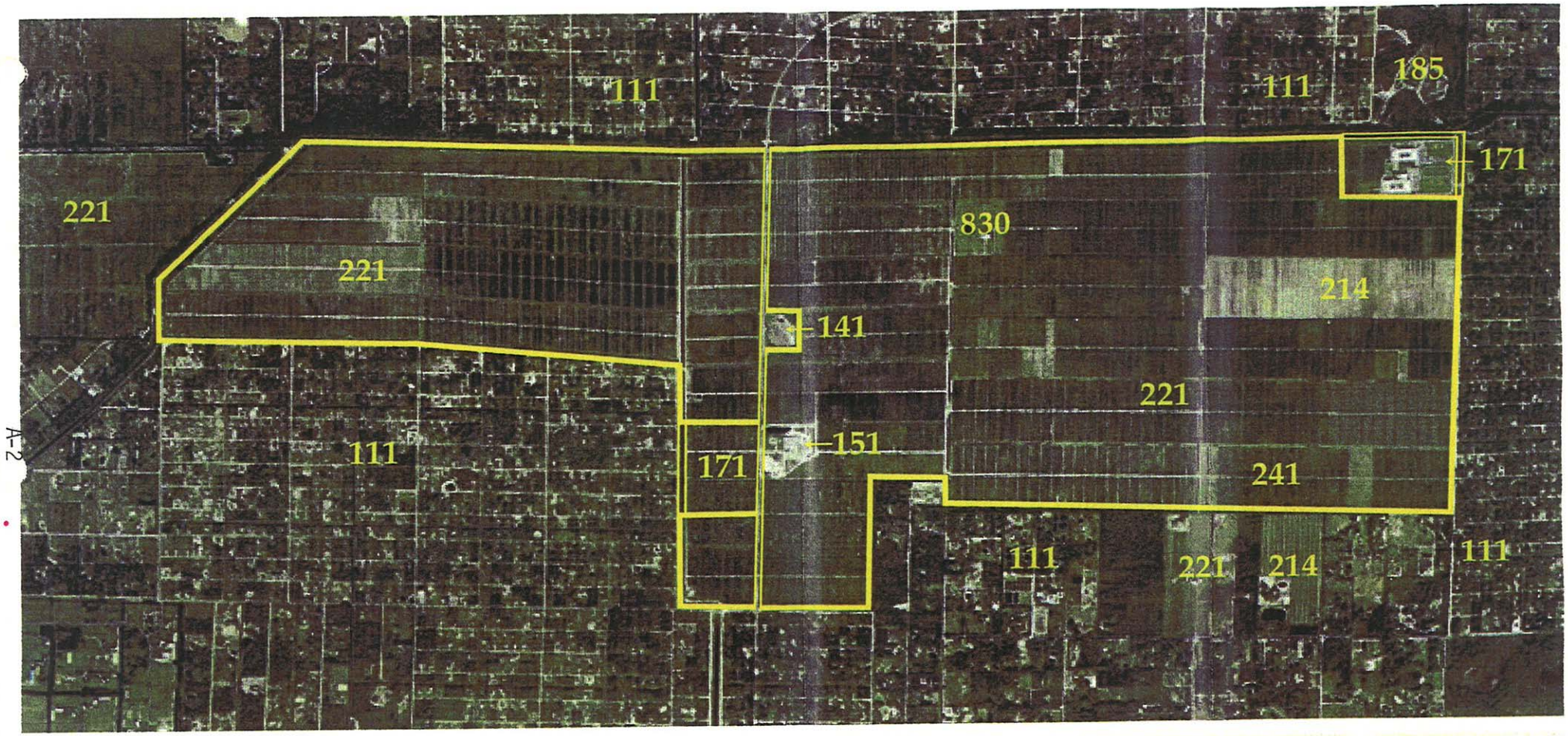
67. The developer shall incorporate each of the 17 methods to save energy outlined in Appendix D, Energy Saving Methods, unless it can be demonstrated to the satisfaction of Palm Beach County that individually each method is not cost effective.

# APPENDIX A

# Maps

This appendix contains the following maps related to the Callery-Judge Grove DRI:

Existing Land Uses ..... A-2
Transportation Study Area ..... A-3
Archaeological site ..... A-4
Central Western Communities Sector Plan ..... A-5




A-2

**Land Use Code Legend**

111 - Single Family Detached Housing

141 - Shopping Center

151 - Packing Plant

171 - Public Schools (Existing and Under Construction)

185 - Park

214 - Row Crops

221 - Citrus Grove

241 - Trees for Nurseries

830 - Utility Plant

THE CALLERY-JUDGE GROVE DRI

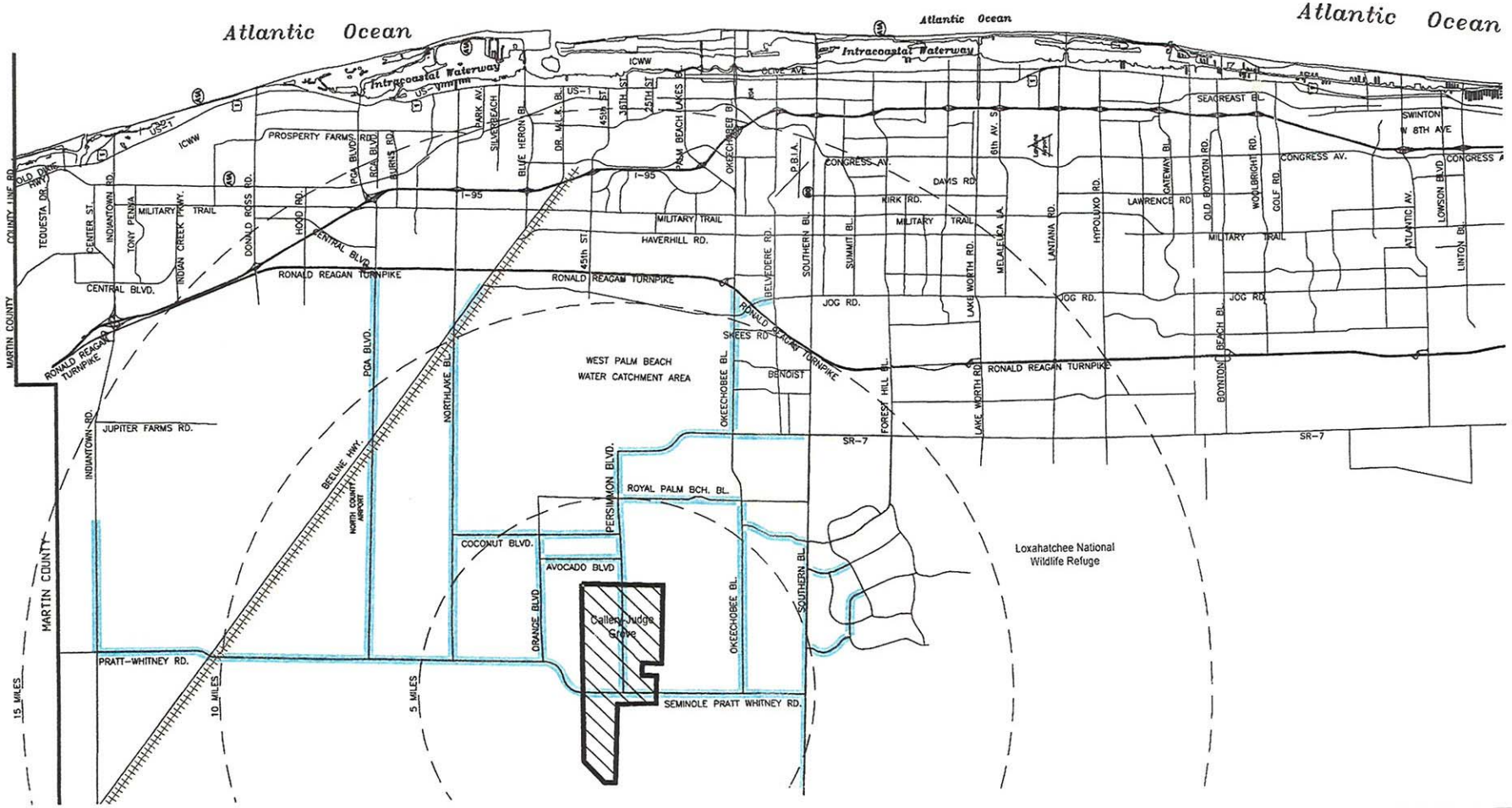
*July 2004*

N

# Map D

Existing Land Uses

Scale: 1"=2000'




Legend

Road included within study area

Existing Palm Tran bus routes

THE CALLERY-JUDGE GROVE DRI

*Revised July 2005*

N

# Map J

Transportation Study Area

Not to Scale

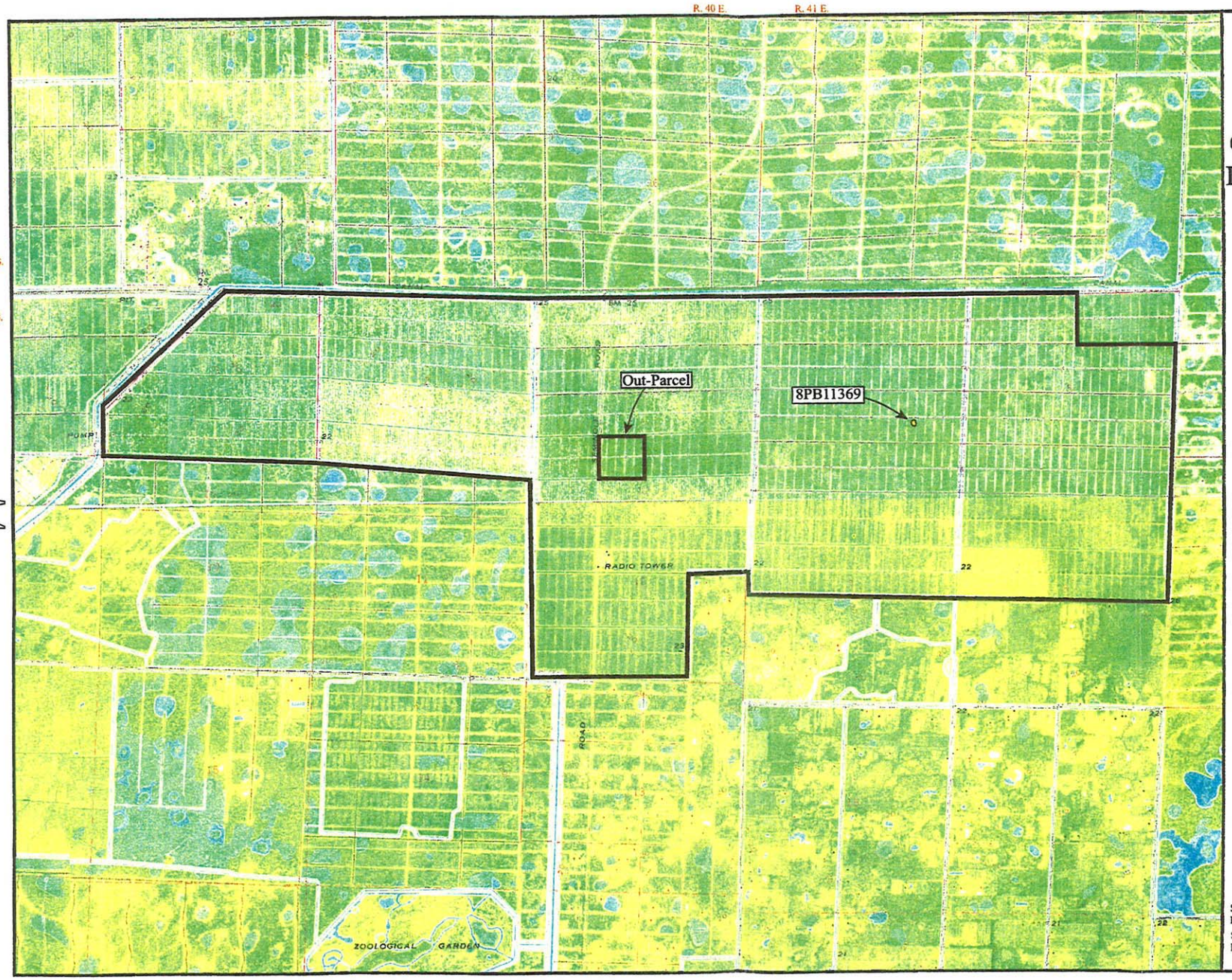



Figure 6.
Callery-Judge Grove DRI Project Area and Newly Recorded Archaeological Site

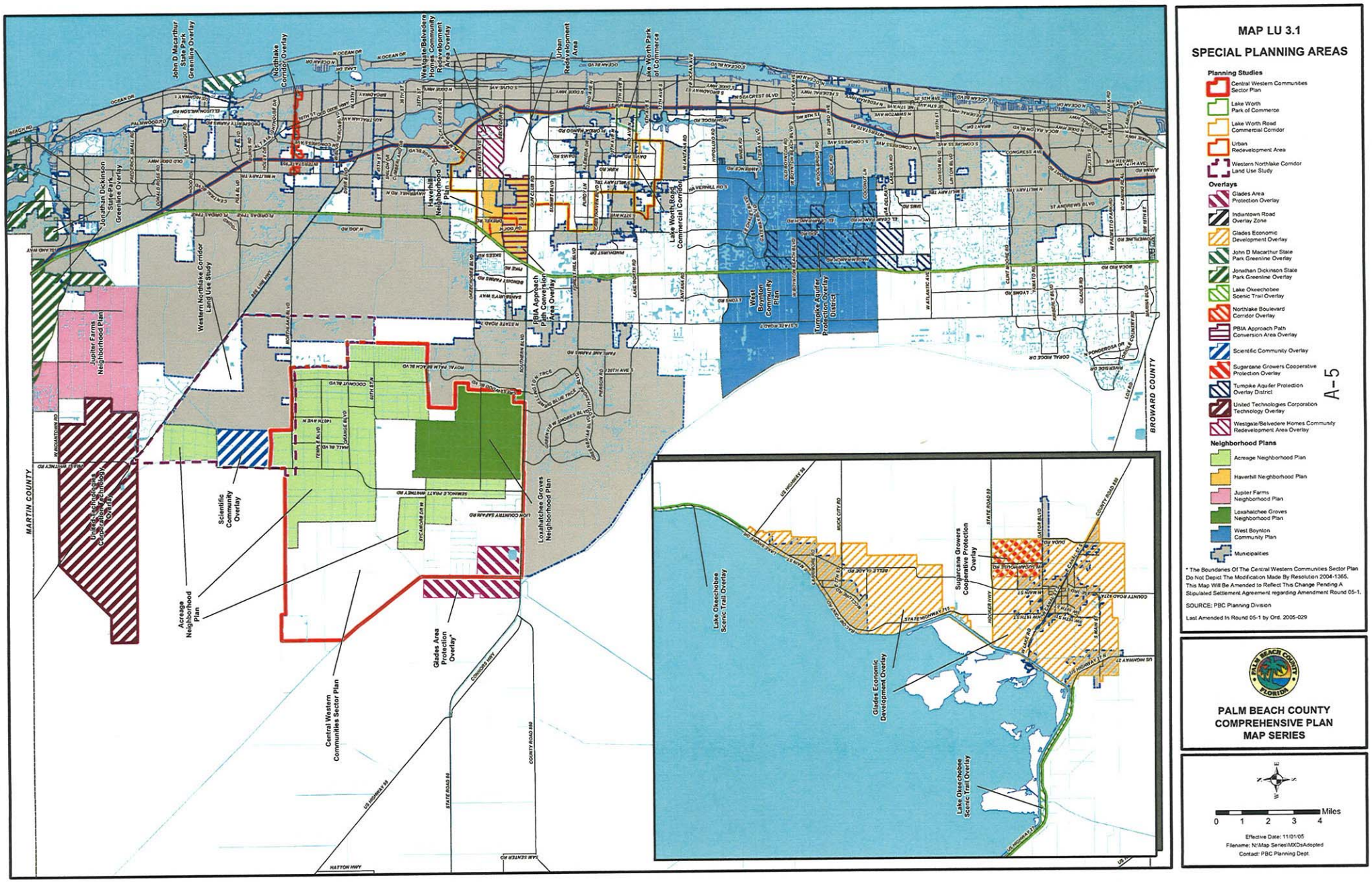
Project Area

Archaeological Site 8PB11369

N

SOURCE: USGS Quadrangle Map, LOXAHATCHEE, FLA., 1971, Revised 1984

SOURCE: USGS Quadrangle Map, WEST OF DELTA, FLA., 1971, Revised 1984


MAP LU 3.1
SPECIAL PLANNING AREAS
Planning Studies
Central Western Communities Sector Plan
Lake Worth Park of Commerce
Lake Worth Road Commercial Corridor
Urban Redevelopment Area
Western Northlake Corridor Land Use Study
Overlays
Glades Area Protection Overlay
Indiantown Road Overlay Zone
Glades Economic Development Overlay
John D Macarthur State Park Greenline Overlay
Jonathan Dickinson State Park Greenline Overlay
Lake Okeechobee Scenic Trail Overlay
Northlake Boulevard Corridor Overlay
PBIA Approach Path Conversion Area Overlay
Scientific Community Overlay
Sugarcane Growers Cooperative Protection Overlay
Turnpike Aquifer Protection Overlay District
United Technologies Corporation Technology Overlay
Westgate/Belvedere Homes Community Redevelopment Area Overlay
Neighborhood Plans
Acreage Neighborhood Plan
Haverhill Neighborhood Plan
Jupiter Farms Neighborhood Plan
Loxahatchee Groves Neighborhood Plan
West Boynton Community Plan
Municipalities
* The Boundaries Of The Central Western Communities Sector Plan Do Not Depict The Modification Made By Resolution 2004-1365. This Map Will Be Amended to Reflect This Change Pending A Stipulated Settlement Agreement regarding Amendment Round 05-1.
SOURCE: PBC Planning Division
Last Amended In Round 05-1 by Ord. 2005-029
A-5
PALM BEACH COUNTY COMPREHENSIVE PLAN MAP SERIES
Miles
0 1 2 3 4
Effective Date: 11/01/05
Filename: N:\Map Series\MXDsAdopted
Contact: PBC Planning Dept.
MARTIN COUNTY
BROWARD COUNTY
John D Macarthur State Park Greenline Overlay
Jonathan Dickinson State Park Greenline Overlay
Northlake Corridor Overlay
Westgate/Belvedere Homes Community Redevelopment Area Overlay
Urban Redevelopment Area
Lake Worth Park of Commerce
Haverhill Neighborhood Plan
Lake Worth Road Commercial Corridor
Western Northlake Corridor Land Use Study
PBIA Approach Path Conversion Area Overlay
West Boynton Community Plan
Turnpike Aquifer Protection Overlay District
Jupiter Farms Neighborhood Plan
United Technologies Corporation Technology Overlay
Scientific Community Overlay
Loxahatchee Groves Neighborhood Plan
Acreage Neighborhood Plan
Glades Area Protection Overlay*
Central Western Communities Sector Plan
Lake Okeechobee Scenic Trail Overlay
Sugarcane Growers Cooperative Protection Overlay
Glades Economic Development Overlay
Lake Okeechobee Scenic Trail Overlay

# APPENDIX B

# Correspondence

This appendix contains correspondence related to the Callery-Judge Grove DRI:

Palm Beach County Dept. of Planning, Zoning & Building.....B-2
South Florida Water Management District.....B-10
School District of Palm Beach County.....B-22
Callery-Judge Neighbors Advisory Committee.....B-28

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FEB 2 0 2006
TREASURE COAST
REGIONAL PLANNING COUNCIL

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

**RE: The Callery-Judge Grove Development of Regional Impact**
**Final Response to Comments**

| | |
|---|---|
| **Application Name:** | Callery-Judge Grove DRI |
| **Owner:** | Callery-Judge Grove, L.P. |
| **Applicant:** | Callery-Judge Grove, L.P. |
| **Project Manager:** | Eric McClellan, Senior Site Planner (rmcclell@pbcgov.com) |

**Location:** North of Okeechobee Boulevard and south of Northlake Boulevard, on the east and west sides of Seminole Pratt Whitney Road.

**Request:** Development of Regional Impact (DRI) Application for Development Approval (ADA).

**SUMMARY AND RECOMMENDATION:**

Several agencies of the Palm Beach County Development Review Officer (DRO) have expressed outstanding concerns with this DRI ADA. The Health Department has noted that Question 22 remains unanswered, thereby leaving air quality impacts associated with the development proposal unknown. Planning Division staff emphasizes concerns with Comprehensive Plan text amendments being proposed to accommodate the proposal; compatibility considerations between the proposed development and both existing and future uses in the vicinity of the site; potential violations of interlocal agreements and associated constraints for obtaining water and wastewater services to serve the development; uncertainty surrounding the alignment of Seminole Pratt Whitney Road; inconsistencies with the intent of the Comprehensive Plan in that TDD development shall be predominantly residential in character; the ability to incorporate mass transit; economic diversity of housing opportunities; inconsistencies with directives of the pending Sector Plan; impact on character and lifestyle; and impetus for additional requests of a similar nature and intensity despite the capacity of regional facilities and projected development patterns. Based upon these issues, the Planning Division is recommending denial of the pending text, Map Series and Future Land Use amendment requests. Traffic Division staff indicates that the applicant's response to Question 21 is inadequate and unacceptable as a basis for reaching a definitive recommendation and preparing appropriate development order conditions; methodologies and projections employed within the traffic analysis yield outstanding concern and uncertainty; roadway infrastructure identified and relied upon within the traffic analysis are inconsistent with approved long-range plans; and consideration of traffic impacts associated with multiple approvals is lacking.
For all of the foregoing, staff's recommendation is for denial of this DRI ADA.

**COMMENTS:**

ZONING DIVISION (Mr. McClellan, 233-5584 or Ms. Kwok, 233-5036)

1. The DRI Application for Development Approval (ADA) does not include adequate detail to allow for a critical evaluation at this time. Detailed and specific comments would be provided to the applicant upon review of a formal rezoning application and supporting materials for compliance with the Palm Beach County Unified Land Development Code (ULDC).

2. Zoning Division staff has identified a series of ULDC amendments that would be necessary in response to the proposed Comprehensive Plan amendments; to implement the proposed Map H; and to resolve conflicts with prevailing provisions and regulations. Further information regarding these issues can be provided upon request. Contingent upon approval of the pending DRI and Comprehensive Plan amendments, these issues would be addressed through a future ordinance. A meeting between Zoning Division staff and project representatives was scheduled for Tuesday, February 14, 2006 to discuss these issues and conflicts. However, the meeting was canceled by project representatives, who indicated that amendments may not be needed.

HEALTH DEPARTMENT (Mr. Shippey, 355-3070 ext. 1212, or Mr. Selvendran, 355-3070 ext. 1171)

1. The Department of Environmental Protection (DEP), in conjunction with the Air Quality Division of the Palm Beach County Health Department (PBCHD), completed a review of the July 2005 Traffic submittal for the Callery-Judge Grove DRI. This review was done to determine if an air quality analysis would be needed based upon "Guidelines for Evaluating the Air Quality Impacts of Indirect Sources". These guidelines require that all LOS "E" and "F" intersections impacted by 5% or more project traffic and surface parking area of 1,500 vehicle trips per hour or parking garage of 750 vehicle trips per hour be considered for air quality modeling. The traffic information provided in Appendix C-2 Intersection Volume Calculations contains five intersections operating at LOS "E" or "F". In addition, there are another 26 intersections that would operate at LOS "E" or "F" without improvements.

   PART IV, TRANSPORTATION RESOURCE IMPACT, pages 21-44 through 21-49 states that improvements are 'recommended', and no funding source are listed. The applicant has not demonstrated to the PBCHD and DEP that resources have been committed for completion of the improvements, nor has an air quality analysis been performed for these intersections. It was recommended that the applicant's representative schedule an air quality methodology meeting with Ms. Nubia Carabelas of PBCHD and Mr. Bruce Offord of the DEP to determine the extent of the analysis for carbon monoxide concentrations. To date, such meeting has not been conducted.

   Based upon the fact that the above information and analysis has not been provided, question 22 remains unanswered. Therefore, the PBCHD is in no position to support this DRI ADA at the present time.

PLANNING DIVISION (Mr. Schaad, 233-5324)

*General Planning Comments:*

1. The Planning Division is currently processing Comprehensive Plan amendments related to this DRI application. Amendments include several changes to the text of the Future

Land Use Element (FLUE) and the Map Series, and a Future Land Use Atlas amendment to change the designation on the subject site from Rural Residential, 1 unit per 10 acres (RR-10) to Traditional Town Development with underlying 5 units per acre (TTD/5) and to remove the site from the Rural Tier. Included in these amendments are several transportation-related amendments to exempt the project from the Plan's long-range traffic standards, modify future roadway plans and designate several facilities as Constrained Roadways at Lower Level of Service (CRALLS). These proposed amendments are scheduled to be heard by the County's Land Use Advisory Board (LUAB) on March 10, 2006 and tentatively scheduled for a Board of County Commissioners (BCC) Transmittal hearing on April 27, 2006. County staff is recommending denial of these Comprehensive Plan amendments. However, if the BCC elects to transmit these amendments, an adoption hearing for this DRI will be scheduled to take place on the same day as adoption of the Comprehensive Plan amendments. Because Planning Staff is recommending denial of the related Comprehensive Plan amendments, Planning Staff is therefore not in support of the DRI application.

2. The proposed development would take place within the Rural Tier of the Comprehensive Plan's Managed Growth Tier System, and adjacent to areas in the Exurban Tier. The tier system is designed to protect different lifestyles and types of communities, including rural and exurban. Given the large amounts of non-residential square footage and relatively high density of this proposed development, there may be compatibility issues between the proposed development and existing and future uses in the area that surrounds it. Compatibility with adjacent land uses will be addressed in more detail during the future land use amendment review process.

3. The site is currently in the Rural Service Area (RSA), where centralized water and sewer services are discouraged. The application indicates that the subject site would be served with water and sewer by the Seminole Improvement District, which would gain the necessary capacity by linking to the Village of Wellington's system. This would violate an interlocal agreement between Palm Beach County and the Village of Wellington, and may violate an interlocal agreement between Palm Beach County and the Village of Royal Palm Beach. This situation creates legal questions that would need to be resolved, and may affect the subject site's ability to receive centralized water and sewer services.

4. A realignment of Seminole Pratt Whitney Road has been discussed that would affect the subject site. Any DRI development order should address the possibility of such a realignment.

5. The applicant has requested a future land use designation of Traditional Town Development (TTD) for the subject property through a FLUA amendment associated with this DRI application. The Palm Beach County Comprehensive Plan includes several requirements for a TTD designation, including a master plan and design requirements, integration of uses and provision of services. Based on the information in the DRI ADA, Staff has the following comments regarding the applicant's desire for a TTD on the subject site:

    - The Plan currently requires that "a minimum of 55% of the development area be devoted to residential uses primarily as TNDs [Traditional Neighborhood Developments]." However, the applicant has proposed an amendment to the text of the Comprehensive Plan to exclude recreation/open space and public/civic uses from the development area for the purposes of this calculation. According to the phasing plan in this application, 1,246 acres of the site will be devoted to residential, or approximately 32% of the site. Staff recognizes that part of the town

center will be devoted to mixed retail, office and residential, and that credit for residential acreage would be derived from this. However, Staff is concerned that this proposed change, and that the applicant proposes to devote less than one-third of the site to residential, is inconsistent with the intent of the Plan that the TTD designation be "residentially-based." During the land use amendment process, the Plan's requirement for minimum residential acreage will need to be resolved.

- The Plan requires that a TTD be designed to include mass transit. Any DRI development order should include provisions to ensure that the site is designed to ensure that mass transit can be accommodated.

- The Plan requires that a TTD be designed to include provision of alleys in neighborhoods. The master plan is not sufficiently detailed to determine if and how the design provides for these alleys.

- The Plan requires a TTD to "have neighborhood centers, which contain civic and commercial uses that serve the daily needs of the residents within a quarter mile walk of 90% of the neighborhood residents." Any DRI development order should contain provisions to ensure that this requirement is met.

- The Plan requires that the underlying residential future land use designation for a TTD "must be appropriate for the site, compatible with the surrounding area, and be able to stand alone if the TTD is revoked." Given that the site is surrounded by rural residential FLU designations and a predominant existing lot size of at least 1.25 acres, compatibility of an underlying urban residential density with the surrounding area will need to be addressed, along with the ability of this density to stand alone on the site if the TTD were revoked.

- The Plan requires that a TTD shall "contribute to the alleviation of existing imbalances in the area relative to lack of affordable housing, retail, infrastructure, etc." This requirement should be considered during consideration of the DRI application and/or drafting of development order conditions, particularly to ensure that the proposed development does not exacerbate any existing imbalances.

6. Based on direction from the Board of County Commissioners (BCC), Planning Staff will recommend a condition of approval for this development that a minimum of 20% of all dwelling units be set aside to help meet the workforce housing objectives of the County.

*Housing:*

7. The application identified a total of 10,000 residential dwelling units to be developed consisting of single-family and multifamily units. The previous application stated a housing analysis was performed to determine housing demand, housing supply and the resulting housing need. The previous application identified 2,386 of the 10,000 proposed residential units (23.8%) target the salary range for very low (less than or equal to 50% of Area Median Income), low (>50% to 80% of AMI) and moderate (>80% to 120% of AMI) household incomes in Palm Beach County (Table 24-5). The previous application also indicated a housing demand for the very low, low and moderate-income ranges of 3,582 households (Table 24-4).

   The July 2005 response indicates a significant decrease in the number of lower income units to be constructed. The July 2005 response indicates that 569 of the 10,000 proposed residential units (5.6%) target only the salary range for moderate (>80% to 120% of AMI) household incomes in Palm Beach County (July 2005 Table 24-6). The

July 2005 response indicates a housing demand for the very low, low and moderate-income ranges of 2,947 households (July 2005 Table 24-4). The July 2005 response indicates a housing unit supply for the very low, low and moderate-income ranges of 2,386 households (July 2005 Table 24-5).

The applicant now proposes (July 2005 response) that no low or very low income units are to be constructed, and only 569 moderate income units (5.6% of the total) will be constructed. This 569 unit number appears to be based on a supply of units that are anticipated to be available to serve 2,386 of the 2,947 low, very low and moderate income households identified.

The applicant did not provide information relating to this housing analysis, including the data and methodology utilized for the housing demand calculations, nor the housing supply data and methodology utilized, including that which is anticipated to serve the 2,386 low, very low and moderate income households.

This proposed development is located within the County's "Central Western Communities Sector Plan" area. In order to be consistent with the Sector Plan, the Planning Division will include as a condition of approval for the proposed development language found within Sector Plan Policy 2.10.1-b: "All RR PDs shall require at least 20% of the units in each phase of the development area shall target the workforce housing income ranges unless an ordinance has been adopted by the BCC which provides different requirements."

*Historical and Archaeological Sites:*

8. The application includes an archeological and historical assessment "*Reconnaissance Level Cultural Resource Survey of the Callery-Judge Grove DRI, Palm Beach County, Florida*," prepared by Southeastern Archaeological Research, Inc., Jonesville, Florida, and Riverview, Florida (DHR #2004-3069 Search No. 04072, June 2004). The assessment methodology included the review of previous archaeological reports for sites within a two-mile radius of the project area, review of pertinent historic documents, maps, reports and articles regarding central and western Palm Beach County. As a result of the research and analysis it was determined prior to entering the field the most likely location for prehistoric or historic archaeological sites within the project area.

   The fieldwork consisted of a pedestrian survey of the parcel and a limited number of shovel tests that were excavated on the site. One location in the east/central portion of the property produced numerous bone artifacts identified in two shovel tests. These two positive shovel tests define the Callery-Judge site (8PB11369) newly recorded with the Florida Master Site File, at the Florida Department of State in Tallahassee.

   The Southeastern Archaeological Research, Inc., (SAR) assessment of the 3,839-acre parcel indicates, "due to the identification of site 8PB11369, it is the opinion of the Principal Investigator that a Phase 1 cultural resource survey should be conducted on the Callery-Judge Groves DRI project area." Consistent with this recommendation the application stated that the applicant is willing to have a Phase 1 cultural resource survey conducted on the site.

   The Planning Division would include as a condition of approval for the proposed development that a Phase 1 cultural resource survey be conducted on the site that includes recommendations for the protection of the Callery-Judge site (8PB11369) and any additional identified resource(s), during any development activity on the project area.

The Planning Division would include as a condition of approval for the proposed development that a "Certificate to Dig" will need to be obtained prior to any development activity on the project area, in accordance with ULDC Article 9, Archaeological and Historic Preservation, Chapter A, Archaeological Resources Protection.

*Central Western Communities (CWC) Sector Plan:*

9. On August 22, 2005, the Board of County Commissioners (BCC) adopted the Central Western Communities (CWC) Sector Plan Overlay and related policies, which are expected to guide future development in this area. Currently, this overlay and related policies are not effective due to a Statement of Intent to Find Not In Compliance issued by the Florida Department of Community Affairs (DCA) on October 31, 2005. Currently, the County and DCA are working towards a resolution of the issues raised by DCA.

   The Callery-Judge site is centrally-located within the Sector Plan. Although the Sector Plan Conceptual Overlay and related policies are not yet in effect, because they were adopted by the Board of County Commissioners (BCC), are considered a statement of policy for the County. Below is an assessment of the proposal's consistency with, and impacts on, the Sector Plan.

   The proposed DRI proposes 10,000 dwelling units and well over 4,000,000 square feet of non-residential uses, including 2,000,000 square feet of workplace/office uses. The site is centrally-located within the Sector Plan. The Sector Plan addresses the need for increasing demands on services, as this area continues to grow while providing opportunities to protect the rural character in the area and protect the environment.

   For the Callery Judge site, the CWC Sector Plan Overlay proposes a Traditional Marketplace Development (TMD) as an expansion and a retrofitting of the existing Grove Market commercial plaza, located at the northeast quadrant of the existing Seminole Pratt Whitney Road and the proposed Persimmon Boulevard, into a mixed-use development that exhibits TMD design principles. The Sector Plan recommends that a maximum of 400,000 square feet of non-residential uses be allowed for this TMD (including existing commercial uses and vested approvals).

   In addition, the Callery Judge site is one of the proposed eligible areas for the 900-acre Rural Residential (RR) Planned Development (PD). The 900-acre RR PDs provide the opportunity for unique rural planned development options to ensure the provision of significant open space. Community wide benefits, in addition to the 50% open space preservation requirement, are required to be provided in order to develop at the maximum gross densities of 1 dwelling unit per 1.25 acres. These provisions would allow variable lot sizes. In addition, these policies include restrictions on the open space uses, requirements of the development areas, workforce housing requirements, and equestrian emphasis related policies.

   Based on the proposed Sector Plan Overlay policies and regulations, the Callery Judge site could be allowed to develop a total of 400,000 SF of non-residential uses in the form of a TMD as well as no more than 3,138 dwelling units as part of the RR PD provisions. The Callery Judge DRI proposal amounts of over 4,000,000 SF of non-residential uses and 10,000 dwelling units are significantly higher than the intensities and densities allowed by the proposed Sector Plan and are inconsistent with the BCC directives for this area.

The proposed Callery Judge DRI could have several major impacts on the Sector Plan area. First, it would significantly affect the character of this area by providing higher densities and intensities that are appropriate for urban/suburban areas and not for exurban/rural areas such as the Sector Plan area. Secondly, this proposal could lead to additional requests for similar densities and intensities for the other major undeveloped areas of the Sector plan. This would result in thousands of additional dwelling units and several millions of non-residential uses for this area, which could overburden the region's facilities and would significantly modify the area's lifestyle and character. Finally, the request for 2,000,000 square feet of workplace/office uses for Callery Judge could have an effect on the viability of the Sector Plan's proposed Employment Center, which would be located on Southern Boulevard and would have up to 943,000 square feet of workplace and office uses.

ENVIRONMENTAL RESOURCES MANAGEMENT (Mr. Kraus, 233-2476 or Mr. Walesky, 233-2424)

1. ERM proposes that the flow-way enter the prospective development from the M canal in the southwestern quadrant, meander through the northern half of the property, and exit back into the M canal in the northeastern quadrant of the site. The flow-way shall have an upland buffer to provide separation from residential development.

TRAFFIC DIVISION (Mr. Allen Ennis, 684-4031)

*The following commentary is taken from a letter dated December 22, 2005 from Allen Ennis, P.E., AICP, Assistant Director, Palm Beach County Traffic Division, and addressed to Michael J. Busha, AICP, Executive Director, Treasure Coast Regional Planning Council*

The Palm Beach County Traffic Division has reviewed the "Response to Second Round of Sufficiency Comments" for DRI Application Question 21 – Transportation (prepared by Kimley-Horn and Associates, Inc.), which the applicant in his cover letter has indicated "will be the final response to sufficiency comments". County staff has concluded that the applicant's response to sufficiency comments is inadequate and thus does not constitute an acceptable basis upon which your staff can develop a recommendation and set of development order conditions.

As proposed at the December 16, 2005 meeting with your traffic consultant Maria Tejera and Florida Department of Transportation (FDOT) representatives, Palm Beach County is prepared to work with your staff and with FDOT in developing an alternate DRI traffic study and set of conditions that will more accurately address the far-reaching impacts of this proposed development. We believe that the applicant has not demonstrated good faith in attempting to meet with the review agencies to resolve outstanding issues. Contrary to the applicant's representations, there are no significant areas of disagreement between the review agencies in our opinion and, given the opportunity, we believe that the agencies (as discussed at the December 16, 2005 meeting) will be able to develop a consensus position on this project. If the applicant insists on proceeding to the Treasure Coast Regional Planning Council board with the existing traffic study and conditions based thereupon, then we intend to present our alternate findings at the Council meeting.

In its comments on previous Callery Judge Grove DRI sufficiency responses, the Traffic Division has identified specific problems with the traffic distribution/assignment from the proposed development. Since traffic distribution/assignment is a key input to the traffic study, this assumption has considerable bearing on the final results. In many areas we identified, there are an insufficient number of existing and projected housing units to absorb the traffic generated by the proposed Callery Judge Grove DRI.

Although the applicant's traffic consultant has repeatedly defended the infallibility of the model in arriving at "an objective measure of distribution and assignment for the three project phases" in the DRI traffic study submittal (Page 20, November 2005 Sufficiency Response), the consultant has contradicted this statement in the Future Land Use Amendment submittal to Palm Beach County where it is stated that "manual adjustments to model distribution were made at two locations ... the model disproportionately assigned project traffic to Okeechobee Boulevard" (Page 8, Traffic Analysis for Comprehensive Plan Amendment, Callery Judge Grove, Revised November 2005, Kimley-Horn and Associates, Inc.).

Also, previous comments from the Traffic Division have expressed concern about roadway segments and intersections that the applicant's traffic consultant has projected to fail adopted level-of-service standards but has not recommended any specific improvements for. Instead, the consultant has categorically stated (without any justification) that "in cases where future volumes exceed the generalized service volumes, the actual operating conditions, with the recommended improvements, are projected to be acceptable" (Page 10, November 2005 Sufficiency Response). Although monitoring of traffic can be part of a development order condition, specific improvements need to be identified to meet the adopted level-of-service because there is no guarantee that "actual operating conditions will be acceptable". For example, in cases where projected traffic results in more than a 1.2 volume/capacity ratio, it has been our experience that more detailed arterial analysis will still show that operating conditions will exceed adopted standards.

With respect to the Future Land Use Amendment and the DRI traffic studies, it should be noted that the consultant is proposing two urban interchange improvements that are not consistent with the County's 2025 and 2030 Long-Range Transportation Plans and for which no right-of-way is being identified under the County's Thoroughfare Right-of-Way Identification Map. These urban interchanges are proposed for the Okeechobee Blvd/SR 7 and Northlake Blvd/Beeline Highway intersections. With regard to the Okeechobee/SR 7 intersection, however, please note that the future volumes projected by the consultant are much too low because traffic was not considered from 36 developments (per the County's major project spreadsheet that is updated monthly) that have been approved but not yet built-out.

The applicant is also requesting an exemption from Policy 3.5 d. of the County Comprehensive Plan, which is the traffic standard test applied to all future land use amendments in Palm Beach County. The only exemption that has been granted to this policy has been for the Palm Beach Biotechnology Research Park (Scripps) on the Mecca Property. Arguably there is no similar public benefit in a for-profit, private development such as Callery-Judge Grove and therefore this exemption is not supported by Palm Beach County staff.

Please note that the applicant has not yet submitted a traffic study to meet Palm Beach County concurrency requirements. This DRI traffic study will not satisfy the County concurrency requirements not only because there has been no agreement on the basic inputs to the traffic study but also because of differences in standards/methodologies. Any submittal for County concurrency purposes will need to utilize the latest approved traffic count information as well as the latest version of the County standards.

In summary, given the above-mentioned problems that remain with the Callery-Judge Grove traffic study submitted by the applicant, the County Traffic Division wishes to reiterate its desire to assist your staff in developing an alternate report and set of recommended conditions that will address mitigating the real impacts of this proposed major development.

METROPOLITAN PLANNING ORGANIZATION (Mr. Whitfield, 684-4170)

1. No comments have been received from this agency in regards to the DRI ADA request.

SOUTH FLORIDA WATER MANAGEMENT DISTRICT
3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

LAN 01

February 16, 2006

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REGIONAL PLANNING COUNCIL

Mr. Michael Busha, Executive Director
Treasure Coast Regional Planning Council
301 East Ocean Boulevard, Suite 300
Stuart, FL 34994

Dear ~~Mr. Busha~~:

**Subject: The Callery-Judge Grove, DRI No. 04-467**

Enclosed is a copy of the District's Impact Assessment Report for the above subject project. The report is a general technical assessment of the project based on information provided by the applicant and does not constitute final finding agency action.

We appreciate this opportunity to participate in the review process. If you have any questions concerning our review of this project, please give me a call at (561) 682-6862.

Sincerely,

James J. Golden, AICP
Senior Planner
Environmental Resource Regulation

/jjg

Enclosure

c: Michael Byrd, Kimley-Horn & Associates, Inc.



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IMPACT ASSESSMENT REPORT

Prepared by

South Florida Water Management District

Issued February 16, 2006

## I PROJECT SUMMARY

| | |
|---|---|
| Project: | The Callery-Judge Grove |
| Developer: | Callery-Judge Grove, L.P. |
| SFWMD ID No: | 04-467 |
| Location: | Sections 1,2,3,5,6,7,8&12/Township 43 South/Range 40&41 East, Palm Beach County |
| Size: | ±3,924 acres |
| Existing Land Use: | Citrus Grove/Row Crops/Tree Nursery/Utility Plant/Shopping Center/Packing Plant/Public Schools |
| Proposed Land Use: | Mixed-use, including Residential (10,000 dwelling units), Hotel (150 rooms), Retail (1,300,000 square feet), Workplace Office/Industrial/R&D (2,000,000 square feet), Town Center Office (500,000 square feet), College/University (2,000 students), Middle School (1,300 students), Elementary School (2,000 students), Community Facilities (250,000 square feet), Country Club with Golf Course (18 holes) |
| DRI Threshold: | Exceeds mixed-use threshold, pursuant to Chapter 380.0651(3)(i), F.S. |

## II GENERAL PROJECT-RELATED INFORMATION

The Callery-Judge Grove DRI (a/k/a the Seminole Improvement District) is a proposed ±3,872 acre mixed-use development located in central Palm Beach County (see Exhibit 1). The project site is bisected by Seminole-Pratt-Whitney Road and is bounded on the north, east, and south by existing large lot single-family homes within a development known as "The Acreage". There is an existing citrus grove (a/k/a Indian Trail Community Improvement District) located west of the project site.

The Master Development Plan (see Exhibit 2) proposes the following land uses: Residential (10,000 dwelling units), Hotel (150 rooms), Retail (1,300,000 square feet), Workplace Office/Industrial/R&D (2,000,000 square feet), Town Center Office (500,000 square feet), College University (2,000 students), Middle School (1,300 students), Elementary School (2,000 students), Country Club with Golf Course (18 holes). Development is scheduled to occur in three phases with build-out in 2019.

## III POTENTIAL FOR ADVERSE REGIONAL IMPACTS SUMMARY

| Category | Minimal | Significant | Major |
|---|---|---|---|
| Surface Water Management – Quantity | X | | |
| Surface Water Management – Quality | X | | |
| Wetlands/Other Surface Waters – Functions | X | | |
| Water Use | | X | |

## IV CONCLUSIONS AND RECOMMENDATIONS

The available information is not detailed enough for District staff to finalize its evaluation of the proposed DRI. As of the date of issuance of this report, the District had not received for review the comprehensive plan amendments necessary to support the proposed development. In addition, no permit applications had been submitted to the District for this project. Unresolved issues that will need to be addressed during the permit application review process include the project's proposed potable and non-potable (landscape irrigation) water supply and submittal of additional calculations/design details for the proposed surface water management system (see the summaries below and the checklist and footnotes on pages 6 through 9 for additional details).

### Water Use

Potable water supply is proposed to be provided by the Seminole Improvement District (SID). The SID currently does not have an adequate permitted allocation to meet the demands of this project. The applicant is proposing to meet the project's landscape irrigation demands by withdrawals from on-site surface water sources.

For additional details concerning the above as well as permitting requirements, see "Permits" and "Other Related Issues/Requirements" on pages 3 and 4 and the Water Supply and Development Checklist and Footnotes on pages 6 and 7.

The District is recommending a Development Order Condition (see page 5) requiring that specific conservation measures be incorporated into the project design.

### Surface Water Management

The existing agricultural activities have been permitted by the District under Permit No. 50-00021-S.

The proposed surface water management system will consist of a network of inlets, culverts, lakes, and an outfall control structure. Water quality treatment will be provided within the on-site lakes for the overall development. Dry pretreatment areas will be provided for the commercial and industrial areas prior to discharge into the on-site lakes. Discharges will be directed into the C-51 Canal via the M-2 Canal. The ADA indicates that the proposed surface water management system will be designed to meet the requirements of the District's C-51 Basin Rule.

The District has had discussions with the applicant regarding use of the project's surface water management system to remove some of the phosphorus load from the M-Canal to further the goals and objectives of the Comprehensive Everglades Restoration Plan (CERP). These discussions are ongoing.

Issues to be resolved prior to issuance of an Environmental Resource Permit (ERP) include submittal of additional calculations/design details.

For additional information concerning the proposed surface water management system design as well as permitting requirements, see "Permits" below and the Surface Water Management Checklist and Footnotes on pages 8 and 9.

Wetlands/Other Surface Waters-Functions

No existing wetlands were previously identified by the District on the project site during the review of the permit application for the existing agricultural activities (Permit No. 50-00021-S). Consequently, the Environment checklist and footnotes have been deleted from this report.

Permits

This project will require the following District permits prior to commencement of construction:

1. Environmental Resource Permit - A modification to Permit No. 50-00021-S for conceptual approval and for construction and operation of the surface water management system for the proposed development and for the proposed impacts to other surface waters.

2. Water Use Permit - a modification to Water Use Permit No. 50-03711-W (issued to the Seminole Improvement District) for the proposed on-site withdrawals from the Floridan aquifer for potable water supply.

3. Water Use Permit - for the proposed surface water withdrawals for landscape irrigation.

4. Water Use Permit - for certain dewatering activities proposed for the construction of project lakes, utilities and/or road or building foundations.

The applicant must meet District criteria in effect at the time of permit application.

Other Related Issues/Requirements

The Seminole Improvement District's (SID's) Water Use Permit (Permit No. 50-03711-W) has a permitted allocation of 0.365 MGD (133.35 MGY) with an expiration date of April 12, 2006. The permitted allocation necessary to adequately serve the project's potable water demands at buildout will likely be higher than that estimated in the ADA (3.503 MGD). The membrane treatment process that the SID utilizes has an expected recovery rate of around 75% (increasing the raw water needs by about 33%) and the estimated demands for residential units are based on water use

rates (168 g/du/day – 240 g/du/day) lower than traditionally utilized rates (in the absence of a corresponding goal-based conservation commitment). It is anticipated that approximately 6.0 MGD of raw water supply would be needed to accommodate the potable water demands of the proposed project at buildout.

The SID is a Chapter 298 Special District. As such, the SID is required to submit its Water Control Plan future facility planning to the District for review and comment as to "*consistency with the applicable water resource plans and policies*", pursuant to Chapter 298.225(5), F.S. This Water Control Plan can also constitute the special district public facilities report that is required to be provided to local governments for their comprehensive planning, pursuant to Chapter 189.415, F.S., and which may be utilized by local governments to help construct their newly required 10-year water supply facility work plan, pursuant to Chapter 163.3177(6)(c), F.S. The Palm Beach County 10-year water supply facility work plan will need to address not only the county utility's water supply facility planning, but also the building of all "*public, private, and regional water supply facilities, including development of alternative water supplies, which are identified in the* [comprehensive plan potable water] *element as necessary to serve existing and new development*" within its jurisdiction, including the SID's water supply facilities. The first five years of the 10-year work plan must also be included within the county's Capital Improvements Element (CIE).

In addition to the above, a provision was added during the last legislative session that appears to apply to the SID: "*A district which has an adopted water control plan and is located entirely within an unincorporated portion of a county shall be the exclusive provider within the district for services and facilities as authorized by this chapter or special act and included in an adopted water control plan.*" [Chapter 298.225(5), F.S.]

However, neither the current Palm Beach County comprehensive plan, nor the current SID Water Control Plan on file at the District, depict future infrastructure plans for the SID sufficient for the provision of water supplies adequate to serve the proposed DRI development, particularly during its first two phases (i.e. 2005-2014). Therefore, neither the consumptive use permitting, nor the required water supply facility planning by the SID is in place to ensure the availability of water supplies sufficient to meet the proposed DRI demands. Pursuant to Rule 9J-2.044(6)(a) and (b), F.A.C., it appears that the proposed DRI will have a significant potable water usage impact that is both unmitigated and inconsistent with the current local government's comprehensive plan.

Reclaimed water plays a significant role in meeting the needs of the lower east coast region and this is expected to increase in the future. The District currently requires water use permit applicants to use reclaimed (reuse) water unless the applicant demonstrates that such use is not environmentally, economically, or technically feasible. Much of the future reuse within the region should occur in newly planned developments, as it is much more cost-effective to install reuse distribution systems at the time of initial development. Reuse can be very effectively implemented through mandatory reuse zones, particularly in undeveloped areas. Palm Beach County currently has one such zone, and the county should consider whether to designate the project site, or some portion of the site, as an appropriate mandatory reuse zone.

Recommended Development Order Condition

1. The project shall utilize ultra-low volume water use plumbing fixtures, self-closing and/or metered water faucets, xeriscape landscape techniques, and other water conserving devices and/or methods. These devices and methods shall meet the criteria outlined in the water conservation plan of the public water supply permit issued to the Seminole Improvement District by the South Florida Water Management District.

## V DISCLAIMER

This review has been performed by the South Florida Water Management District to provide the Treasure Coast Regional Planning Council with a general technical assessment of the water-related impacts of this project from the District's perspective. It is a technical review of the project based on the information provided by the DRI applicant. It is not a permit under Chapter 373, F.S., nor is it a commitment for said permits. This review does not constitute final agency action and it is not binding on this agency. Permit evaluation, pursuant to Chapter 373, F.S., will be based upon the criteria in effect and the information available at the time of permit application. Consequently, the applicant is advised that this could result in a change in the District's technical assessment from that which is contained in this review.

Further, this review is not intended to restrict any formal District comments and/or objections that may be issued on the proposed comprehensive plan amendments associated with this DRI. During the formal plan amendment review process, pursuant to Chapter 9J-5, F.A.C., the District will perform a detailed evaluation of all water resource-related issues associated with this proposal and will provide its formal comments and/or objections to the Florida Department of Community Affairs (DCA).

SUBJECT: **WATER SUPPLY AND DEVELOPMENT** - The Callery-Judge Grove, DRI No. 04-467

Proposed Potable Water Source: Seminole Improvement District(1)
Permit No.: 50-03711-W
Expiration Date: April 12, 2006
Permitted Allocation: (0.365 MGD)/133.35 MGY
Current Usage: (0.1465 MGD)/53.48 MGY
Projected Demand of DRI: 3.503 MGD/1,278.60 MGY

Proposed Non-Potable Water Source: Surface Water
Projected Demand of DRI: 3.763 MGD/1,373.50 MGY

| | ACCEPTABLE RESPONSE IN APPLICATION | RESOLVABLE AT PERMIT TIME | | MAJOR REGIONAL ISSUES |
|---|---|---|---|---|
| | | MINOR | MAJOR | |
| **I. PROJECTED DEMANDS OF PROJECT** | | | | |
| A. POTABLE WATER | | | | |
| 1. Use Generation Rates | X(2) | | | |
| 2. Conservation Practices | X(3) | | | |
| B. NON-POTABLE WATER | | | | |
| 1. Use Generation Rates | X | | | |
| 2. Conservation Practices | X(3) | | | |
| 3. Wastewater Reuse | | | X(4) | |
| **II. WATER USE IMPACTS** | | | | |
| A. ON-SITE | | | | |
| 1. Proposed Sources | | | | |
| a. Groundwater | | | X(1) | |
| b. Surface Water | | X(5) | | |
| c. Wastewater Reuse | | X(4) | | |
| d. Reverse Osmosis | | X(1) | | |
| 2. Resource Capability | | | X(1) | |
| 3. Impacts | | | | |
| a. Salt Water Intrusion | | X(5) | X(1) | |
| b. Pollution/Contamination | | X(5) | X(1) | |
| c. Environmental | | X(5) | X(1) | |
| B. OFF-SITE | | | | |
| 1. Verification of Availability from Utility | N/A | | | |
| 2. Resource Capability | N/A | | | |
| 3. Impacts | | | | |
| a. Salt Water Intrusion | N/A | | | |
| b. Pollution/Contamination | N/A | | | |
| c. Environmental | N/A | | | |
| d. Other Legal Users | N/A | | | |

FOOTNOTES: See following page.

WATER SUPPLY AND DEVELOPMENT FOOTNOTES:

(1) A letter from the Seminole Improvement District (SID) was included in the ADA committing to provide potable water to serve the proposed DRI development. The SID currently does not have a sufficient permitted allocation to serve the development proposed under the DRI/ADA. Consequently, a modification to the SID's Water Use Permit (No. 50-03711-W) will be required. At the time of application for a permit modification, an impact evaluation will be required. As part of this evaluation, the SID must demonstrate that any proposed withdrawals are reasonable-beneficial, will not interfere with any existing legal users of water, are in the public interest, and will not result in any harm to existing water resources.

(2) The residential use generation rates appear to be low (see discussion under "Other Related Issues/Requirements" on page 3.

(3) See Recommended Development Order Condition on page 5.

(4) The June 14, 2004 letter from the SID indicates that the SID "expects to develop a reuse capacity to treat wastewater for irrigation quality water." However, the applicant does not adequately describe how available reclaimed water will be used. Additional details concerning the use of reclaimed water will be required at the time of application for a Water Use Permit for the project's landscape irrigation.

(5) The ADA indicates that the project's landscape irrigation demands will be met by withdrawals from the on-site surface water management system and/or reclaimed water. At the time of permit application, an impact evaluation will be required. As part of this evaluation, the applicant must demonstrate that the proposed withdrawals are reasonable-beneficial, will not interfere with any existing legal users of water, are in the public interest, and will not result in any harm to wetland and/or other surface water functions.

SUBJECT: **SURFACE WATER MANAGEMENT** - The Callery-Judge Grove, DRI No. 04-467

Drainage Basin: C-51 Sub-basin 8
Receiving Body: C-51 Canal

| | ACCEPTABLE RESPONSE IN APPLICATION | RESOLVABLE AT PERMIT TIME | | MAJOR REGIONAL ISSUES |
|---|---|---|---|---|
| | | MINOR | MAJOR | |
| **I. SYSTEM DESIGN** | | | | |
| A. QUANTITY CONSIDERATIONS | | | | |
| 1. Discharge method, location and route to receiving water | X | | | |
| 2. Floodplain encroachment | N/A | | | |
| 3. Net basin storage | | X(1) | | |
| 4. Stage/storage | | X(1) | | |
| 5. Control elevations | X | | | |
| 6. Water management areas | X | | | |
| 7. Minimum drainage | | X(2) | | |
| 8. Overdrainage | | X(2) | | |
| 9. Outparcels | N/A | | | |
| 10. Exfiltration | | X(3) | | |
| 11. Floor and road protection | | X(4) | | |
| 12. Passage of upstream flows | X | | | |
| 13. Capacity of receiving water (pre vs. post) | N/A | | | |
| B. QUALITY CONSIDERATIONS | | | | |
| 1. Standard BMP's | X | | | |
| 2. Special BMP's | | | | |
| a. Sensitive receiving waters | N/A | | | |
| b. On-site use of wastewater | N/A | | | |
| c. Location of on-site percolation ponds | N/A | | | |
| d. Proximity of on-site percolation ponds to SWM system | N/A | | | |
| 3. Use of natural system | N/A | | | |
| 4. Hazardous materials | | | | |
| a. Use/generation | N/A | | | |
| b. Management/disposal | N/A | | | |
| 5. Exfiltration systems | | X(3) | | |

FOOTNOTES: See following page

SURFACE WATER MANAGEMENT FOOTNOTES:

(1) At the time of application for an Environmental Resource Permit (ERP), the proposed project will need to demonstrate compliance with the District's C-51 Basin Rule.

(2) Minimum drainage and recovery calculations will be required at the time of application for an ERP.

(3) At the time of application for an ERP, exfiltration calculations will be required for any exfiltration facilities proposed for commercial areas within the project site.

(4) Calculations for floor and road protection will be required at the time of application for an ERP.

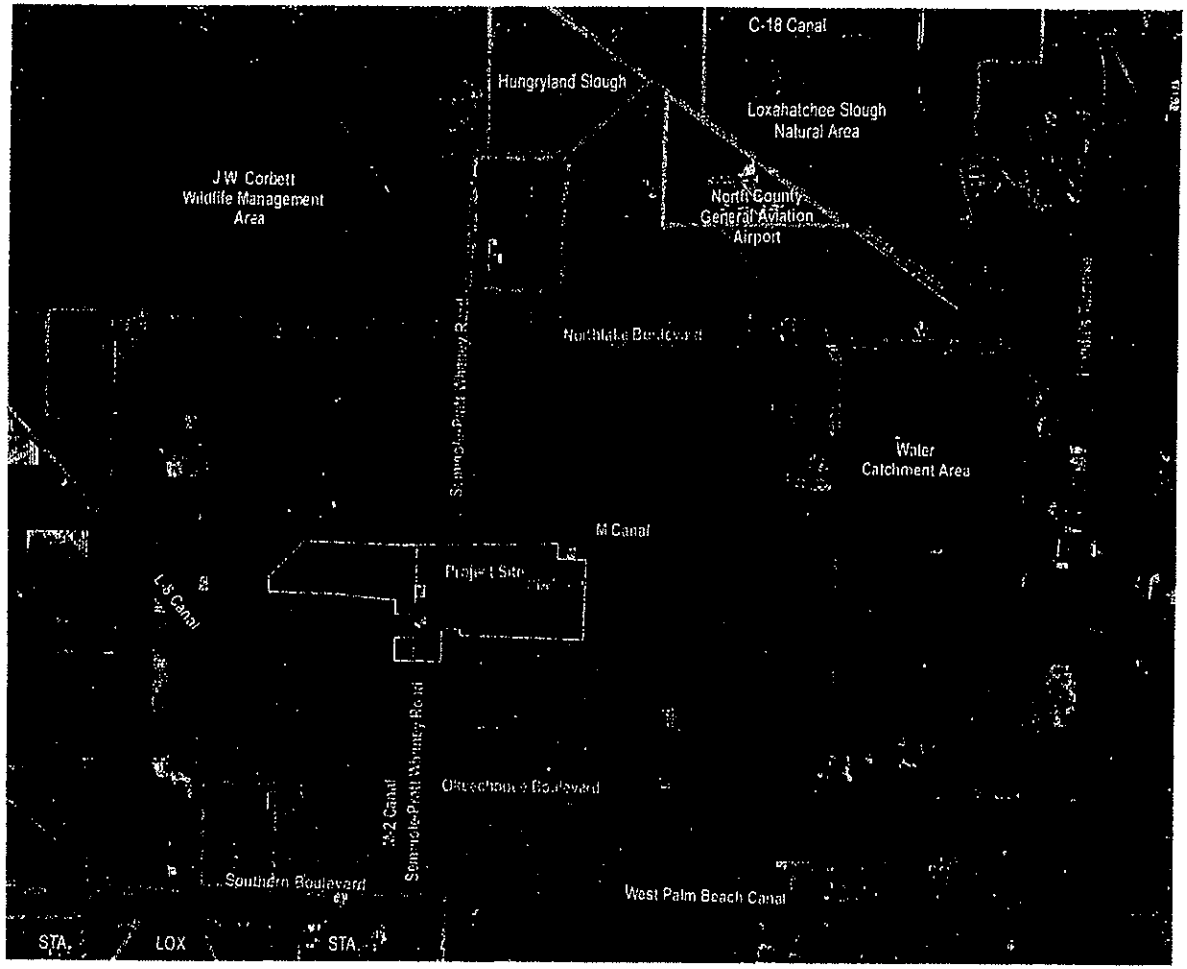





EXHIBIT 1

**Legend**

- Urban Service Boundary Area
- Natural Area
- Project Site
- Limited Urban Service Boundary Area
- Proposed Limited Urban Boundary Area

THE CALLERY-JUDGE GROVE
DRI
*July 2004*

N

# Map A

General Location Map
Not to Scale

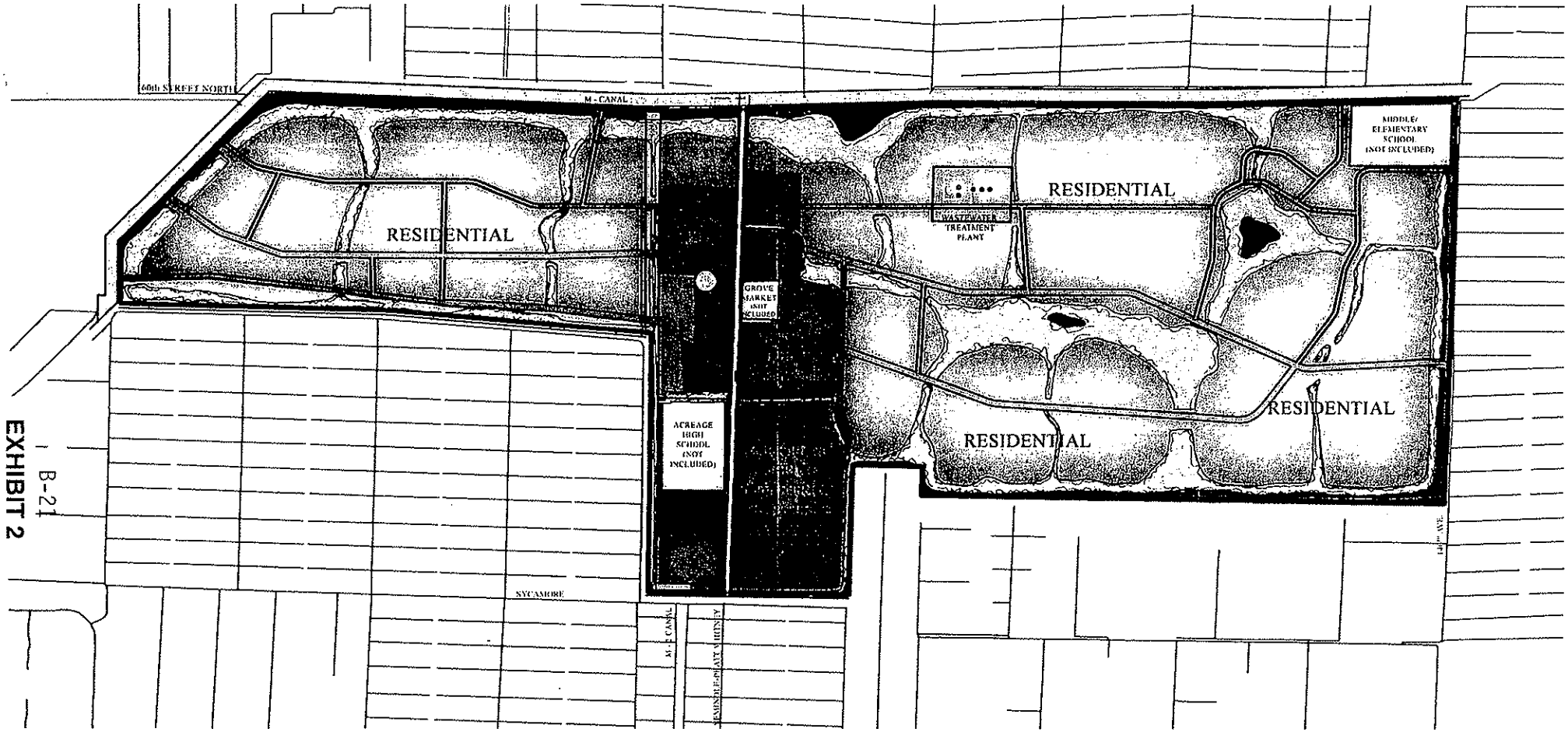



EXHIBIT 2

B-21

## Notes/Legend

Locations and configurations of proposed land uses, roads, lakes, parks, greenway, and buffers are conceptually shown and are subject to change during design and permitting.

A total of 500 acres of public open space is to be provided.

Phase 1 development may occur on all areas of the site. Phase 2 and 3 will include infill or increased densification on the site.

Boundary of waterflow areas will be determined through the permitting process. Approximately 600 acres of water will be provided.

Major utilities are expected to follow major road alignments.

- Proposed Fire Rescue, Sheriff, and Library
- Existing Potable Water Well
- College Campus
- Residential/Neighborhood-Scale Service and Retail/Recreation
- Retail/Office/Residential/Hotel
- Workplace/Office/Industrial/High Tech
- Open Space / Trail Network (Pedestrian and Equestrian) / Recreation / Bicycle / Other Amenities

# The Callery-Judge Grove DRI

*Revised July 2005*

N

# Map H

Master Development Plan

Scale: 1"=2000'

THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

PLANNING DEPARTMENT
3320 FOREST HILL BLVD. C-110
WEST PALM BEACH, FL 33406-5813

(561) 434-8020 FAX (561) 434-8187

ARTHUR C. JOHNSON, Ph.D
SUPERINTENDENT

RECEIVED
MAR 0 3 2006
TREASURE COAST
REGIONAL PLANNING COUNCIL

March 1, 2006

Kim DeLaney, Ph.D.
Growth Management Coordinator
Treasure Coast Regional Planning Council
301 East Ocean Blvd., Suite 300
Stuart, FL 34994

**RE: Callery Judge Grove DRI**

Dear Ms. DeLaney:

School District staff has continued to evaluate the proposed land use amendment affecting 3,923.71 acres in Callery Judge Grove, and the most current analysis is provided herein.

Background Information and Data

The requested land use change is from RR-10 to Traditional Town Development, with underlying five units per acre, and includes a proposal for 10,000 dwelling units. The subject property is located in Concurrency Service Area (CSA) 10 and School District Study Area Codes (SACs) 420E, 421E, 421C and 421A. Based on the School District's adopted student multipliers, 10,000 units are expected to generate approximately 1500 elementary school, 600 middle school and 800 high school students. Schools serving the area along with their current utilizations, excluding the impacts from this development, are as follows:

| Schools | FISH Capacity | CSR * Capacity | Current Enrollment | FISH Utilization% | CSR* Utilization% |
|---|---|---|---|---|---|
| Loxahatchee Groves Elementary School | 773 | 574 | 667 | 86% | 116% |
| Golden Groves Elementary School | 1000 | 756 | 805 | 81% | 106% |
| Osceola Creek Middle School | 1250 | 1067 | 1281 | 102% | 102% |
| Western Pines Middle School | 1341 | 1091 | 1364 | 102% | 101% |
| Seminole Ridge High School | 2500 | 2470 | 2235** | 89% | 90% |

* Please note that the next Capital Plan will be based on Class Size Reduction (CSR) Capacity only
** Includes estimated senior year population

District Staff Analysis of Impacts

It is important to note that the School District's adopted Capital Construction Plan did not anticipate the impacts of this proposed development. Moreover, the District has already exhausted all available capital funding sources, including the discretionary two mills allowed by Florida Statute, Certificates of Participation (COPs), modest impact fee revenues, and the recent voter-approved Half-Cent Sales Tax.

The funding situation is compounded by escalating construction costs and inadequate funding for Class-Size Reduction classrooms. Therefore, no funding source for the construction of the required schools is available, unless the funds are diverted from other planned projects. In order to fund the school construction needed to serve this development, an additional funding source will be necessary, as impact fees are expected to provide less than 30% of the necessary capital funds.

Given the lack of available funds, the existing utilization of schools in this area of the county and the substantial number of students estimated to be generated by the proposed future land use amendment, the School District staff recommends that the developer contribute the following as part of the DRI proposal:

A. School sites for three new schools – a middle school and two elementary schools.
B. A development agreement that assures financial contribution toward the construction cost of the schools necessary to serve this proposed community.
C. A financial contribution equivalent to one-third the cost of a new high school, due to the fact that the development is expected to produce approximately 800 high school students (comparable to one-third of a typical Palm Beach County high school).

My staff and I are available to meet with the developer to discuss and coordinate these issues. If you have any questions or require additional information, please contact me or Angela D. Usher at (561) 434-8205.

Sincerely,

Kristin Kern Garrison, AICP
Planning Director

cc: Joseph M. Moore, Chief Operating Officer
Joseph M. Sanches, Chief of Facilities Management
Kristin K. Garrison, Planning Director
Angela D. Usher, Intergovernmental Relations Manager
Leanne Evans, Treasurer

Board Meeting Date: January 25, 2006 Agenda Item –

APPROVED

## *SCHOOL DISTRICT OF PALM BEACH COUNTY*
## *PLANNING DEPARTMENT*

### *Developer Contributions*

**I recommend the School Board authorize staff to negotiate development agreements committing contributions toward construction of new schools for additional capacity needed to serve that development.**

- On September 14, 2005 the Board asked staff to research what other School Districts were doing regarding developer contributions and to develop a "menu of options".
- The research was completed and transmitted via a memorandum dated December 2, 2005.
- Based on this research, staff-negotiated development agreements, subsequently approved by the School Board, appear to be the most workable approach.
- Staff will analyze the impacts that residential development may have on the public school system. In cases where capacity is not available to serve the proposed development, staff would be authorized to negotiate a development agreement for financial contributions from the developer.
- Staff will make its best efforts to negotiate these agreements, however, the ultimate success of these efforts will rest on the cooperation of the County Commission and Municipal officials.
- This process would serve to supplement the School Concurrency Interlocal provisions. The agreements differ from Concurrency in that they involve negotiations of specific capacity solutions for specific projects, rather than a "level-of-service" evaluation.

**BOARD GOAL(S):** 3 **KEYRESULT(S):** 10
**LEGAL SIGN-OFF:** Blair LittleJohn III Yes X N/A ☐
**CONTACT:** moorej@palmbeach.k12.fl.us; sanchesj@palmbeach.k12.fl.us

| | |
|---|---|
| **FINANCIAL IMPACT** | Financial Impact will depend on contributions negotiated with developers. Any developer contributions would be used to supplement the Capital Construction Program. |

ARTHUR C. JOHNSON, Ph.D.
SUPERINTENDENT

THE SCHOOL DISTRICT OF
PALM BEACH COUNTY, FLORIDA

*PLANNING DEPARTMENT*
3300 FOREST HILL BLVD., C-110
WEST PALM BEACH, FL 33406-5813

(561) 434-8020 FAX: (561) 434-8187
www.palmbeach.k12.fl.us

# MEMORANDUM

December 2, 2005

TO: Board Members

THROUGH: Arthur C. Johnson, Ph.D.
Superintendent

FROM: Joseph M. Moore
Chief Operating Officer

SUBJECT: DEVELOPER CONTRIBUTIONS AND MITIGATION

The following information is provided in response to Board discussion on September 14, 2005 regarding the Board Member item submitted by Dr. Benaim. During discussion of developer contributions, Mr. Graham suggested that a menu of mitigation options be prepared and asked that staff bring back information. Toward that end, staff has contacted other Districts known to have developer contribution or mitigation procedures in place. Responses have been received from the following School Districts: Lake, Martin, Miami/Dade, Orange, and St. Lucie counties.

Based on review of this information, the following options are used by other Districts:

1. Land dedication proportionate to the impact of the project
2. Monetary contribution in lieu of land dedication
3. Payment of Impact Fees in advance
4. Payment of difference between Impact Fee and cost per student stations

Brief information regarding the programs used by the responding districts is attached for the Board's information. If you desire any additional information on this topic, please contact Kris Garrison, Planning Director, at 434-8935.

ACJ:JMM:JMS:KKG:ml

Attachments
cc: Joseph Sanches, Gerald Williams, Blair Littlejohn, Kristin Garrison

L:\Planning\Pub\BRDRPT\Bd\Member Questions\Dr Benaim 9-14-05-2.doc

# RESIDENTIAL DEVELOPER CONTRIBUTIONS & MITIGATION

| *School District* | *Approach Used* | *Brief Description* |
|---|---|---|
| Lake County | GAP Fee | Developer pays the difference between the full cost impact of the development and the current impact fee rate. |
| Martin County | Land Donation and Contributions of Mutual Benefit (CMB) | Developer donates land for a school site if > 50 units, 100 acres, and appropriate location. Otherwise, a voluntary monetary contribution in lieu of land is made. |
| Miami – Dade County | Impact Analysis Report – Capacity Threshold | If schools impacted by a residential development exceed a 115% utilization threshold, the developer must contribute the full capital cost of providing student stations or provide comparable land dedication; or combination thereof. |
| Orange County | Martinez Doctrine – Capacity Enhancement | Developer agrees to pay in advance to the County an amount equal to School Impact Fees. |
| St. Lucie County | Monetary Contribution in Lieu of Land Dedication | Land dedication for school site or fee in lieu of land calculated by formula. (Similar to Martin County) |

## RECOMMENDED PROCESS FOR DEVELOPMENT AGREEMENTS

1. When residential land use change, or re-zoning applications that increase density are submitted to a County or Municipality, staff will review impacts on our school system.

2. If new school(s) or an addition will be needed to serve the proposed community, staff will prepare a report to the local government planning agency (see attached example).

3. Staff will determine number of students generated by the proposed development, the corresponding school needs, and determine the associated costs of providing this space.

4. Staff will negotiate a Development Agreement with the property owner based on Staff analysis.

5. The Development Agreement will be placed on a Board Meeting or Special Meeting Agenda for approval.

Callery Judge Neighbors Advisory Committee
4001 Seminole Pratt Whitney Road
Loxahatchee, Florida 33470

March 2, 2006

RECEIVED
MAR 06 2006
TREASURE COAST
REGIONAL PLANNING COUNCIL

Mr. Michael Busha
Executive Director
Treasure Coast Regional Planning Council
301 East Ocean Blvd. #300
Stuart, FL 34994

Dear Mr. Busha:

With this letter we are enclosing copies of planning documents as it relates to the Callery Judge Grove application (LGA 2006-00015) for land use change. In addition, we are enclosing a summary of all the meetings held with the Neighbors Advisory Committee, which was appointed after the charrette the landowners held for the public in the fall of 2004. Attendees were asked if they would like to be involved in planning beyond the public charrette. A committee was selected from those who indicated they would like to stay involved.

The landowners set up a website – www.cjgrove.com - that gave information about the meetings...dates, topics for discussion, summary minutes, committee members and how to get in touch with them as well as newspaper articles that appeared in any of the print media in the area. Every effort has been made to keep the public informed throughout the planning process.

The committee has been pleased to be able to take part in planning the future of their community. We have not always agreed with each other but have had respect for the various opinions expressed in our meetings. In the end, we are very much in favor of the community planned by Callery Judge and hope you will recommend approval of the land use change to the County Commissioners. We plan to continue our work with the landowners in future committee meetings and look forward to a positive outcome.

Sincerely,

See Signature Page

Enclosures

**Leah Schad, Chairman**

**Cathy Probst, Secretary**

**Jesus Armas**

**Ralph Bair**

**Debbie Baj**

**Winston Crosbie**

**Lucius Wilcox**

**Josh Gentry**

**Karen Keogh**

**Dave Self**

**Mike Sexton**

**Keith Shivers**

**Rosa Durando**

**Robert Trepp**

**Cindy Ponga**

# *Callery Judge Grove*
# *Neighbors Advisory Committee*

**Callery Judge Grove landowners held a 4-part planning charrette in the fall of 2004 to include the public in planning for their property. Those attending included planners, homebuilders, politicians, lawyers, traffic engineers, residents from surrounding rural communities, environmentalists and other interested parties. In addition, the landowners asked for those attending who would like to continue the planning process to sign up. The 13 volunteer members serving on this committee were selected from a much larger list. These men and women volunteer their time and talents and have been meeting monthly since February 2005.**

**In order for the group to have meaningful input into planning the Callery Judge site however, it was necessary to understand the numerous aspects of the project and how they would interact with the property as a whole. Components included traffic, water, environmental benefits, social infrastructure, housing density, architectural design, urban planning, non-residential uses, clustering and transitional areas, open space and park lands.**

**Interaction with experts who are knowledgeable in those areas helped us to better understand how all the parts relate to the whole. The committee also visited four communities with "town centers," got off the bus, walked around and took pictures of the buildings and amenities at each stop. After looking at the developed film it was apparent to the members what they liked and disliked and what they would not want repeated at the Callery Judge site.**

**We met one evening with various members of the community who are involved with non-profit health and service organizations regarding their needs and locations in 5, 10 or more years. We addressed education; senior citizen needs and a new program titled "dark skies" that would help keep the character of rural lifestyle.**

**The overall goal of the committee is to continue to work with the landowners in order to have the best project in the county.**

**We are pleased to be a part of the process.**

# Callery Judge Grove
# Neighbor Advisory Committee

## First Principles

The landowners have provided this list of First Principles to be considered in the planning efforts. During our time as the Neighbor Advisory Committee, these practices have been discussed and applied in the plan before you.

1. Improve the environment
2. Involve the neighbors
3. Design the edges to enhance all the neighborhoods
4. Balance the situation: jobs, trails, learning & more
5. Connect: no gates, no walled-off communities
6. Create the heart of town for the western communities
7. Grow enduring, valuable, traditional neighborhoods
8. Build streets & trails the right way: functional & beautiful
9. Shorten, eliminate or retain as many car trips as we can
10. Be real

## Traffic

- Presentation by Fred Schwartz of Kimley-Horn Associates in June and October 2005

Concern: Increased traffic on existing roads and impact of these new road trips to existing neighborhoods

Recommendation: Traffic design will create a network of roads to capture road trips within the property with a variety of ways to arrive at a destination and connect to roads surrounding property to allow for shared and convenient access in and out of the property

## Environmental Benefits

- Presentation by Howard Searcy, Engineer Specialist – Drainage Operations March 2005
- Presentation by Pat Painter Ecologist/Environmentalist – discussed regional water issues and ecology March 2005
- Comprehensive Everglades Restoration Plan (CERP)

Concern: Impact of development to neighboring well and septic systems as well as eco systems and environment

Recommendation: The Callery plan offers solutions to existing problems with exfiltration, retention and detention blending solutions for the public need into a private property owner's plan. The plan provides for improvement to the overall

water system with improved water filtration, flood control, water quality, dual discharge and preserved habitats.

**Social Infrastructure**

Concern: The Acreage and Loxahatchee area offers very little commercial, retail and social infrastructure. Over the next 5, 10, 15 years, consideration must be given to the needs of the residents to bring amenties closer to our neighborhoods in a plan that encompasses diverse social needs, essential elements to good town planning and consideration to the impact on surrounding neighborhoods.

Recommendation: The following amenities were recommended for inclusion in the plan to offer a comprehensive and diverse social infrastructure.

- Religious Institutions
- Amphitheather
- Community Center
- Fitness and Equestrian Trails
- University or Community College
- Retail Stores and Professional Offices
- Library
- Entertainment i.e. Movie Theater, Bowling
- Restaurants
- Parks
- Agricultural Station
- Eco Tours
- YMCA
- Boys & Girls Clubs
- Alzheimer's Care
- Assisted Living Facility
- Hotel/Conference Center
- Schools
- Interactive Fountains

**Housing Density & Urban Planning**

- Presentation by Dan Cary May 2005
- Presentation by Kerry Kilday, Kilday & Associates May 2005

Concern: Large number of homes being constructed which will produce increased traffic, loss of "dark skies" and a change to our existing rural lifestyle.

Recommendation: Higher density will be concentrated in the interior of the property with large lot homes on the perimeter, equestrian trails will provide a buffer on

the perimeter of the property to allow "open space" between the property and surrounding neighbors, special lighting will be considered to allow "dark skies" to continue and working together we are providing a community with lasting benefit to the area by allowing surrounding neighbors to maintain their lifestyle while enhancing the overall region offering jobs, retail, entertainment, services, restaurants and more.

**Architectural Design**

Concern: Homes that all look the same with no specific style or design, "cookie cutter" homes, big box commercial stores, modern/contemporary architectural design that doesn't fit the surrounding neighborhoods.

Recommendation: The plan offers a mix of architectural design with consideration to unique and diverse looks with classic designs that are timeless for signature buildings such as libraries, churches and government centers.

**Nonresidential uses**

- Town Center Field Trip July 2005
  - Abacoa/PGA Blvd./Lake Park/City Place

Concern: Large "big box stores, modern design, concrete structures with big parking lots, traffic congestion with a city look and little landscaping or overall character.

Recommendation: New Urbanism techniques offer franchise stores to be built without the "big box" look providing a mixed use town center blending architecture to produce an appealing overall look.

**Open Space/Passive Land**

Concern: The plan will not offer open space with parks, equestrian trails, riding trails, bodies of water, etc.

Recommendation: The plan consists of the following :

- Equestrian Considerations
- Riding trails connecting to surrounding neighbors
- Boarding stables, riding ring, parking for horse trailers
- Water & Marsh amenities – passive eco interaction
- Fitness trails
- Neighborhood Parks

**Peter G. Merritt**

RECEIVED
MAR 13 2006
TREASURE COAST
REGIONAL PLANNING COUNCIL

**From:** "Maria Tejera" <mtejera@mtpgroup.net>
**To:** <lgulick@tcrpc.org>
**Cc:** <pmerritt@tcrpc.org>; <mbusha@tcrpc.org>
**Sent:** Monday, March 13, 2006 1:33 PM
**Attach:** Callery-Judge OMD DO Conditions1b.doc
**Subject:** FW: Potential D.O. Conditions for the Callery Judge Groves DRI

Hi Liz,

FDOT just send me this message regarding potential conditions for Callery-Judge DRI. These conditions pertain to multi-modal consideration and should be included as recommended conditions.
Call me if you have questions,

Maria

-----Original Message-----
From: john.krane@dot.state.fl.us [mailto:john.krane@dot.state.fl.us]
Sent: Monday, March 13, 2006 12:28 PM
To: mtejera@mtpgroup.net
Cc: Lois.Bush@dot.state.fl.us; Nancy.Ziegler@dot.state.fl.us; chon.wong@dot.state.fl.us; lisa.peterson@dot.state.fl.us; gus.schmidt@dot.state.fl.us
Subject: Potential D.O. Conditions for the Callery Judge Groves DRI

Maria,

Attached are some D.O. conditions related to Transit Guidelines, and the facilitation of multi modal considerations into the Callery Judge Groves DRI. This would be in addition to the Conditions you have already developed regarding roadway mitigation. We used the conditions we suggested for the Palm Beach County Biotechnology Research Park as the basis for these conditions.

jk

(See attached file: Callery-Judge OMD DO Conditions1b.doc)
John Krane, P.E.
Transportation Planning Engineer
Planning and Environmental Management
Florida Department of Transportation
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309
---
Phone: (954) 777-4354 / SC 436-4354
Toll Free: (866) 336-8435
Fax: (954) 777-4671 / SC 436-4671
email: john.krane@dot.state.fl.us

NOTE: Written communication including e-mails sent and received within the department is considered to be public record and is not considered

# Development Order Conditions for the Callery-Judge DRI

1. Prior to the issuance of any building permits, Design Guidelines associated with the DRI shall be developed in coordination with the DRI review agencies, and adopted by reference into the County's Comprehensive Plan. The Design Guidelines will also be incorporated into the County's Unified Land Development Code, zoning category, and/or overlay for the DRI. The Design Guidelines shall include at a minimum, the optimal characteristics of:

   - transit facilities, infrastructure, and services;
   - design, location, and function of an Intermodal Center;
   - design and location, and function of a pathway system;
   - design and function of the hierarchy of streets and mid-block crossings to accommodate pedestrians and bicyclists;
   - design and location of land use to achieve an integrated mix of uses and be transit/pedestrian oriented;
   - and TDM strategies, which are further detailed in these development order conditions.

   The Design Guidelines mentioned above shall describe the optimal characteristics of a fixed route (Palm Tran) transit and community based (shuttle/trolley) circulator system. The description should consider:

   - A requirement that all structures be within a ¼ mile of a bus stop with unrestrictive pedestrian access;
   - A requirement that Community Circulator service be provided for movement within the site and interconnected with the fixed-route service and the intermodal center;
   - The location (spacing), timing, size, and appearance of transit stops and stations as well as details facilitating integration of transit stops with adjacent development.

   There are several different types of bus stops that shall be addressed, including neighborhood, transfer and hub:

   a. Neighborhood stops should be at locations such as schools or large employers or stops having more than 10 average daily boardings. These stops include a shelter, bench, sign with schedule and trash receptacle. The size of this bus shelter should be at least 10'x4'.

   b. Transfer stops should be at locations with over 25 average daily boardings or locations where more than one transit route interface. These stops include a shelter, bench, system information sign, trash receptacles, lighting and bicycle rack. The size of this bus shelter should be at least 15'x7'6".

c. Hub stops should be at locations with over 50 average daily boardings a day and multiple transit routes. These stops include a shelter, bench, system information sign, trash receptacles, lighting, bicycle rack and newspaper vending. The size of this bus shelter should exceed 15'x7'6" and be based on estimated daily boardings from adjacent land uses.

**2.** When Palm Tran determines, as programmed in the County's adopted work program, that extension of transit service to the project is timely, design, permitting, and construction of an Intermodal Center to serve the development shall commence, consistent with the approved Design Guidelines for the DRI. The facility shall include, at a minimum, the following characteristics:

- Park and Ride lot (to encourage a "park once" approach)
- Accommodation for Palm Tran buses & Community Shuttles (intermodal connections)
- Public restrooms (convenience)
- Shelter (convenience)
- System schedule information (convenience)
- Trash receptacles (convenience)
- Vending (convenience)
- Lighting (safety)
- Bicycle facilities (intermodal connections)
- Seating (convenience)

Consideration should be given to the use of parking strategies to optimize transit use and to encourage a "park once" approach. FDOT shall have the opportunity to review and comment on the site plan and construction documents for the Intermodal Center.

**3.** Individual site plans shall incorporate parking strategies that:

- Maximize access to community shuttle and transit stops;
- Maximize the use of pedestrian facilities and connectivity to Pathway Systems;
- Limit individual parking lots for individual facilities;
- Promote aggregate parking for multiple uses;
- Promote shared parking (e.g. daytime vs. nighttime activities);
- Provide preferential parking for van pool, car pool, and alternative fuel vehicles;
- Promote a "park once" strategy.

The DRI Annual Report shall include a section summarizing the status of parking strategies implemented to date.

4. Prior to the first building permit for commercial (office or retail) development, the developer shall designate an on-site property management employee as an Employee Transportation Coordinator, whose responsibilities shall be coordinating the implementation of Transportation Demand Management (TDM) strategies.

This position will:

- Coordinate with South Florida Commuter Services to facilitate ridesharing and other available programs;
- Implement any TDM Ordinances adopted by the County;
- Function as a resource for other employee transportation coordinators at companies and/or buildings with significant concentrations of employees within the development;
- Utilize data and analysis to determine the appropriate timing for the creation of a Transportation Management Initiative (TMI) or Association (TMA), if applicable;
- Provide a report on TDM activities/commute trip reduction as part of the Annual DRI Report;
- Assist in the development of an annual plan to maximize internal trips within the development.

An Employee Transportation Coordinator employed with the developer or with a private employer shall routinely coordinate with FDOT and offer the opportunity to review and comment on the effectiveness of TDM activities and suggest alternatives.

## Stephanie Heidt

**From:** NanJ58@aol.com
**Sent:** Tuesday, March 14, 2006 9:37 AM
**To:** mbusha@tcrpc.org
**Subject:** Callery Judge DRI
**Attachments:** Callery Letters.pdf

RECEIVED
MAR 14 2006
TREASURE COAST
REGIONAL PLANNING COUNCIL

Mr. Busha,

Attached are 8 letters that were presented to the LUAB on 3/10/06 regarding Callery Judge Gorves DRI proposal. Three letters are from the Fox Trail Property Owners Association (212 landowners) in opposition to requested traffic modifications. The remaining 5 letters are from me as a resident in the central western communites (rural tier) in opposition to requested changes in land use and traffic modification.

Please present a copy of this email and of the letters to the boardmembers of the Treasure Coast Regional Planning Council for Friday's meeting. More importantly, please hear my voice in absentia on Friday as I am unable to attend the Treasure Coast meeting due to work obligations.

The Callery project as presented does not fit in accordance with Growth Management Tier rules, and most importantly, it does **NOT** meet traffic performance standards on ANY surrounding road networks, extending as far east as Okeechobee Blvd and Jog Road. All affected roadways fail traffic performance standards miserably and the likelihood that homes would be taken to widen necessary roadways, that still would not meet traffic performance standards, is a reality if this project is passed as presented. Also of great concern is the demand on the land as far as water quality, water supply, water run-off and wastewater treatment.

It is imperative that the scale of this project, 10,000 homes and 3.8M sq feet of non-residential uses, not be approved byt TCRPC.

Please contact me at (561) 596-4573 with any questions.

Thank you.
Nancy Gribble

# FOX TRAIL

PROPERTY OWNERS ASSOCIATION
P. O. Box 211 • Loxahatchee, Florida 33470

March 9, 2006

Mr. Vinod Sandanasamy, Senior Transportation Planner
Palm Beach County Department of Planning, Zoning & Building
100 Australian Avenue
West Palm Beach, Florida 33406

Re: Callery-Judge Grove DRI CRALLS

Mr. Sandanasamy,

Per this letter, the Fox Trail Property Owners Association, supports the staff motion to recommend denial of this proposed amendment.

Respectfully submitted,

Nancy Gribble

Nancy Gribble, Governmental Liaison
Fox Trail Property Owners Association

# FOX TRAIL

PROPERTY OWNERS ASSOCIATION
P. O. Box 211 • Loxahatchee, Florida 33470

March 9, 2006

Mr. Vinod Sandanasamy, Senior Transportation Planner
Palm Beach County Department of Planning, Zoning & Building
100 Australian Avenue
West Palm Beach, Florida 33406

Re: Callery-Judge Grove DRI TIM and 2020 Map Amendments

Mr. Sandanasamy,

Per this letter, the Fox Trail Property Owners Association, supports the staff motion to recommend denial of this proposed amendment.

Respectfully submitted,

Nancy Gribble

Nancy Gribble, Governmental Liaison
Fox Trail Property Owners Association

FOX TRAIL
PROPERTY OWNERS ASSOCIATION
P. O. Box 211 • Loxahatchee, Florida 33470

March 9, 2006

Mr. Vinod Sandanasamy, Senior Transportation Planner
Palm Beach County Department of Planning, Zoning & Building
100 Australian Avenue
West Palm Beach, Florida 33406

Re: Callery-Judge Groves Proposed Exemption to FLUE Policy 3.5-d

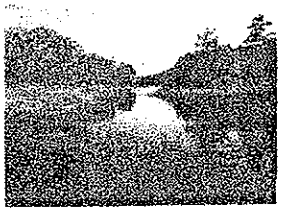
Mr. Sandanasamy,

Per this letter, the Fox Trail Property Owners Association, supports the staff motion to recommend denial of this proposed amendment.

Respectfully submitted,

Nancy Gribble

Nancy Gribble, Governmental Liaison
Fox Trail Property Owners Association



Nancy Gribble
1525 Gallop Drive
Loxahatchee, Florida 33470
(561) 793-4573

March 9, 2006

Mr. Lorenzo Aghemo, Planning Director
Palm Beach County Department of Planning, Zoning & Building
100 Australian Avenue
West Palm Beach, Florida 33406

Re: Callery-Judge Groves Traditional Town Development Overlay

Mr. Aghemo,

Per this letter, I state my opposition to this Overlay and recommend denial of the proposed amendment based on the following:

(1) This Overlay is inconsistent with the County's Comp Plan and is in violation of the goals and directives of the Growth Management Tier System.
(2) This Overlay is inconsistent with the proposed Central Western Communities Sector Plan, which is under review by the Department of Community Affairs. Notably, the applicant has proceeded with litigation to overturn the CWC Sector Plan.
(3) This Overlay is not reflective of densities and intensities that are permitted in the rural and/or exurban tiers.
(4) This Overlay may allow a projected population exceeding 10,000 people that will adversely affect the existing environment, and overburden the existing roadway system.
(5) This Overlay will erode and diminish the rural character of the surrounding communities and neighborhoods.

Respectfully submitted,

Nancy Gribble

Nancy Gribble

Nancy Gribble
1525 Gallop Drive
Loxahatchee, Florida 33470
(561) 793-4573

March 9, 2006

Mr. Lorenzo Aghemo, Planning Director
Palm Beach County Department of Planning, Zoning & Building
100 Australian Avenue
West Palm Beach, Florida 33406

Re: Callery-Judge Groves (LGA 2006-00015)

Mr. Aghemo,

Per this letter, I state my opposition to this project and recommend denial of the proposed amendment based on the following:

(1) This project is inconsistent with the County's Comp Plan and is in violation of the goals and directives of the Growth Management Tier System.

(2) This project is inconsistent with the proposed Central Western Communities Sector Plan, which is under review by the Department of Community Affairs. Notably, the applicant has proceeded with litigation to overturn the CWC Sector Plan.

(3) This project will require the addition of numerous roadway segments and the widening of existing roadway segments that raise significant quality of life issues for existing residents and communities that include but are not limited to: (a) the taking of homes and property; (b) noise; (c) aesthetics, (d) traffic gridlock (e) surface water quality issues, (f) storm-water capacity and runoff issues, and (g) affects to the Loxahatchee Slough, the Corbett Wildlife Area, the C-51 canal, Lake Okeechobee, and the Everglades.

(4) This project reflects urban/suburban densities and intensities that are not permitted in the rural and/or exurban tiers.

(5) This project will bring a projected population exceeding 10,000 people that will adversely affect the existing environment, and overburden an already exasperated roadway system.

(6) This project does not provide opportunities to protect the rural character of the surrounding communities and neighborhoods.

Respectfully submitted,

Nancy Gribble

Nancy Gribble
1525 Gallop Drive
Loxahatchee, Florida 33470
(561) 793-4573

March 9, 2006

Mr. Vinod Sandanasamy, Senior Transportation Planner
Palm Beach County Department of Planning, Zoning & Building
100 Australian Avenue
West Palm Beach, Florida 33406

Re: Callery-Judge Groves Proposed Exemption to FLUE Policy 3.5-d

Mr. Sandanasamy,

By record of this letter, I convey my support of the staff motion to recommend denial of this proposed amendment.

Denial of this proposed amendment is necessary based on the following:

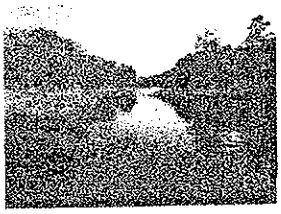
(1) No project has, nor should be exempt from FLUE Policy 3.5-d, and doing so for this applicant will set a dangerous precedent.

(2) This project is inconsistent with the County's Comp Plan. The project does not meet FLUE Policy 3.5-d and data indicates this project will generate traffic that overwhelmingly exceeds the capacities of the surrounding roadway networks as presented in the MPO 2025 long range transportation plan.

(3) Permitting Callery-Judge Groves' DRI to opt out of FLUE Policy 3.5-d will cause existing and future roadway segments to fail and not meet acceptable Level Of Service standards.

Respectfully submitted,

Nancy Gribble



Nancy Gribble
1525 Gallop Drive
Loxahatchee, Florida 33470
(561) 793-4573

March 9, 2006

Mr. Vinod Sandanasamy, Senior Transportation Planner
Palm Beach County Department of Planning, Zoning & Building
100 Australian Avenue
West Palm Beach, Florida 33406

Re: Callery-Judge Grove DRI CRALLS

Mr. Sandanasamy,

By record of this letter, I convey my support of the staff motion to recommend denial of this proposed amendment.

Denial of this proposed amendment is necessary based on the following:

(1) The applicant (Callery-Judge Groves) has not submitted a development order accompanied by a required traffic concurrency study. Requesting a CRALLS based on a DRI traffic study is not adequate and does not meet traffic concurrency requirements,

(2) This proposed DRI, with the addition of the roadways and widened roadways proposed by Callery-Judge Groves, will still require the assignment of four CRALLS and still not meet concurrency levels resulting in traffic gridlock.

(3) Assignment of CRALLS to certain identified intersections will negatively affect existing surrounding communities.

Respectfully submitted,

Nancy Gribble

Nancy Gribble
1525 Gallop Drive
Loxahatchee, Florida 33470
(561) 793-4573

March 9, 2006

Mr. Vinod Sandanasamy, Senior Transportation Planner
Palm Beach County Department of Planning, Zoning & Building
100 Australian Avenue
West Palm Beach, Florida 33406

Re: Callery-Judge Grove DRI TIM and 2020 Map Amendments

Mr. Sandanasamy,

By record of this letter, I convey my support of the staff motion to recommend denial of this proposed amendment.

Denial of this proposed amendment is necessary based on the following:

(1) The data received from Callery-Judge is based on DRI traffic study data which has not been approved by numerous review agencies.
(2) Congestion of existing roadways.
(3) The potential necessity of the taking of existing homes, possibly through the use of eminent domain.
(4) The triggering of severe negative impacts on surrounding communities.
(5) The impact to quality-of-life issues regarding noise, asthetics and congested roadways.
(6) The negative impacts to the environment, including water quality, sewer and waste disposal, and wildlife habitat eradication.
(7) The devaluation of existing property values.
(8) Lack of public due process as the property owners directly abutting the affected roadways did not receive notification of this proposed amendment.

Respectfully submitted,

Nancy Gribble

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TREASURE COAST
REGIONAL PLANNING COUNCIL

March 14, 2006

Mr. Michael Busha
301 East Ocean Blvd #300
Stuart, FL. 34994

Dear Mr. Busha:

My name is Robert Trepp and I have sat on the Callery-Judge Neighbor Advisory Committee for the past year, I am an Acreage resident and I live here year round. I have no delusions that the proposed plan for Callery-Judge Groves is everybody's first choice for use there, however many times we as people tend to react first and think later. It doesn't matter if this is due to entrenched beliefs or stubborn unwillingness to consider possible options, but as human nature goes it is fairly consistent. I am asking as a parent and as someone who was unconvinced of this project in the beginning that you and your fellow board members consider the Callery-Judge Grove plan on its merits and on the merits of those who wish move ahead with it.
I will attend the March 17th meeting and I will avail myself of the opportunity to speak as a member of the public, I do not intend to change anyone's mind nor do I want to believe that I have to. I would like to think that people in positions such as those on your board and others, hear everything prior to closing the doors of ones mind and making a decision.
What I do hope for is that people will consider the following points:

1) The politics of land encourages many political interests

2) In the land of my child there are none

I do not digress from the subject of land use here; in fact I am at the very core of it. My fifteen year old daughter, like most others, is not very observant of the political winds nor of how they will affect her life. I on the other hand am to some degree. The growth in our area is going to come whether it is now or ten tears hence and I would ask that we all consider not just the project but the character of the people behind the project, as that is a very rare opportunity in this day and age. A public builder down the road will not be as concerned with the neighbors as Callery-Judge Groves is, and a bad neighbor is something that my daughter would understand.

Sincerely,

Robert Trepp
15427 80TH Lane North, Loxahatchee

**Stephanie Heidt**

**From:** chiu_l@firn.edu
**Sent:** Thursday, March 16, 2006 10:37 AM
**To:** mbusha@tcrpc.org
**Cc:** admin@tcrpc.org
**Subject:** please support the Plan

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REGIONAL PLANNING COUNCIL

March 16, 2005

Mr. Mike Busha
TCRPC Executive Director
301 East Ocean Boulevard, Suite 300
Stuart, Florida 34994

Dear Mr. Busha:

My wife and I are writing to support the development at Callery Judge. We live in Loxhatchee Groves and would use the stores, and even a movie theater closer to our house. We moved here from Coral Springs six years ago, but things are already changing. Loxahatchee Groves and the Acreage have already changed. We don't want to be passed over by the County so we want to see good development done at in our neighborhood.

There are lots of developers in the area that would be happy to turn the Groves into a place for rich people to live. We don't want to see the Groves surrounded by a wall. We want open spaces, trails, and parks.

Callery Judge has presented a good plan. It is a plan we can support. Please vote yes. Thank you.

**Stephanie Heidt**

**From:** Debbie Chiu [debbie.chiu@gmail.com]
**Sent:** Thursday, March 16, 2006 12:07 PM
**To:** mbusha@tcrpc.org
**Subject:** Callery Judge Grove Land Use Application

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REGIONAL PLANNING COUNCIL

3270 B Road
Loxahatchee, FL 33470

March 15, 2006

The Honorable Tony Masilotti, Chairman
Palm Beach County Board of County Commissioners
301 N.Olive Avenue
West Palm Beach, FL 33401

Mr. Mike Busha
TCRPC Executive Director
301 East Ocean Boulevard, Suite 300
Stuart, Florida 34994

Subject: Callery Judge Grove Land Use Application

Dear Chairman Masilotti and Mr. Busha:

As a resident of Palm Beach County, I watched developers come and go. I am writing in support of Callery Judge Grove Development Project I think that they have done a good job working with the neighbors, asking us what we would like to see, and helping us understand the options. None of the other developers in the area have ever approached us.

We like the green space proposals, the parks, the schools, and even the city center. I would like to drive to a nearby grocery stores, Starbucks, and gas stations.

While we worry about the traffic and the number of houses, we are confident that Callery Judge Project presents a plan that will meet the requirements. We trust that the Board of County Commissioners will do the right thing, support the project. Please vote "yes".

Sincerely,

Debbie Chiu

cc: Addie Green
Karen Marcus
Mary McCarty
Jeff Koons

Burt Aaronson
Warren Newell

**Stephanie Heidt**

**From:** Sandy Chiu [sandy.chiu@gmail.com]
**Sent:** Thursday, March 16, 2006 1:06 PM
**To:** admin@tcrpc.org
**Subject:** Callery Judge Grove Project

RECEIVED
MAR 16 2006
TREASURE COAST
REGIONAL PLANNING COUNCIL

March 15, 2005

The Honorable Anthony Masilotti, Chairman

Board of County Commissioners
Palm Beach County

301 N.Olive Avenue

West Palm Beach, FL 33401

Mr. Mike Busha

TCRPC Executive Director

301 East Ocean Boulevard, Suite 300
Stuart, Florida 34994

Re: Callery Judge Grove Re Zoning Application

Dear Sirs:

I am a resident of Loxahatchee Groves and currently attending University of Florida major in microbiology and cell science. I am writing in support of the Callery Judge Grove Project. I have lived in Loxahatchee Groves since 2000, and would like to see services and activities for us closer to home. When I visit home, I need to drive more than five miles to the nearest Publix, gas stations, and Post Office, etc. When I graduate, I would like to have a job closer to home and a place for my children to be part of a community.

I urge the Treasure Coast Regional Planning Council and the Palm Beach County Board of Commissioners to support the Callery Judge Grove Project.

Also, many thanks to the Palm Beach County Board of Commissioners for bringing Scripps to the County.

Again, thank you for your time in making Loxahatchee a better place to live.

Sincerely,

Sandy Chiu

cc: Addie Green

Karen Marcus

Mary McCarty

Jeff Koons

Burt Aaronson

Warren Newell

**Stephanie Heidt**

**From:** Jenny Chiu [cwjc26@yahoo.com]
**Sent:** Thursday, March 16, 2006 11:58 AM
**To:** admin@tcrpc.org
**Subject:** Callery Judge Grove DRI

RECEIVED
MAR 16 2006
TREASURE COAST
REGIONAL PLANNING COUNCIL

March 10, 2006

Tony Masilotti, Chairman
Palm Beach County Board of County Commissioners
301 N.Olive Avenue
West Palm Beach, FL 33401

Michael Busha, Executive Director
Treasure Coast Regional Planning Council
301 East Ocean Boulevard, Suite 300
Stuart, Florida 34994

Dear Sirs:

I am a resident of Loxahatchee Grove. Last Friday, I attended the Land Use Advisory Board meeting in West Palm Beach regarding the Callery Judge Grove DRI. I listened to the speakers and the experts, and while I am no expert, I know that we want to protect our community and our children. I am writing to you all the first time in my life because I support the Callery Judge Project. I am concerned about overcrowded schools and the few choices for Loxahatchee residents.

We need more open space, we need more schools, we need more parks, and we need shorter commutes. We want to see a town center where we can shop and work. The traffic is already terrible, and maybe if we didn¡¦t have to go so far, it would be better. We would use the services if they were nearby. We already shop at the Publix.

Please support Callery Judge and help us build a better community.

Sincerely,

Chen-Wan Liu

cc: Jeff Koons
Addie Green
Burt Aaronson
Mary McCarty
Karen Marcus
Warren Newell

# APPENDIX C

# Goals, Strategies and Policies

This appendix contains a summary of the goals, strategies and policies in the SRPP that are most relevant to the project. Please refer to the SRPP for a more complete discussion of regional issues and additional goals, strategies, and policies.

## Future of the Region

### MASTER PLAN

**Goal 4.1:** Future development should be part of existing or proposed cities, towns, or villages.

**Goal 6.1:** Create new neighborhoods and communities.

**Goal 10.1:** Neighborhoods and communities which are served by a variety of transportation modes.

**Goal 15.1:** Preferred forms of development which result in downtown redevelopment and infill, the containment of suburban sprawl and the creation of new cities, towns, and villages.

**Goal 16.1:** The formation of new towns, cities and villages.

**Strategy 6.1.1:** Encourage the formation of sustainable neighborhoods and communities.

**Strategy 7.1.3:** Promote improved community planning and urban design.

**Strategy 7.2.1:** Promote patterns of development which provide better opportunities for the transportation disadvantaged.

**Strategy 7.3.1:** Reduce vulnerability to natural and man-made disaster events through better transportation, land use and community planning.

**Strategy 12.1.1:** Encourage patterns of development and programs which improve the independence and self-sufficiency of children.

**Strategy 13.1.1:** Encourage patterns of development and programs which minimize dependency on the automobile, encourage and accommodate public transit, and reduce vehicle miles traveled and the amount of vehicle emission discharged into the atmosphere.

**Strategy 16.1.1:** Encourage and facilitate preferred forms of development.

**Policy 6.1.1.1:** New neighborhoods and districts should contain a balanced, well-planned, compatible mix of land uses appropriately located so that State, local and regional goals are achieved.

**Policy 6.1.1.2:** New neighborhoods and districts should have compact designs, with a mix of building types.

**Policy 6.1.2.3:** Require that an urban design study be prepared to evaluate development proposals in the countryside.

**Policy 7.1.1.4:** Urban design and architectural studies should be performed when evaluating residential and commercial projects. Such studies should analyze building typology and compatibility, land use mix and the overall impact of the project on the surrounding neighborhood or district.

**Policy 7.1.3.1:** Encourage patterns and forms of development and redevelopment that maximize public transportation alternatives, minimize the use of the Region's collector and arterial roadway network, and reduce the total amount of daily vehicle miles traveled.

**Policy 7.2.1.1:** Encourage patterns and forms of development and redevelopment and street design that will improve mobility opportunities for transit dependent groups especially the poor, handicapped and young.

**Policy 7.3.1.2:** Plan and design new development and redevelopment to increase the ability of the internal and external roadway network to accommodate emergency traffic, enhance post disaster recovery efforts, and provide central locations for public shelters and emergency relief centers.

**Policy 8.1.1.3:** Encourage patterns of development which minimize the public cost for providing services, maximize the use of existing service systems and facilities and take into full consideration environmental/physical limitations.

**Policy 9.1.1.1:** Encourage patterns of development and programs which reduce dependency on the automobile, encourage and accommodate public transit, and reduce the overall use of fossil fuels.

**Policy 10.1.1.1:** Plan and design development to effectively accommodate alternative modes of transportation.

**Policy 12.1.1.1:** Consider the special mobility needs of children in all development proposals.

**Policy 12.1.1.2:** Encourage the location and provision of schools, parks, recreational and other uses (e.g., retail, civic uses, etc.) within biking or walking distance.

**Policy 12.1.1.4:** Provide sites for civic uses such as schools, parks and libraries within neighborhoods.

**Policy 15.1.3.13:** Make non-preferred forms of development occurring in undeveloped areas responsible for the full and true infrastructure costs to support the development through buildout.

**Policy 16.1.1.1:** Local governments should identify appropriate locations for preferred forms of development.

**Policy 16.1.1.2:** Future land use plans should be prepared for locations considered appropriate for new towns, cities, villages, neighborhoods and districts.

# Transportation

## RIGHTS OF WAY

**Policy 7.1.1.1:** Reserve and protect sufficient road right-of-way on the regional roadway network to provide for an efficient multi-modal transportation system.

## EXTERNAL ROADWAY IMPROVEMENTS

**Goal 8.1:** Public facilities which provide a high quality of life.

**Strategy 8.1.1:** Provide levels of public services necessary to achieve a high quality of life, cost effective.

**Policy 8.1.1.1:** All development should take place concurrent with or after the provision of necessary infrastructure and services.

## INTERSECTION IMPROVEMENTS

**Goal 8.1:** Public facilities which provide a high quality of life.

**Strategy 8.1.1:** Provide levels of public services necessary to achieve a high quality of life, cost effective.

**Policy 8.1.1.1:** All development should take place concurrent with or after the provision of necessary infrastructure and services.

## ACCESS DRIVEWAYS

**Goal 7.1:** A balanced and integrated transportation system.

**Strategy 7.1.3:** Promote improved community planning and urban design.

**Policy 7.1.3.1:** Encourage patterns and forms of development and redevelopment that maximize public transportation alternatives, minimize the use of the Region's collector and arterial roadway network, and reduce the total amount of daily vehicle miles traveled.

## ANNUAL REPORTING AND MONITORING

**Goal 8.1:** Public facilities which provide a high quality of life.

**Strategy 8.1.1:** Provide levels of public services necessary to achieve a high quality of life, cost effective.

**Policy 8.1.1.1:** All development should take place concurrent with or after the provision of necessary infrastructure and services.

## NEIGHBORHOOD IMPACTS

**Policy 7.1.2.1:** Assist public and private agencies and entities in implementing TDM strategies that reduce congestion, energy use and the number of single-occupant auto trips.

**Policy 7.1.2.2:** Give consideration during the planning of transportation system expansion to providing incentives for use of high-occupancy vehicles and alternative modes of transportation (e.g., car pools, van pools, buses, bicycles, etc.).

**Policy 7.1.2.3:** Increase land use densities and the mix of land uses around commuter rail stations and at strategic locations along designated public transportation corridors where consistent with other local and regional goals and strategies.

**Policy 7.1.2.4:** Develop and redevelop downtowns and strategic locations along designated public transportation corridors. In order to improve the feasibility of public transportation, residential densities should be no less than 8 units per acre.

**Policy 7.1.2.5:** Develop a regional roadway system of predictably spaced and interconnected east-west, north-south streets. Ideally, streets should be spaced every one-quarter to one-half mile to offer multiple route choices, disperse traffic, and discourage local travel on interstates and arterials.

**Policy 7.1.3.2:** Suggests planning development to provide interconnections for pedestrians and public transportation within and between residential areas, schools, employment and retail centers, recreational areas and other public facilities.

**Policy 7.1.3.3:** An urban design study should be prepared prior to the development and redevelopment of building sites or changes to the street network.

**Policy 7.1.3.5:** Orient buildings toward streets to create better pedestrian environments.

**Policy 7.1.3.6:** Locate buildings so they are as convenient and accessible to public transportation facilities and sidewalks as they are to auto parking.

**Policy 7.1.3.7:** Locate parking to the sides and backs of buildings so that pedestrian access and access from public transportation does not require walking through large parking lots to reach building entrances.

**Policy 7.1.3.9:** Design and locate parking lots and garages to enhance pedestrianism and the character and attractiveness of the area, and to encourage use of alternate modes of transportation.

**Strategy 7.1.4**: Encourage public transportation alternatives.

**Policy 7.1.4.1:** Review and where necessary amend public policy governing parking requirements to support "transit first" policies and to promote public transit as a viable alternative in high density areas, designated public transportation corridors, and central business districts.

**Policy 7.1.4.2:** Have new development or redevelopment provide transit ridership amenities (shelters, route information, and schedules) and appropriate and effective incentives whenever transit use is assumed or required to maintain acceptable roadway level of service.

**Policy 7.1.4.4:** Support requests for lower levels of service and establishment of transportation concurrency exception areas in higher density areas, downtowns, and along designated public transportation corridors where it can be demonstrated that levels of mobility and convenience will be maintained or increased through other modes of transportation or land use corrections.

**Policy 7.1.4.5:** Support development and implementation of corridor management plans which are consistent with the SRPP.

## Human Resource Issues

### HOUSING

**Goal 2.1:** An adequate supply of safe and affordable housing to meet the needs of the very low, low, and moderate-income residents of the Region.

**Goal 2.2:** A range of housing types and affordabilities in proximity to employment and services.

**Strategy 2.1.1:** Create a planning/regulatory climate which is conducive to the production of affordable housing.

**Strategy 2.1.2:** Create and expand public/private partnerships among all entities involved in the provision of affordable housing including financial institutions, developers, contractors, government agencies, social service and other non-profit organizations, churches and realtors.

**Strategy 2.2.1:** Ensure that all areas have a reasonable mix of housing, employment opportunities, and services.

**Policy 2.1.1.1:** Local governments should reduce unnecessary regulatory barriers which make it more difficult to build affordable housing. Examples of such barriers are large lot sizes, minimum unit size and floor space, and setbacks.

**Policy 2.1.1.2:** Local governments should allow zero lot line development, cluster development, accessory apartments, high-density zoning, mixed-use buildings, modified site improvement standards, alternate construction techniques, etc.

**Policy 2.1.1.4:** Local governments should consider the enactment of incentives such as density bonuses, linkage programs, and inclusionary housing policies.

**Policy 2.1.1.5:** Local governments should designate adequate sites where affordable housing can be developed.

**Policy 2.1.2.1:** Work closely with non-profit organizations who are interested in sponsoring housing projects which serve very low, low and moderate-income residents.

# Environment and Natural Resources

## UPLAND PRESERVATION

**Strategy 1.1.1**: Preserve and manage complete natural systems as a network of connected nature preserves.

**Strategy 6.1.1**: Preserve and manage natural systems as a network of connected nature preserves and promote the establishment of greenway systems in the region.

**Policy 6.7.1.2**: Development plans should be designed to maximize the amount of protected habitat. Protected natural communities and ecosystems should be preserved in viable condition with intact canopy, under-story, and ground cover. Where possible, preserve areas should be designed to interconnect with other natural areas that have been set aside for preservation. A restoration and management plan for the protected areas should be developed.

As a minimum baseline measure for consistency with the SRPP, Council strives to achieve protection of 25 percent of upland natural communities in the evaluation of development plans. Council supports the maximum protection of natural communities,

and recommends that more than 25 percent of the upland habitat be preserved where appropriate.

**Policy 6.7.1.9**: Preserve areas should be designed to protect integrated systems of uplands and wetlands.

**Strategy 6.8.1**: Preserve areas should be designed and established to protect endangered and potentially endangered species.

**Policy 7.1.2.6**: Redirect development patterns away from interstates and major arterials to town and neighborhood centers along collector and minor arterials.

**Policy 8.1.1.3**: Encourage patterns of development which minimize the public cost for providing services, maximize the use of existing service systems and facilities and take into full consideration environmental/physical limitations.

## LISTED SPECIES

**Strategy 1.1.1**: Preserve and manage complete natural systems as a network of connected nature preserves.

**Strategy 6.8.1**: Preserve areas should be designed and established to protect endangered and potentially endangered species.

**Policy 6.8.1.2**: All endangered and potentially endangered plant and animal populations should be protected and all habitat of significant value to existing populations of endangered and threatened species should be preserved and protected.

## WETLANDS

**Policy 6.6.1.1:** No activity should be allowed that results in the alteration, degradation, or destruction of wetlands and deepwater habitats, except when:

1. Such an activity is necessary to prevent or eliminate a public hazard;

2. Such an activity would provide direct public benefits which would exceed those lost to the public as a result of habitat alteration, degradation, or destruction;

3. Such an activity is proposed for habitats in which the functions and values currently provided are significantly less than those typically associated with such habitats and cannot be reasonably restored;

4. Such an activity is water dependent or, due to the unique geometry of the site, minimal impact is the unavoidable consequence of development for uses, which are appropriate given site characteristics.

**Policy 6.6.1.2:** Whenever any wetland or deepwater habitat is degraded or destroyed, mitigation should be provided through the creation of new wetland and deepwater habitat, through the restoration of degraded habitat, or through the enhancement of functions and values provided by existing habitats.

**Policy 6.6.1.3:** A buffer zone of native upland edge vegetation should be provided and maintained around wetland and deepwater habitats, which are constructed or preserved on new development sites. The buffer zone may consist of preserved or planted vegetation but should include canopy, under-story, and ground cover of native species only. The edge habitat should begin at the upland limit of any wetland or deepwater habitat.

## EXOTIC SPECIES

**Policy 6.7.1.4:** All nuisance and invasive exotic vegetation listed by the Florida Exotic Pest Plant Council should be removed and where appropriate replaced with plant species adapted to existing soil and climatic conditions. Removal should be in such a manner that avoids seed dispersal by any such species. State and federal agencies and local governments should coordinate and assist in the removal and replacement of nuisance exotic pest species.

## STORMWATER MANAGEMENT

The following strategy and policies in the SRPP apply to the project:

**Strategy 1.1.2:** Promote compatibility of urban areas, regional facilities, natural preserves and other open spaces.

**Policy 6.3.1.1:** All new, reconstructed or substantially expanded storm and surface water management systems should be designed and constructed to meet state water quality standards. Where feasible, retention is the preferred method for treatment of stormwater, recharging the aquifer, and protecting the region's estuaries.

**Policy 6.3.1.2:** A vegetated and functional littoral zone should be established as part of new surface water management systems where possible. Prior to construction of the surface water management system for any phase of a project, the developer should prepare a design and management plan for the wetland/littoral zone that will be established as part of these systems. The littoral zone established should consist entirely of native vegetation and should be maintained permanently as part of the water management system.

**Policy 6.3.1.6:** Design drainage systems that maintain the natural discharge pattern of stormwater from a site.

## WATER SUPPLY

**Goal 8.1:** Public facilities which provide high quality of life.

**Strategy 8.1.1:** Provide levels of public services necessary to achieve a high quality of life, cost effectively.

**Policy 8.1.1.1:** All development should take place concurrent with or after the provision of the necessary infrastructure and services.

**Goal 6.2:** A regional water supply managed to provide for all recognized needs on a sustainable basis.

**Strategy 6.2.1:** Develop and implement water conservation programs.

**Policy 6.2.1.1:** Use reclaimed wastewater for irrigation and other suitable purposes when such use is determined to be feasible.

**Policy 6.2.1.3:** Protect natural communities on development sites as a method to reduce the need for irrigation.

**Policy 6.2.1.4:** In order to protect and conserve the water resources of the Region and southern Florida to ensure the availability for future generations:

1. All landscaping material used on the primary dune system should be composed of native plants adapted to soil and climatic conditions occurring on-site. In all other locations the majority of landscaped areas should be composed of native or drought tolerant plants adapted to soil and climatic conditions occurring on-site.

2. The lowest acceptable quality water should be used to meet nonpotable water demands.

3. Potable water rates should be structured to encourage conservation.

4. All new and expanding wastewater treatment facilities should make reclaimed wastewater available for use in irrigation. Where possible, all new development should rely on wastewater reuse for irrigation.

5. Use of water saving device, irrigation systems, and plumbing fixtures should be required to the maximum extent justified. Where appropriate, existing systems should be retrofitted to make use of the most cost efficient water saving devices.

6. Leak detection programs should be developed and implemented.

## WASTEWATER MANAGEMENT

**Goal 8.1:** Public facilities which provide high quality of life.

**Strategy 8.1.1:** Provide levels of public services necessary to achieve a high quality of life, cost effectively.

**Policy 8.1.1.1:** All development should take place concurrent with or after the provision of the necessary infrastructure and services.

## HURRICANE PREPAREDNESS

**Goal 5.2:** Reduced vulnerability to disasters.

**Strategy 5.2.1:** Utilize land use, transportation, and community planning processes to address vulnerability issues.

**Policy 5.2.1.1:** Plan and design new development and redevelopment to increase the ability of the internal and external roadway network to accommodate emergency traffic, enhance post disaster recovery efforts, and provide natural central locations for public shelters and emergency relief centers.

**Regional Goal 5.3:** Adequate and safe shelter within the Region for residents in coastal high hazard and floodplain areas.

**Strategy 5.3.1:** Provide shelter space for residents of areas susceptible to flooding from the effects of hurricanes and other storms.

**Policy 5.3.1.10:** In accordance with State, local, and regional hurricane evacuation studies and emergency evacuation plans, require new developments to fully mitigate impacts on existing public shelter capacities by providing additional shelter space which can safely accommodate the development's residents who are likely to seek public shelter locally during a hurricane event.

## SOLID WASTE AND HAZARDOUS MATERIALS

**Goal 6.3:** Protection of water quality and quantity.

**Goal 8.1:** Public facilities which provide a high quality of life.

**Policy 8.1.1.1:** All development should take place concurrent with or after the previsions of necessary infrastructure and services.

## AIR QUALITY

**Goal 13.1:** Maintenance of acceptable air quality levels

**Strategy 13.1.1:** Encourage patterns of development and programs which minimize dependency on the automobile, encourage and accommodate public transit, and reduce

vehicle miles traveled and the amount of vehicle emission discharged into the atmosphere.

**Policy 13.1.1.1:** Implement practices, which minimize airborne dust and particulate emission.

**Strategy 7.1.3:** Promote improved community planning and urban design.

**Policy 7.1.3.1:** Encourage patterns and forms of development and redevelopment that maximize public transportation alternatives, minimize the use of the Region's collector and arterial roadway network, and reduce the total amount of daily vehicle miles traveled.

**Policy 7.1.3.4:** Reduce VMT per capita by private automobile within the Region through a combination of the following:

(1) provision of public transportation alternatives;

(2) provision of housing opportunities in proximity to employment opportunities;

(3) provision of essential services and recreational opportunities in proximity to demand;

(4) concentration of commercial and other essential services;

(5) provision of a street network designed for the pedestrian the disabled, the automobile and transit;

(6) provision of parking in ways that will encourage pedestrianism and public transportation alternatives;

(7) provision of incentives encouraging infill and downtown redevelopment;

(8) support of public and private sector efforts to carry out TDM strategies that will reduce congestion; and

(9) expansion of commuter rail and intermodal connections.

## POLICE AND FIRE PROTECTION

**Goal 8.1:** Public facilities which provide a high quality of life.

**Strategy 8.1.1:** Provide levels of public services necessary to achieve a high quality of life, cost effectively.

**Policy 8.1.1.1:** All development should take place concurrent with or after the provision of necessary infrastructure and services.

## HISTORIC AND ARCHAEOLOGICAL SITES

**Strategy 15.1.1:** Identify and protect archaeological and historical resources in the Region.

## ENERGY

**Goal 9.1:** Decreased vulnerability of the Region to fuel price increases and supply interruptions.

**Strategy 9.1.1:** Reduce the Region's reliance on fossil fuels.

**Policy 9.1.1.1:** Encourage patterns of development and programs, which reduce the dependency on the automobile, encourage and accommodate public transit, and reduce the overall use of fossil fuels.

**Policy 9.1.1.3:** Encourage energy efficient buildings. Strategies should include: 1) proper siting according to solar orientation; b) design of passive architectural systems; c) site designs that provide shade to buildings; d) use of sustainable building materials; and e) use of solar mechanical systems.

## ECONOMIC AND FISCAL IMPACTS

**Policy 8.1.1.3:** Encourage patterns of development, which minimize the public cost for providing services, maximize the use of existing service systems and facilities and take into full consideration environmental/physical limitations.

**Policy 8.1.2.2:** Give high priority to restoring or establishing new public facilities only in areas that have been designated as locations that will be built following preferred development form principles.

**Strategy 3.4.1:** Promote patterns of development, which allow public services and facilities to be provided more cost effectively.

**Policy 3.4.1.3:** Non-preferred forms of development, which occur in undeveloped areas should be responsible for and bear the full and true infrastructure costs to support the development through build out.

**Policy 3.4.1.4:** Develop a tiered system of impact fees which recognizes cost differences of providing public services to the development based on the size, type, form, location and service demands of the development proposed.

# APPENDIX D

## Energy Saving Methods

As energy consumption continues to increase in the Region, more consideration should be given to alternative and locally derived energy sources. More consideration should be given to site design and energy saving devices and features that reduce energy consumption. The following energy saving methods are easily incorporated into most site plans and building designs:

1. Use of computerized load management where cost-effective and economically feasible.

2. Preserve native vegetation and topography in order to retain their natural energy conserving benefits.

3. Promote carpooling and van pooling through incentives such as priority parking areas.

4. Encourage incentives to non-automotive travel such as provision of sheltered bus stops, bicycle locking facilities, shaded pathways, and protected crossings.

5. Participate in a systematic approach to the development of walkway and bicycle path networks with the local government that will result in safe, convenient links between home, work, shopping, recreation, and schools.

6. Use of energy-efficient features in window design (e.g. tinting and exterior shading).

7. Use operable window and ceiling fans.

8. Install energy-efficient appliances and equipment.

9. Reduce coverage by asphalt, concrete, rock, and similar substances in streets, parking lots, and other areas to reduce local air temperatures and reflect light and heat.

10. Install energy-efficient lighting for streets, parking areas, recreation areas, and other interior and exterior public areas.

11. Use water closets with a minimum flush of 3.5 gallons and showerheads and faucets with a maximum flow rate of 3.0 gallons per minute (at 60 pounds of pressure per square inch) as specified in the Water Conservation Act, Section 553.14, Florida Statutes.

12. Select native plants, trees, and other vegetation and landscape design features that reduce requirements for water, fertilizer, maintenance, and other needs.

13. Plant native shade trees to provide reasonable shade for all recreation areas, streets, and parking areas.

14. Place trees to provide needed shade in the warmer months while not overly reducing the benefits of sunlight in the cooler months (shade in the summer should receive primary consideration).

15. Orient structures, as possible, to reduce solar heat gain by walls and windows and to utilize the natural cooling effects of the wind.

16. Provide structural shading (e.g. trellises, awnings, and roof overhangs) wherever practical when natural shading cannot be used effectively.

17. Use solar hot water heating systems or photovoltaic energy systems.

# APPENDIX E

# Wood Stork Habitat Guidelines

# HABITAT MANAGEMENT GUIDELINES FOR THE WOOD STORK IN THE SOUTHEAST REGION

# HABITAT MANAGEMENT GUIDELINES FOR THE WOOD STORK IN THE SOUTHEAST REGION

Prepared by

John C. Ogden
Acting Program Manager
Wildlife Research
Everglades National Park

for the

Southeast Region
U.S. Fish and Wildlife Service

Cover design by
Florida Power & Light Company
Miami, Florida

# HABITAT MANAGEMENT GUIDELINES FOR THE WOOD STORK IN THE SOUTHEAST REGION

## Introduction

A number of Federal and state laws and/or regulations prohibit, cumulatively, such acts as harrassing, disturbing, harming, molesting, pursuing, etc., wood storks, or destroying their nests (see Section VII). Although advisory in nature, these guidelines represent a biological interpretation of what would constitute violations of one or more of such prohibited acts. Their purpose is to mainain and/or improve the environmental conditions that are required for the survival and well-being of wood storks in the southeastern United States, and are designed essentially for application in wood stork/human activity conflicts (principally land development and human intrusion into stork use sites). The emphasis is to avoid or minimize detrimental human-related impacts on wood storks. These guidelines were prepared in consultations with state wildlife agencies and wood stork experts in the four southeastern states where the wood stork is listed as Endangered (Alabama, Florida, Georgia, South Carolina).

## General

The wood stork is a gregarious species, which nests in colonies (rookeries), and roosts and feeds in flocks, often in association with other species of long-legged water birds. Storks that nest in the southeastern United States appear to represent a distinct population, separate from the nearest breeding population in Mexico. Storks in the southeastern U.S. population have recently (since 1980) nested in colonies scattered throughout Florida, and at several central-southern Georgia and coastal South Carolina sites. Banded and color-marked storks from central and southern Florida colonies have dispersed during non-breeding seasons as far north as southern Georgia, and the coastal counties in South Carolina and southeastern North Carolina, and as far west as central Alabama and northeastern Mississippi. Storks from a colony in south-central Georgia have wintered between southern Georgia and southern Florida. This U.S. nesting population of wood storks was listed as endangered by the U.S. Fish and Wildlife Service on February 28, 1984 (*Federal Register* 49(4):7332-7335).

Wood storks use freshwater and estuarine wetlands as feeding, nesting, and roosting sites. Although storks are not habitat specialists, their needs are exacting enough, and available habitat is limited enough, so that nesting success and the size of regional populations are closely regulated by year-to-year differences in the quality and quantity of suitable habitat. Storks are especially sensitive to environmental conditions at feeding sites; thus, birds may fly relatively long distances either daily or between regions annually, seeking adequate food resources.

All available evidence suggests that regional declines in wood stork numbers have been largely due to the loss or degradation of essential wetland habitat. An understanding of the qualities of good stork habitat should help to focus protection efforts on those sites

that are seasonally important to regional populations of wood storks. Characteristics of feeding, nesting, and roosting habitat, and management guidelines for each, are presented here by habitat type.

I. **Feeding habitat.**

A major reason for the wood stork decline has been the loss and degredation of feeding habitat. Storks are especially sensitive to any manipulation of a wetland site that results in either reduced amounts or changes in the timing of food availability.

Storks feed primarily (often almost exclusively) on small fish between 1 and 8 inches in length. Successful foraging sites are those where the water is between 2 and 15 inches deep. Good feeding conditions usually occur where water is relatively calm and uncluttered by dense thickets of aquatic vegetation. Often a dropping water level is necessary to concentrate fish at suitable densities. Conversely, a rise in water, especially when it occurs abruptly, disperses fish and reduces the value of a site as feeding habitat.

The types of wetland sites that provide good feeding conditions for storks include: drying marshes or stock ponds, shallow roadside or agricultural ditches, narrow tidal creeks or shallow tidal pools, and depressions in cypress heads or swamp sloughs. In fact, almost any shallow wetland depression where fish tend to become concentrated, either through local reproduction or the consequences of area drying, may be used by storks.

Nesting wood storks do most of their feeding in wetlands between 5 and 40 miles from the colony, and occasionally at distances as great as 75 miles. Within this colony foraging range and for the 110-150 day life of the colony, and depending on the size of the colony and the nature of the surrounding wetlands, anywhere from 50 to 200 different feeding sites may be used during the breeding season.

Non-breeding storks are free to travel much greater distances and remain in a region only for as long as sufficient food is available. Whether used by breeders or non-breeders, any single feeding site may at one time have small or large numbers of storks (1 to 100+), and be used for one to many days, depending on the quality and quantity of available food. Obviously, feeding sites used by relatively large numbers of storks, and/or frequently used areas, potentially are the more important sites necessary for the maintenance of a regional population of birds.

Differences between years in the seasonal distribution and amount of rainfall usually mean that storks will differ between years in where and when they feed. Successful nesting colonies are those that have a large number of feeding site options, including sites that may be suitable only in years of rainfall extremes. To maintain the wide range of feeding site options requires that many different wetlands, with both relatively short and long annual hydroperiods, be preserved. For example, protecting only the larger wetlands, or those with longer annual hydroperiods, will result in the eventual loss of smaller, seemingly less important wetlands. However, these small scale wetlands are crucial as the only available feeding sites during the wetter periods when the larger habitats are too deeply flooded to be used by storks.

## II. Nesting habitat.

Wood storks nest in colonies, and will return to the same colony site for many years so long as that site and surrounding feeding habitat continue to supply the needs of the birds. Storks require between 110 and 150 days for the annual nesting cycle, from the period of courtship until the nestlings become independent. Nesting activity may begin as early as December or as late as March in southern Florida colonies, and between late February and April in colonies located between central Florida and South Carolina. Thus, full term colonies may be active until June-July in south Florida, and as late as July-August at more northern sites. Colony sites may also be used for roosting by storks during other times of the year.

Almost all recent nesting colonies in the southeastern U.S. have been located either in woody vegetation over standing water, or on islands surrounded by broad expanses of open water. The most dominant vegetation in swamp colonies has been cypress, although storks also nest in swamp hardwoods and willows. Nests in island colonies may be in more diverse vegetation, including mangroves (coastal), exotic species such as Australian pine (*Casuarina*) and Brazilian Pepper (*Schinus*), or in low thickets of cactus (*Opuntia*). Nests are usually located 15-75 feet above ground, but may be much lower, especially on island sites when vegetation is low.

Since at least the early 1970's, many colonies in the southeastern U.S. have been located in swamps where water has been impounded due to the construction of levees or roadways. Storks have also nested in dead and dying trees in flooded phosphate surface mines, or in low, woody vegetation on mounded, dredge islands. The use of these altered wetlands or completely "artificial" sites suggests that in some regions or years storks are unable to locate natural nesting habitat that is adequately flooded during the normal breeding season. The readiness with which storks will utilize water impoundments for nesting also suggests that colony sites could be intentionally created and maintained through long-term site management plans. Almost all impoundment sites used by storks become suitable for nesting only fortuitously, and therefore, these sites often do not remain available to storks for many years.

In addition to the irreversible impacts of drainage and destruction of nesting habitat, the greatest threats to colony sites are from human disturbance and predation. Nesting storks show some variation in the levels of human activity they will tolerate near a colony. In general, nesting storks are more tolerant of low levels of human activity near a colony when nests are high in trees than when they are low, and when nests contain partially or completely feathered young than during the period between nest construction and the early nestling period (adults still brooding). When adult storks are forced to leave their nests, eggs or downy young may die quickly (<20 minutes) when exposed to direct sun or rain.

Colonies located in flooded environments must remain flooded if they are to be successful. Often water is between 3 and 5 feet deep in successful colonies during the nesting season. Storks rarely form colonies, even in traditional nesting sites, when they are dry, and may abandon nests if sites become dry during the nesting period. Flooding in colonies may be most important as a defense against mammalian predators. Studies of stork colonies in Georgia and

Florida have shown high rates of raccoon predation when sites dried during the nesting period. A reasonably high water level in an active colony is also a deterrent against both human and domestic animal intrusions.

Although nesting wood storks usually do most feeding away from the colony site (>5 miles), considerable stork activity does occur close to the colony during two periods in the nesting cycle. Adult storks collect almost all nesting material in and near the colony, usually within 2500 feet. Newly fledged storks, near the end of the nesting cycle, spend from 1-4 weeks during the fledging process flying locally in the colony area, and perched in nearby trees or marshy spots on the ground. These birds return daily to their nests to be fed. It is essential that these fledging birds have little or no disturbance as far our as one-half mile within at least one or two quadrants from the colony. Both the adults, while collecting nesting material, and the inexperienced fledglings, do much low, flapping flight within this radius of the colony. At these times, storks potentially are much more likely to strike nearby towers or utility lines.

Colony sites are not necessarily used annually. Regional populations of storks shift nesting locations between years, in response to year-to-year differences in food resources. Thus, regional populations require a range of options for nesting sites, in order to successfully respond to food availability. Protection of colony sites should continue, therefore, for sites that are not used in a given year.

**III. Roosting habitat.**

Although wood storks tend to roost at sites that are similar to those used for nesting, they also use a wider range of site types for roosting than for nesting. Non-breeding storks, for example, may frequently change roosting sites in response to changing feeding locations, and in the process, are inclined to accept a broad range of relatively temporary roosting sites. Included in the list of frequently used roosting locations are cypress "heads" or swamps (not necessarily flooded if trees are tall), mangrove islands, expansive willow thickets or small, isolated willow "islands" in broad marshes, and on the ground either on levees or in open marshes.

Daily activity patterns at a roost vary depending on the status of the storks using the site. Non-breeding adults or immature birds may remain in roosts during major portions of some days. When storks are feeding close to a roost, they may remain on the feeding grounds until almost dark before making the short flight. Nesting storks traveling long distances (>40 miles) to feeding sites may roost at or near the latter, and return to the colony the next morning. Storks leaving roosts, especially when going long distances, tend to wait for mid-morning thermals to develop before departing.

**IV. Management zones and guidelines for feeding sites.**

To the maximum extent possible, feeding sites should be protected by adherence to the following protection zones and guidelines:

A. There should be no human intrusion into feeding sites when storks are present. Depending upon the amount of screening vegetation, human activity should be no closer than between 300 feet (where solid vegetation screens exist) and 750 feet (no vegetation screen).

B. Feeding sites should not be subjected to water management practices that alter traditional water levels or the seasonally normal drying patterns and rates. Sharp rises in water levels are especially disruptive to feeding storks.

C. The introduction of contaminants, fertilizers, or herbicides into wetlands that contain stork feeding sites should be avoided, especially those compounds that could adversely alter the diversity and numbers of native fishes, or that could substantially change the characteristics of aquatic vegetation. Increase in the density and height of emergent vegetation can degrade or destroy sites as feeding habitat.

D. Construction of tall towers (especially with guy wires) within three miles, or high power lines (especially across long stretches of open country) within one mile of major feeding sites should be avoided.

**V. Management zones and guidelines for nesting colonies.**

A. Primary zone: This is the most critical area, and must be managed according to recommended guidelines to insure that a colony site survives.

1. Size: The primary zone must extend between 1000 and 1500 feet in all directions from the actual colony boundaries when there are no visual or broad aquatic barriers, and never less than 500 feet even when there are strong visual or aquatic barriers. The exact width of the primary zone in each direction from the colony can vary within this range, depending on the amount of visual screen (tall trees) surrounding the colony, the amount of relatively deep, open water between the colony and the nearest human activity, and the nature of the nearest human activity. In general, storks forming new colonies are more tolerant of existing human activity, than they will be of new human activity that begins after the colony has formed.

2. Recommended Restrictions:

a. Any of the following activities within the primary zone, at any time of the year, are likely to be detrimental to the colony:

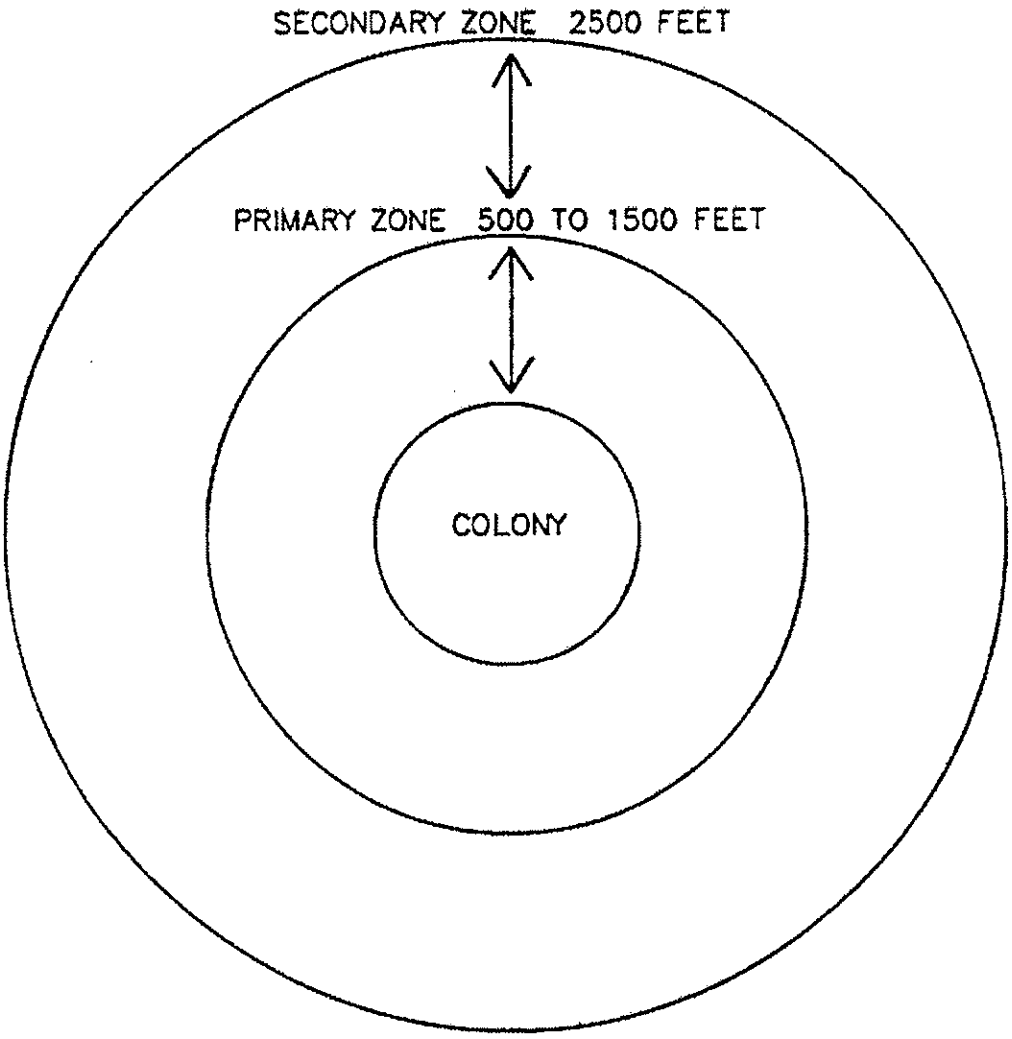
(1) Any lumbering or other removal of vegetation, and

(2) Any activity that reduces the area, depth, or length of flooding in wetlands under and surrounding the colony, except where periodic (less than annual) water control may be required to maintain the health of the aquatic, woody vegetation, and

(3) The construction of any building, roadway, tower, power line, canal, etc.

b. The following activities within the primary zone are likely to be detrimental to a colony if they occur when the colony is active:

(1) Any unauthorized human entry closer than 300 feet of the colony, and


SECONDARY ZONE 2500 FEET
PRIMARY ZONE 500 TO 1500 FEET
COLONY

(2) Any increase or irregular pattern in human activity anywhere in the primary zone, and

(3) Any increase or irregular pattern in activity by animals, including livestock or pets, in the colony, and

(4) Any aircraft operation closer than 500 feet of the colony.

B. Secondary Zone: Restrictions in this zone are needed to minimize disturbances that might impact the primary zone, and to protect essential areas outside of the primary zone. The secondary zone may be used by storks for collecting nesting material, for roosting, loafing, and feeding (especially important to newly fledged young), and may be important as a screen between the colony and areas of relatively intense human activities.

1. Size: The secondary zone should range outward from the primary zone 1000-2000 feet, or to a radius of 2500 feet of the outer edge of the colony.

2. Recommended Restrictions:

a. Activities in the secondary zone which may be detrimental to nesting wood storks include:

(1) Any increase in human activities above the level that existed in the year when the colony first formed, especially when visual screens are lacking, and

(2) Any alteration in the area's hydrology that might cause changes in the primary zone, and

(3) Any substantial (>20 percent) decrease in the area of wetlands and woods of potential value to storks for roosting and feeding.

b. In addition, the probability that low flying storks, or inexperienced, newly-fledged young will strike tall obstructions, requires that high-tension power lines be no closer than one mile (especially across open country or in wetlands) and tall trans-mission towers no closer than 3 miles from active colonies. Other activities, including busy highways and commercial and residential buildings may be present in limited portions of the secondary zone at the time that a new colony first forms. Although storks may tolerate existing levels of human activities, it is important that these human activities not expand substantially.

**VI. Roosting site guidelines.**

The general characteristics and temporary use-patterns of many stork roosting sites limit the number of specific management recommendations that are possible:

A. Avoid human activities within 500-1000 feet of roost sites during seasons of the year and times of the day when storks may be present. Nocturnal activities in active roosts may be especially disruptive.

B. Protect the vegetative and hydrological characteristics of the more important roosting sites--those used annually and/or used by flocks of 25 or more storks. Potentially, roosting sites may, some day, become nesting sites.

## VII. Legal Considerations.

A. Federal Statutes

The U.S. breeding population of the wood stork is protected by the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.)(Act). The population was listed as endangered on February 28, 1984 (49 Federal *Register* 7332); wood storks breeding in Alabama, Florida, Georgia, and South Carolina are protected by the Act.

Section 9 of the Endangered Species Act of 1973, as amended, states that it is unlawful for any person subject to the jurisdiction of the United States to take (defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.") any listed species anywhere within the United States.

The wood stork is also federally protected by its listing (50 CFR 10.13) under the Migratory Bird Treaty Act (167 U.S.C. 703-711), which prohibits the taking, killing or possession of migratory birds except as permitted.

B. State Statutes

1. State of Alabama

Section 9-11-232 of Alabama's Fish, Game, and Wildlife regulations curtails the possession, sale, and purchase of wild birds. "Any person, firm, association, or corporation who takes, catches, kills or has in possession at any time, living or dead, any protected wild bird not a game bird or who sells or offers for sale, buys, purchases or offers to buy or purchase any such bird or exchange same for anything of value or who shall sell or expose for sale or buy any part of the plumage, skin, or body of any bird protected by the laws of this state or who shall take or willfully destroy the nests of any wild bird or who shall have such nests or eggs of such birds in his possession, except as otherwise provided by law, shall be guilty of a misdemeanor...

Section 1 of the Alabama Nongame Species Regulation (Regulation 87-GF-7) includes the wood stork in the list of nongame species covered by paragraph (4). " It shall be unlawful to take, capture, kill, possess, sell, trade for anything of monetary value, or offer to sell or trade for anything of monetary value, the following nongame wildlife species (or any parts or reproductive products of such species) without a scientific collection permit and written permission from the Commissioner, Department of Conservation and Natural Resources,..."

2. State of Florida

Rule 39-4.001 of the Florida Wildlife Code prohibits "taking, attempting to take, pursuing, hunting, molesting, capturing, or killing (collectively defined as "taking"), transporting, storing, serving, buying, selling,

possessing, or wantonly or willingly wasting any wildlife or freshwater fish or their nests, eggs, young, homes, or dens except as specifically provided for in other rules of Chapter 39, Florida Administrative Code.

Rule 39-27.011 of the Florida Wildlife Code prohibits "killing, attempting to kill, or wounding any endangered species." The "Official Lists of Endangered and Potentially Endangered Fauna and Flora in Florida" dated 1 July 1988, includes the wood stork, listed as "endangered" by the Florida Game and Fresh Water Fish Commission.

3. State of Georgia

Section 27-1-28 of the Conservation and Natural Resources Code states that "Except as otherwise provided by law, rule, or regulation, it shall be unlawful to hunt, trap, fish, take, possess, or transport any nongame species of wildlife..."

Section 27-1-30 states that, "Except as otherwise provided by law or regulation, it shall be unlawful to disturb, mutilate, or destroy the dens, holes, or homes of any wildlife;

Section 27-3-22 states, in part, "It shall be unlawful for any person to hunt, trap, take, possess, sell, purchase, ship, or transport any hawk, eagle, owl, or any other bird or any part, nest, or egg thereof...".

The wood stork is listed as endangered pursuant to the Endangered Wildlife Act of 1973 (Section 27-3-130 of the Code). Section 391-4-13-.06 of the Rules and Regulations of the Georgia Department of Natural Resources prohibits harassment, capture, sale, killing, or other actions which directly cause the death of animal species protected under the Endangered Wildlife Act. The destruction of habitat of protected species on public lands is also prohibited.

4. State of South Carolina

Section 50-15-40 of the South Carolina Nongame and Endangered Species Conservation Act states, "Except as otherwise provided in this chapter, it shall be unlawful for any person to take, possess, transport, export, process, sell, or offer of sale or ship, and for any common or contract carrier knowingly to transport or receive for shipment any species or subspecies of wildlife appearing on any of the following lists: (1) the list of wildlife indigenous to the State, determined to be endangered within the State...(2) the United States' List of Endangered Native Fish and Wildlife... (3) the United States' List of Endangered Foreign Fish and Wildlife ..."

**U.S. Fish and Wildlife Service**
**Supplemental**
**Habitat Management Guidelines**
**for the**
**Wood Storks**
**In The**
**South Florida Ecological Services**
**Consultation Area**
June 28, 2002

## Introduction

The purpose of these supplemental guidelines is to provide assistance to the user in addressing species-specific resource questions for the endangered wood stork (*Mycteria americana*) in south Florida. These supplemental guidelines provide guidance in addressing species effects associated with consultations with the South Florida Ecological Services Office under sections 7 and 10 of the Endangered Species Act of 1973, as amended (87 Stat. 884; 16 U.S.C. 1531 et seq.). These supplemental guidelines are in addition to the *Habitat Management Guidelines for the Wood Stork in the Southeast Region* (HMG - Service 1990), which is the principle guidance that the Service relies on to provide management options for wood stork colony protection and species recovery.

The following discussion is intended to provide the user with some of the basic science and reasoning for the recommended supplemental wood stork habitat management guides. More detailed discussions of the ecology of the wood stork are available in the *South Florida Multi-species Recovery Plan* (Service 1999), *Wood Stork Recovery Plan* (1996), and *Species Profile: Wood Storks on Military Installations in the Southeastern United States* (Mitchell 1999).

## Colony

Wood storks nest in colonies and will return to the same colony site for many years so long as the site and the surrounding feeding habitat continues to supply the needs of the birds. Nesting colony life averages 115 to 120 days. Nest sites are generally in woody vegetation over standing water, or on islands surrounded by broad expanses of open water. In south Florida, wood storks generally begin their breeding cycle in November through January with peek activity in December. Nestling dispersal is in late April through early May. In central and north Florida and other northern nesting sites, nesting activities begin in late February through April with nestling dispersal between July through August.

In response to deteriorating habitat conditions in south Florida, nest initiation has shifted to February or March with nestling dispersal in July through August. This shift results in the presence of young in the nest when the May-June rains flood marshes and disperse fish, resulting in loss of nestlings to weather events or starvation of the young from lack of concentrated prey.

**Nest Productivity**

Researchers (Kahl 1964 and Rodgers *et al.,* 1987) have shown that the more successful nesting efforts by storks result from a combination of average or above-average rainfall during the summer rainy season and an absence of unusually rainy or cold weather during the winter-spring nesting season. This pattern produces widespread and prolonged flooding of summer marshes that maximize production of freshwater fishes, followed by steady drying that concentrate fish during the dry season when storks nest (Kahl 1964). During the summer months, the rains saturate thousands of acres of Florida, and fish are able to reproduce and grow rapidly. By October, the rains taper off and the water recedes. The water areas fragment into hundreds of individual ponds that slowly shrink as the dry season progresses, concentrating the fish.

Successful nesting colonies are also those that have a large number of feeding site options. To maintain the wide range of feeding site options requires that many different wetlands, with both relatively short and long annual hydroperiods be present. During the wet season, wood storks generally feed in the shallow water of the short-hydroperiod wetlands and in coastal habitats during low tide. During the dry season, foraging shifts to longer hydroperiod interior wetlands as they progressively dry down (although usually retaining some surface water throughout the dry season) (Fleming, *et al.,* 1994).

Good feeding conditions usually occur where the water is relatively calm and uncluttered by dense thickets of aquatic vegetation and successful foraging sites are those where the water is between 2 and 15 inches deep. Generally a dropping water level is necessary to concentrate fish in suitable densities. Conversely, a rising water level disperses fish and reduces the value of a site as a feeding habitat. Typical wet season densities of fish range from 50 fish/$m^2$ in long-hydroperiod wetlands to 10 fish/$m^2$ in short-hydroperiod wetlands (Loftus and Eklund 1994). Average weight of the fish is 1.73 g (Ogden *et al.* 1980). Based on the above, 5 acres of short hydroperiod wetlands would be necessary to provide the same nutritional needs that one acre of long hydroperiod wetlands would provide. However, each wetland type provides foraging needs during different times of the year and as such, are not interchangeable.

Nesting wood storks do most of their feeding between 5 and 40 miles from the colony. Coulter (1987) found that in a wood stork colony, 62% of foraging areas were within 10 km. Ogden *et al.* (1978) and Coulter (1987) suggest that wood storks generally use foraging sites that are located within about 50 km (31 miles) flight range of the colony. Coulter and Bryan (1993) note that although foraging areas may be 60 to 80 km (37 to 50 miles) from the colony, 85 percent are within 20 km (12.5 miles). The Florida Fish and Wildlife Conservation Commission considers 30 km (18.6 miles) as the core foraging area (CFA) for nesting wood storks (Cox *et al.* 1994).

Successful colonies are also those that have limited human disturbance and those where land-based mammalian predation is limited. If adult storks are forced to leave their nests as a result of human disturbance, eggs or downy young may die quickly (< 20 minutes) when exposed to

direct sun or rain. Rodgers and Smith (1997) have recommended a buffer distance of 100 meters (325 feet) from the nesting colony as the minimum distance for human disturbances.

Land based mammalian predators may also affect nest productivity. Mammalian predators of wood stork nests include a variety of land based animals such as racoons and skunks. Generally, these dry-land predators do not have access to the nesting colony except when water levels below the nests recede or when significant vegetation bridges (dense growths of water hycanthes, water lettuce, etc.) allow direct access to the nesting colony. Successful nesting colonies from land based predators have been characterized as those that are surrounded by large expanses of open water, or those where the nest trees are inundated at the onset of nesting and remain inundated throughout most of the breeding cycle. Successful nesting colonies often have water depths between 3 and 5 feet deep during the nesting season and also go through periodic dry-downs during the tail-end of the dry season. The periodic dry-down facilitates recruitment of nest trees. Therefore, an important parameter in colony success from land-based predation is the hydroperiod (duration that an area is inundated) and hydropattern (depth, timing, flow, and location of surface water) beneath the colony.

**Breeding Cycles**

In South Florida, wood storks generally begin their breeding cycle in November, with peek activity in December. Nestling dispersal begins in late April and continues through early May. Based on a 120 day nesting cycle, courtship and nest building requires 7 to 10 days, egg laying and incubation requires 25 to 27 days, hatchling growth to thermoregulation (chicks have down and feathers) requires approximately 28 days, growth to fledging requires an additional 42 days, and post fledging to colony dispersal requires 10 to 15 days.

Rodgers and Schwikert (1997) report the greatest period of mortality occurs prior to hatching, with a second large mortality during the nestling period from hatchling to 2 weeks. During these early periods of the breeding cycle, the nest is tended by at least one of the adults with egg protection and feeding of the young shared by both. During early nesting, when downy young are present, the adults may feed the young as often as 10 to15 times a day. Growth is very rapid with the young at age 14 days, weighing 10 times more than they did at hatching and 25 times heavier at 28 days (Service 2001). Fifty percent of the nestling wood stork's food requirements occur during the middle third of the nestling period (Kahl 1962), which corresponds to age 28 to 56 days.

**Conclusion**

In review, the Service believes that in order to minimize take of a listed species (loss of nest productivity) and to support recovery efforts for the wood stork, the following supplemental guidance is applicable for protection of the nest colony, primary and secondary zones, CFA, and adult foraging areas. The Service considers actions that affect the nest colony, primary and secondary zones, and CFA as direct effects and actions that affect wetlands outside the CFA as indirect effects.

1. Nest colony

   a. No human intrusion within 100 meters (325 feet) during active nesting period (November through August). Range covers pre-drainage Everglades, post-drainage Everglades, and central and northern Florida nesting cycles. Colony entry for maintenance and management actions during other times of the year is acceptable. The nests and nest trees are protected year-round.

   b. No reduction in water levels at nest site during active nesting period. Maintain hydroperiod cycle to provide minimum of 2 to 5 feet of standing water below colony during nest activity. Provide for periodic dry-down of nest colony to promote recruitment of new nest trees during latter part of dry weather cycle.

      Since nest colony protection from land base predators (raccoons) is based on seasonal wet-dry cycles, coordinate changes in hydrology to match seasonal rainfall events.

      1. South Florida hydroperiod - Nest colony flooded late October - early November, gradual drying out of foraging area with colony site dry late April early May. May - June rains begin wet cycle.

      2. Central and north Florida hydroperiod - Nest colony flooded late February early May, gradual drying out of foraging area with colony site dry late August early September.

      3. For dry island nesting colonies, water levels in the surrounding openwater should be managed to prevent land base predators from access to the colony.

2. Primary Zone - 1,300 feet (400 meters)

The primary zone includes the nest colony and a 1,300 foot radius surrounding the colony. Since some nest colonies can cover several acres in distance, the primary zone can be larger than 1,300 feet. Restrictions in the primary zone follow those listed in the management recommendation in the wood stork HMG (1990). Restrictions in the primary zone include both year-round restrictions and nesting-season restrictions.

a. Year round restrictions include vegetation removal, changes in hydroperiod, and the construction of buildings, roadways, towers, powerlines, or canals. Nuisance species removal and normal maintenance activities may occur outside the nesting season.

b. Nesting season restrictions include unauthorized human entry within 300 feet of colony, an increase or change in pattern of human activity anywhere within the primary zone, an increase or change in pattern of livestock (livestock should be restricted from

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entering colony any time of the year), or aircraft/airboat operation closer than 500 feet of the colony.

3. Secondary Zone - 2,500 feet (750 meters)

   The secondary zone is important to storks for collecting nest material, roosting, loafing, and feeding (especially important to newly fledged young). Restrictions in the secondary zone include changes in human activity above existing levels, alterations in area hydrology that might affect hydrology of primary zone, and any decrease in the area of wetlands and woods of potential value to wood storks for roosting and feeding (see core foraging area restrictions, discussed below).

4. Powerline and cell tower restrictions (≤200-foot height) - no closer than 1 mile from rookery.

5. Towers greater than 200 feet - no closer than 3 miles from rookery.

6. Core foraging area (CFA) for Nesting Wood Storks ( 30 km - 18.6 miles)

   The Service's goal in this portion of the protocol is to protect and enhance the foraging habitat for wood storks during the nesting season. For this purpose, the Service believes that the foraging range noted by the FWC is the appropriate distance. Therefore, in order to reduce loss of nest productivity (take of a listed species), the Service recommends the following for wetland alterations within the CFA, which also includes the primary and secondary zones.

   a. Wetland enhancement, *i.e.*, exotic species removal and/or hydrological restorations may occur within the primary and secondary zones outside the nesting season and any time of the year for the remainder of the CFA. For wetland enhancements and hydrological restorations, the current and historic ratio of short hydroperiod and long hydroperiod wetlands needs to be identified. The importance of each type of wetland has been discussed and should be the basis for the type of wetlands targeted for restoration purposes.

   b. Wetland alterations within the CFA of a wood stork colony need to compensate for the loss of this foraging resource. The Service believes that compensation needs to not only include the replacement of this resource but also needs to include compensation for the growth time (temporal lag) necessary for the new resource to achieve foraging value equal to that provided by the original wetland. The current resource value to the colony may be determined by the use a of wetland functional assessment protocol (use the currently accepted Federal/State assessment protocol). Of particular importance in the evaluation is the type of wetland, *i.e.*, short hydroperiod or long hydroperiod. The Service (1999) describes a short hydroperiod as a two to five month wet/dry cycle, and a long hydroperiod as greater than 5

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months. For wetland compensation, providing a short hydroperiod replacement for a long hydroperiod impact does not provide the same functional value to the colony. Also providing functional replacement outside the CFA of the colony does not provide the same resource value to the colony.

7. Adult Foraging Areas, Year Round

In addition to south Florida wetlands providing nutritional needs to wood storks nesting in south Florida, they also provide non-breeding season foraging for north Florida, Georgia, and South Carolina's breeding populations (Service 1996). Typical foraging sites for the wood stork include freshwater marshes, stock ponds, shallow, and seasonally flooded roadside or agricultural ditches, narrow tidal creeks, shallow tidal pools, managed impoundments, and depressions in cypress heads, swamps, and sloughs. Because of their specialized feeding behavior, wood storks forage most effectively in shallow water areas with highly concentrated prey.

Therefore, for actions that affect year-round foraging areas, i.e., those outside the CFA, the Services recommends avoidance where possible, and functional replacement (including a temporal lag factor) for those systems that cannot be avoided. A wetland suitable for wood stork foraging needs to include a mosaic of emergent and shallow open water depressional areas. The emergent component provides nursery habitat for small fish, frogs, and aquatic insects and the shallow, openwater depressional areas provide sites for concentration of the prey during seasonal drying of the wetland. The compensation wetland needs to mimic when possible the historical hydroperiod of the impacted wetland.

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# APPENDIX F

# Transportation Methodology

Callery-Judge Grove DRI is a proposed mixed-use development to be located east and west of Seminole Pratt-Whitney Road between Okeechobee Boulevard and Northlake Boulevard in the north central portion of Palm Beach County.

The project is to be built in three phases with a buildout in the year 2019. Main access to the project is to be provided through Seminole Pratt Whitney Road with additional access to/from Persimmon Boulevard.

The table below summarizes the proposed cumulative development for each phase. The East and West notation makes reference to the location of the development in orientation to Seminole Pratt-Whitney Road.

| Land Use | Phase 1 (2009) | Phase 2 (2014) | Phase 3 (2019) |
|---|---|---|---|
| **Residential Development** | | | |
| Single-Family (East) | 1,042 d.u. | 2,326 d.u. | 3,736 d.u. |
| Apartment (East) | 349 d.u. | 698 d.u. | 1,050 d.u. |
| Townhouse (East) | 858 d.u. | 1,716 d.u. | 2,730 d.u. |
| Single-Family (West) | 358 d.u. | 787 d.u. | 1,264 d.u. |
| Apartment (West) | 151 d.u. | 302 d.u. | 450 d.u. |
| Townhouse (West) | 242 d.u. | 484 d.u. | 770 d.u. |
| **Total Residential** | **3,000 d.u.** | **6,313 d.u.** | **10,000 d.u.** |
| | | | |
| Research and Development (East) | 300,000 s.f. | 1,100,000 s.f. | 1,750,000 s.f. |
| Research and Development (West) | 0 s.f. | 100,000 s.f. | 250,000 s.f. |
| General Office Building (East) | 0 s.f. | 100,000 s.f. | 200,000 s.f. |
| General Office Building (West) | 100,000 s.f. | 200,000 s.f. | 300,000 s.f. |
| Retail (East) | 400,000 s.f. | 700,000 s.f. | 1,200,000 s.f. |
| Retail (west) | 100,000 s.f. | 100,000 s.f. | 100,000 s.f. |
| Elementary School (East) | 1,000 std. | 1,000 std. | 1,000 std. |
| Elementary School (West) | 0 std. | 1,000 std. | 1,000 std. |
| Middle School (West) | 0 std. | 1,300 std. | 1,300 std. |
| University/College (West) | 0 std. | 2,000 std. | 2,000 std. |
| Golf Course (West) | 18 holes | 18 holes | 18 holes |
| Hotel - East | 0 Rooms | 150 Rooms | 150 Rooms |

d.u. – Dwelling Units
s.f. – Square Feet
std. - Students

This overview summarizes traffic conditions during Phase 1, year 2009. A condition of development is recommended to address traffic impact beyond the year 2009.

## Methodology

Roadway improvements were determined based on the Department of Community Affair's Transportation Standard Rule for DRI's (Rule 9J-2.045, F.A.C.). Based on the rule, roadway improvements are recommended for roadway sections which meet the following two criteria:

- Project traffic is five percent (5%) or more of the adopted peak-hour/peak direction level of service, and
- Total traffic exceeds the adopted level of service.

In accordance with Rule 9J-2.045, F.A.C., roadway improvements included in the current three years of the Palm Beach County Improvement Program and the Florida Department of Transportation Adopted Work Program are assumed to be committed improvements. Therefore, the following improvements have been considered as existing in the traffic study:

a) Seminole Pratt-Whitney Road from its existing terminus at Northlake Boulevard to PGA Boulevard (Palm Beach County Biotechnology Research Park) – new road with a four lane-divided cross-section.
b) Seminole Pratt-Whitney Road from PGA Boulevard (Palm Beach County Biotechnology Research Park) to Beeline Highway – new road with a two lane cross-section.
c) Seminole Pratt-Whitney Road from Northlake Boulevard to Southern Boulevard (SR 80) – widen to a four lane-divided cross-section.
d) Northlake Boulevard from Seminole Pratt-Whitney Road to Coconut Boulevard – widen to a four lane-divided cross-section.
e) SR 7 from Okeechobee Boulevard to Persimmon Boulevard – new road with a two lane cross-section.
f) Okeechobee Boulevard from SR 7 to Jog Road – widen to an eight lane-divided cross-section.

## Trip Generation

Trip generation characteristics of the proposed development were determined using rates and equations included in the *Institute of Transportation Engineers (ITE) Trip Generation, 7th Edition.* The following table summarizes the AM and PM peak hour gross trip generation for Phase 1:

| Peak Hour | Trip Generation (Phase 1, Year 2009) | | |
|---|---|---|---|
| | Total | In | Out |
| AM | 3,134 | 1,392 | 1,742 |
| PM | 4,914 | 2,522 | 2,392 |

Given the mixed-use nature of the development, a portion of the identified gross trips generated will be satisfied on site, and have no impact on the outside roadway network. These internal rates were developed in coordination with all review agencies using engineering judgment.

Reductions for internal capture applied to the trip generation rates were 23.3% in the a.m. peak hour and 30.4% in the p.m. peak hour. Reductions for pass-by were applied to retail only at a rate of 25% for a.m. and p.m. peak hours or ten percent of the non-project traffic volumes on the adjacent street (Seminole Pratt-Whitney Road). The following table shows the net trip generation after internal capture and pass-by trips were applied:

| Peak Hour | Net Trip Generation (Phase 1, Year 2009) | | |
|---|---|---|---|
| | Total | In | Out |
| AM | 2,346 | 984 | 1,362 |
| PM | 3,253 | 1,703 | 1,550 |

## Roadway Network

The external roadway network will be expanded concurrent with development. Seminole Pratt-Whitney Road will be extended from its current terminus at Northlake Boulevard to Beeline Highway. Similarly SR 7 will be extended from Okeechobee Boulevard to Persimmon Boulevard allowing for better access into the project.

The internal roadway network will be built as the property develops. At buildout, the project will provide a minimum of three roads running from east to west allowing access to adjacent properties. Internal roads will be open to the public.

The traffic analysis assumes access to Persimmon Boulevard is available in Phase 1. This allows for dispersion of project traffic without over loading on Seminole Pratt-Whitney Road.

## Analysis

Future year traffic volumes were established for each roadway segment within the study area. Future traffic volumes consist of two components of traffic: future background traffic and future project traffic.

Future background traffic conditions on the surrounding roadway network included historic growth and traffic from committed developments. Committed development data was obtained from Palm Beach County and includes the recently approved Palm Beach County Biotechnology Research Park. It must be noted that an adjustment was made to background traffic to avoid double counting of traffic traveling between Palm Beach County Biotechnology Research Park and Callery-Judge Grove.

Area-wide historic growth rates were developed using a cordon line approach. The following historic growth rates were utilized for phase 1 of the development:

- A.M. peak hour = 4.77%
- P.M. peak hour = 3.02%

Background traffic was determined to be the largest of: existing traffic grown at a rate of 0.5% per year plus committed developments or existing traffic grown using the rates presented in the table above. **Table TR – 1** summarizes background traffic at the end of Phase 1 (year 2009) during the p.m. peak hour.

Project traffic distribution and assignment was defined based on a select-zone analysis using the latest Florida Standard Urban Transportation Model Structure (FSUTMS) for the study area. The 2025 Greater Treasure Coast Regional Planning Model (GTCRPM) was used with some manual adjustments to determine traffic distribution and assignment. There has been debate about the appropriate traffic distribution/assignment for this project. Representatives from Palm Beach County, the Florida Department of Transportation and the Treasure Coast Regional Planning Council met to discuss the proposed methodology and revised the traffic

distribution/assignment. The revised assignment which has been used to prepare this assessment report is presented in **Map TR – 1**.

**Tables TR -2 and TR – 3** evaluate significant impact for Phase 1 during the a.m. and the p.m. peak hours, respectively. **Map TR - 2** presents roadways significantly impacted by project traffic.

As indicated earlier, the following roadways within the study area are to be extended and will alter travel existing patterns:

- Seminole Pratt-Whitney Road from Northlake Boulevard to Beeline Highway;
- SR 7 from Okeechobee Boulevard to Persimmon Boulevard.

It is anticipated that traffic will divert from existing roadway links to these newly built facilities. These diversions have been incorporated into the study.

In order to determine total traffic, project traffic was added to background traffic on all roadway links within the study area. Total traffic volumes were then compared to the adopted service volume for the committed number of lanes for each significantly impacted roadway link. **Table TR-4** summarizes the comparison of projected total traffic volumes on the study roadways during the p.m. peak hour.

## Proposed Access to the External Roadway Network

The proposed development will have access to Seminole Pratt-Whitney Road via four access driveways which will be available in Phase 1. Additional accesses are proposed to Persimmon Boulevard, 60$^{th}$ Street North and 50$^{th}$ Street North.

## Roadway Improvements

The following roadway segments significantly impacted by project traffic at buildout of Phase 1 (year 2009) do not meet the adopted level of service:

- SR 7 between Persimmon Boulevard and Okeechobee Boulevard
- Southern Boulevard (SR 80) between Big Blue Trace and Crestwood/Forest Hill Boulevard
- Northlake Boulevard between Coconut Boulevard and Shoppes at Ibis
- Northlake Boulevard between Shoppes at Ibis and Beeline Highway
- Seminole Pratt-Whitney Road between Indiantown Road and Beeline Highway
- Okeechobee Boulevard between SR 7 and Sansbury's Way
- Okeechobee Boulevard between Sansbury's Way and Skees Road
- Okeechobee Boulevard between Skees Road and Jog Road

Widening improvements have been recommended for the above roadway segments with the exception of those segments on Okeechobee Boulevard. Okeechobee Boulevard is projected to be over capacity with an eight lane-divided cross-section in the year 2009. Although there is a significant amount of traffic utilizing the road today, there is also a significant amount of development already approved by Palm Beach County which is expected to increase traffic

along this road. Since the road will not be expanded beyond the planned eight lanes, a CRALLS (constrained roadway at lower level of service) designation will have to be adopted by Palm Beach County in order to allow further development impacting this road. Conditions have been recommended to obtain CRALLS designations for the above mentioned segments of Okeechobee Boulevard.

An origin/destination survey has also been recommended as a condition of development to estimate the amount of traffic generated by the project which will impact Okeechobee Boulevard. This condition ensures that project traffic assigned to Okeechobee Boulevard is consistent with existing traffic patterns.

Intersection analyses were also performed to determine deficiencies. Based on the results of the intersection analyses, there are recommend intersection improvements to maintain the adopted level of service.

A condition to have a re-evaluation of traffic at the end of Phase 1 (Year 2009) is also recommended. As new projects are either proposed or approved in the area, traffic patters will change. There is also uncertainty about the approved Palm Beach County Biotechnology Research Park at its development. Therefore, a comprehensive regional traffic analysis is recommended to evaluate future roadway conditions.

**Guarantee for Roadway Improvements**

Rule 9J-2.045, F.A.C. defines acceptable methods of guaranteeing identified roadway improvements:

"1. Scheduling of Facility Improvements

a) A schedule which specifically provides for the mitigation of impacts from the proposed development on each significantly impacted roadway which will operate below the adopted level of service standard at the end of each project Phase's build out, or alternatively, a subset stage of that Phase. The schedule shall ensure that each and every roadway improvement which is necessary to achieve the adopted level of service standard for that project stage or Phase shall be guaranteed to be in place and operational, or under actual construction for the entire improvement, at build out of each project stage or Phase that creates the significant impact.

This guarantee shall be in the form of:

I. A clearly identified, executed and recorded local government development agreement, consistent with Sections 163.3220 through 163.3243, F.S., that is attached as an exhibit to the development order, and which ensures, at a minimum, that all needed roadway improvements will be available concurrent with the impacts of development, consistent with paragraph 163.3180 (2) (c), F.S.;

II. A binding and enforceable commitment in the development order by the local government to provide all needed roadway improvements concurrently with the development schedule approved in the development order;

III. A local government commitment in the current year of their local government comprehensive plan Capital Improvement Element (CIE) to provide all needed roadway improvements, or a local government commitment in the current three years of their CIE to provide all needed roadway improvements when the local government has specifically adopted an in-compliance Rule 9J-5.0055 (2) (c), F.A.C., concurrency management system in their plan;

IV. A Florida Department of Transportation commitment in the current three years of the Adopted Work Program to provide all needed roadway improvements;

V. A binding and enforceable commitment in the development order by the developer to provide all needed roadway improvements concurrently with the development schedule approved in the development order; or

VI. Any combination of guarantees I through V above that ensures that all needed roadway improvements will be provided concurrently with the development schedule approved in the development order."

Along with including the recommended conditions in the development order, Palm Beach County needs to provide a form of guarantee as stated above to meet the minimum criteria for insuring DCA will not appeal the DO. In accordance with the Transportation Standard Rule, Palm Beach County should attach an executed and recorded local government development agreement as an exhibit to the development order, if applicable. A condition specifying that compliance with this agreement as a circumstance underlying approval of the project is recommended.

Table TR - 1

Phase 1 P.M. Peak Hour Background Traffic (Year 2009)

| ROADWAY | | Committed Lanes | | Existing Volume | | Diversions | | 2009 Non-Project | | Other Projects | | Committed Projects | | Total Committed | | Growth Factor Options | | | | | | 2009 Non-Project USE Greater | | Meets Level of Service? | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | | | | | | | | | | 0.5% | | 0.5%+Committed | | 3.02% | | | | | |
| From: | To: | Number Of Lanes | Directional Peak Hr. Capacity | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB |
| BEE LINE HWY/8 ST W (SR 710) | | | | | | | | | | | | | | | | | | | | | | | | | |
| NORTHLAKE BLVD | JOG RD | 4LD | 1860 | 566 | 884 | 0 | 0 | 566 | 884 | | | 455 | 166 | 455 | 166 | 580 | 906 | 1035 | 1072 | 657 | 1026 | 1035 | 1072 | YES | YES |
| JOG RD | HAVERHILL ROAD | 4LD | 1860 | 677 | 1379 | 0 | 0 | 677 | 1379 | | | 141 | 59 | 141 | 59 | 694 | 1414 | 835 | 1473 | 786 | 1600 | 835 | 1600 | YES | YES |
| HAVERHILL ROAD | BLUE HERON BLVD | 4LD | 1860 | 677 | 1379 | 0 | 0 | 677 | 1379 | | | 141 | 59 | 141 | 59 | 694 | 1414 | 835 | 1473 | 786 | 1600 | 835 | 1600 | YES | YES |
| INDIANTOWN ROAD | | | | | | | | | | | | | | | | | | | | | | | | | |
| PRATT WHITNEY ROAD | ALEXANDER RUN | 2L | 860 | 387 | 178 | 0 | 0 | 387 | 178 | | | 194 | 139 | 194 | 139 | 397 | 182 | 591 | 321 | 449 | 207 | 591 | 321 | YES | YES |
| PGA BLVD | | | | | | | | | | | | | | | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | PBC BRP DRIVEWAY | -- | -- | -- | -- | -- | -- | 0 | 0 | | | -- | -- | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | YES | YES |
| PBC BRP DRIVEWAY | BEE LINE HWY | -- | -- | -- | -- | -- | -- | 0 | 0 | | | -- | -- | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | YES | YES |
| BEE LINE HWY | RYDER CUP | 2L | 860 | 265 | 229 | 0 | 0 | 265 | 229 | | | 1159 | 911 | 1159 | 911 | 272 | 235 | 1431 | 1146 | 308 | 266 | 1431 | 1146 | NO | NO |
| RYDER CUP | FLORIDA'S TURNPIKE | 2L | 860 | 841 | 914 | 0 | 0 | 841 | 914 | | | 1159 | 911 | 1159 | 911 | 862 | 937 | 2021 | 1848 | 976 | 1061 | 2021 | 1848 | NO | NO |
| NORTHLAKE BLVD | | | | | | | | | | | | | | | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | COCONUT BLVD | 4LD | 1860 | 279 | 696 | -11 | -31 | 268 | 665 | | | 471 | 126 | 471 | 126 | 275 | 682 | 746 | 808 | 311 | 772 | 746 | 808 | YES | YES |
| COCONUT BLVD | SHOPPES AT IBIS | 4LD | 1860 | 626 | 2345 | -31 | -119 | 595 | 2226 | | | 339 | 93 | 339 | 93 | 610 | 2282 | 949 | 2375 | 690 | 2583 | 949 | 2583 | YES | NO |
| SHOPPES AT IBIS | BEE LINE HWY | 4LD | 1860 | 894 | 2235 | -31 | -119 | 863 | 2116 | | | 287 | 79 | 287 | 79 | 885 | 2169 | 1172 | 2248 | 1001 | 2455 | 1172 | 2455 | YES | NO |
| BEE LINE HWY | FLORIDA'S TURNPIKE | 6LD | 2790 | 700 | 1333 | 0 | 0 | 700 | 1333 | | | 392 | 122 | 392 | 122 | 718 | 1367 | 1110 | 1489 | 812 | 1547 | 1110 | 1547 | YES | YES |
| FLORIDA'S TURNPIKE | MILITARY TR | 6LD | 2790 | 1343 | 2250 | 0 | 0 | 1343 | 2250 | | | 468 | 392 | 468 | 392 | 1377 | 2307 | 1845 | 2699 | 1558 | 2611 | 1845 | 2699 | YES | YES |
| ORANGE BLVD | | | | | | | | | | | | | | | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | COCONUT BLVD | 2L | 860 | 284 | 466 | 119 | 169 | 403 | 575 | | | 17 | 5 | 17 | 5 | 413 | 580 | 430 | 595 | 468 | 667 | 468 | 667 | YES | YES |
| COCONUT BLVD | ROYAL PALM BEACH BLVD | 2L | 690 | 713 | 439 | 119 | 169 | 832 | 608 | | | 25 | 7 | 25 | 7 | 853 | 623 | 878 | 630 | 965 | 706 | 965 | 706 | NO | NO |
| PERSIMMON BLVD | | | | | | | | | | | | | | | | | | | | | | | | | |
| 140TH AVE | AVOCADO BLVD | 2L | 690 | 205 | 278 | 0 | 0 | 205 | 278 | | | 0 | 0 | 0 | 0 | 210 | 285 | 210 | 285 | 238 | 323 | 238 | 323 | YES | YES |
| AVOCADO BLVD | COCONUT BLVD | 2L | 690 | 205 | 278 | 0 | 0 | 205 | 278 | | | 0 | 0 | 0 | 0 | 210 | 285 | 210 | 285 | 238 | 323 | 238 | 323 | YES | YES |
| COCONUT BLVD | ROYAL PALM BEACH BLVD | 2L | 690 | 383 | 434 | 0 | 0 | 383 | 434 | | | 0 | 0 | 0 | 0 | 393 | 445 | 393 | 445 | 444 | 504 | 444 | 504 | YES | YES |
| ROYAL PALM BEACH BLVD | S.R.7 | 2L | 860 | 0 | 0 | 329 | 467 | 329 | 467 | | | 0 | 0 | 0 | 0 | 337 | 479 | 337 | 479 | 382 | 542 | 382 | 542 | YES | YES |
| OKEECHOBEE BLVD | | | | | | | | | | | | | | | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | 140TH AVE | 2L | 860 | 412 | 600 | -18 | -25 | 394 | 575 | | | 27 | 7 | 27 | 7 | 404 | 590 | 431 | 597 | 457 | 667 | 457 | 667 | YES | YES |
| 140TH AVE | CRESTWOOD | 2L | 860 | 634 | 962 | -18 | -25 | 616 | 937 | | | 19 | 5 | 19 | 5 | 632 | 961 | 651 | 966 | 715 | 1087 | 715 | 1087 | YES | NO |
| CRESTWOOD | ROYAL PALM BEACH BLVD | 4LD | 1860 | 1231 | 1756 | -18 | -25 | 1213 | 1731 | 62 | 43 | 84 | 66 | 146 | 109 | 1244 | 1775 | 1390 | 1884 | 1408 | 2009 | 1408 | 2009 | YES | NO |
| ROYAL PALM BEACH BLVD | S.R.7 | 6LD | 2790 | 2037 | 3493 | -228 | -323 | 1809 | 3170 | 424 | 341 | 364 | 325 | 788 | 666 | 1855 | 3250 | 2643 | 3916 | 2099 | 3678 | 2643 | 3916 | YES | NO |
| S.R.7 | SANSBURY'S WAY | 8LD | 3540 | 1365 | 2168 | 0 | 0 | 1365 | 2168 | 671 | 812 | 509 | 749 | 1180 | 1561 | 1399 | 2223 | 2579 | 3784 | 1584 | 2516 | 2579 | 3784 | YES | NO |
| SANSBURY'S WAY | BENOIST FARMS ROAD | 8LD | 3540 | 1430 | 2414 | 0 | 0 | 1430 | 2414 | 721 | 924 | 535 | 989 | 1256 | 1913 | 1466 | 2475 | 2722 | 4388 | 1659 | 2801 | 2722 | 4388 | YES | NO |
| BENOIST FARMS ROAD | SKEES RD | 8LD | 3330 | 1555 | 2736 | 0 | 0 | 1555 | 2736 | 691 | 852 | 473 | 892 | 1164 | 1744 | 1594 | 2805 | 2758 | 4549 | 1804 | 3175 | 2758 | 4549 | YES | NO |
| SKEES RD | JOG RD | 8LD | 3330 | 1770 | 3391 | 0 | 0 | 1770 | 3391 | 736 | 781 | 475 | 963 | 1211 | 1744 | 1815 | 3477 | 3026 | 5221 | 2054 | 3935 | 3026 | 5221 | YES | NO |
| JOG RD | FLORIDA'S TURNPIKE | 8LD | 3330 | 2023 | 3361 | 0 | 0 | 2023 | 3361 | 751 | 1066 | 437 | 905 | 1188 | 1971 | 2074 | 3446 | 3262 | 5417 | 2347 | 3900 | 3262 | 5417 | YES | NO |
| FLORIDA'S TURNPIKE | HAVERHILL RD | 8LD | 3330 | 2080 | 3697 | 0 | 0 | 2080 | 3697 | 492 | 683 | 593 | 428 | 1085 | 1111 | 2133 | 3790 | 3218 | 4901 | 2414 | 4290 | 3218 | 4901 | YES | NO |
| SOUTHERN BLVD (SR 80) | | | | | | | | | | | | | | | | | | | | | | | | | |
| SR 880 | SEMINOLE PRATT WHITNEY | 4LD | 2500 | 833 | 607 | 0 | 0 | 833 | 607 | | | 1 | 4 | 1 | 4 | 854 | 622 | 855 | 626 | 967 | 704 | 967 | 704 | YES | YES |
| SEMINOLE PRATT WHITNEY | BINKS FOREST DR | 4LD | 1860 | 1197 | 1270 | -102 | -144 | 1095 | 1126 | | | 32 | 8 | 32 | 8 | 1123 | 1154 | 1155 | 1162 | 1271 | 1307 | 1271 | 1307 | YES | YES |
| BINKS FOREST DR | BIG BLUE TRACE | 4LD | 1860 | 1296 | 1169 | -102 | -144 | 1194 | 1025 | 282 | 223 | 32 | 8 | 314 | 231 | 1224 | 1051 | 1538 | 1282 | 1386 | 1189 | 1538 | 1282 | YES | YES |
| BIG BLUE TRACE | CRESTWOOD | 4LD | 1860 | 1596 | 1713 | -102 | -144 | 1494 | 1569 | 310 | 245 | 32 | 8 | 342 | 253 | 1532 | 1609 | 1874 | 1862 | 1734 | 1821 | 1874 | 1862 | NO | NO |
| CRESTWOOD | ROYAL PALM BEACH BLVD | 6LD | 2790 | 1596 | 1713 | -102 | -144 | 1494 | 1569 | 62 | 48 | 27 | 25 | 89 | 73 | 1532 | 1609 | 1621 | 1682 | 1734 | 1821 | 1734 | 1821 | YES | YES |
| ROYAL PALM BEACH BLVD | S.R.7 | 8LD | 3540 | 1548 | 2348 | 0 | 0 | 1548 | 2348 | 577 | 517 | 25 | 45 | 602 | 562 | 1587 | 2407 | 2189 | 2969 | 1796 | 2725 | 2189 | 2969 | YES | YES |
| S.R.7 | SANSBURY'S WAY | 8LD | 3540 | 1200 | 1791 | 0 | 0 | 1200 | 1791 | 451 | 589 | 21 | 29 | 472 | 618 | 1230 | 1836 | 1702 | 2454 | 1392 | 2078 | 1702 | 2454 | YES | YES |
| SANSBURY'S WAY | BENOIST FARMS ROAD | 8LD | 3540 | 1200 | 1791 | 0 | 0 | 1200 | 1791 | 30 | 47 | | | 30 | 47 | 1230 | 1836 | 1260 | 1883 | 1392 | 2078 | 1392 | 2078 | YES | YES |
| BENOIST FARMS ROAD | FLORIDA'S TURNPIKE | 8LD | 3540 | 1200 | 1791 | 0 | 0 | 1200 | 1791 | 136 | 207 | | | 136 | 207 | 1230 | 1836 | 1366 | 2043 | 1392 | 2078 | 1392 | 2078 | YES | YES |
| FLORIDA'S TURNPIKE | JOG RD | 8LD | 3540 | 1391 | 1328 | 0 | 0 | 1391 | 1328 | 31 | 48 | | | 31 | 48 | 1426 | 1362 | 1457 | 1410 | 1614 | 1541 | 1614 | 1541 | YES | YES |
| JOG RD | HAVERHILL RD * | 8LD | 3540 | 1085 | 1362 | 0 | 0 | 1085 | 1362 | 13 | 20 | | | 13 | 20 | 1118 | 1403 | 1131 | 1423 | 1259 | 1580 | 1259 | 1580 | YES | YES |
| GREENVIEW SHORES BLVD | | | | | | | | | | | | | | | | | | | | | | | | | |
| BINKS FOREST DR | WELLINGTON TRACE | 2L | 860 | 510 | 531 | 0 | 0 | 510 | 531 | | | 0 | 0 | 0 | 0 | 523 | 544 | 523 | 544 | 592 | 616 | 592 | 616 | YES | YES |
| FOREST HILL BLVD | | | | | | | | 0 | 0 | | | | | | | | | | | | | | | | |
| SOUTHERN BLVD | WELLINGTON TRACE | 6LD | 2790 | 1672 | 1729 | 0 | 0 | 1672 | 1729 | 102 | 112 | 0 | 0 | 102 | 112 | 1714 | 1773 | 1816 | 1885 | 1940 | 2006 | 1940 | 2006 | YES | YES |
| WELLINGTON TRACE | SOUTH SHORE | 4LD | 1860 | 1762 | 1314 | 0 | 0 | 1762 | 1314 | 245 | 276 | 0 | 0 | 245 | 276 | 1806 | 1347 | 2051 | 1623 | 2045 | 1525 | 2051 | 1623 | NO | YES |
| SOUTH SHORE | S.R.7 | 6LD | 2790 | 1888 | 2819 | -102 | -144 | 1786 | 2675 | 568 | 661 | 0 | 0 | 568 | 661 | 1831 | 2743 | 2399 | 3404 | 2072 | 3104 | 2399 | 3404 | YES | NO |
| SEMINOLE PRATT WHITNEY ROAD | | | | | | | | | | | | | | | | | | | | | | | | | |
| BRIDGE ROAD | INDIANTOWN RD | 2L | 950 | 218 | 187 | 0 | 0 | 218 | 187 | | | 229 | 56 | 229 | 56 | 224 | 192 | 453 | 248 | 253 | 217 | 453 | 248 | YES | YES |
| INDIANTOWN ROAD | BEE LINE HWY | 2L | 860 | 320 | 113 | 0 | 0 | 320 | 113 | | | 543 | 140 | 543 | 140 | 328 | 116 | 871 | 256 | 371 | 131 | 871 | 256 | NO | YES |
| BEE LINE HWY | PGA BLVD | 2L | 950 | 0 | 0 | 31 | 119 | 31 | 119 | | | 420 | 113 | 420 | 113 | 32 | 122 | 452 | 235 | 36 | 138 | 452 | 235 | YES | YES |
| PGA BLVD | NORTHLAKE BLVD | 4LD | 1860 | 0 | 0 | 31 | 119 | 31 | 119 | | | 223 | 834 | 223 | 834 | 32 | 122 | 255 | 956 | 36 | 138 | 255 | 956 | YES | YES |
| NORTHLAKE BLVD | ORANGE BLVD | 4LD | 1860 | 553 | 681 | 0 | 0 | 553 | 681 | | | 97 | 364 | 97 | 364 | 567 | 688 | 664 | 1062 | 642 | 790 | 664 | 1062 | YES | YES |
| ORANGE BLVD | SYCAMORE DR | 4LD | 1860 | 910 | 676 | -129 | -91 | 781 | 585 | | | 48 | 178 | 48 | 178 | 801 | 600 | 849 | 778 | 906 | 679 | 906 | 778 | YES | YES |
| SYCAMORE DR | OKEECHOBEE BLVD | 4LD | 1860 | 1115 | 669 | -169 | -119 | 946 | 550 | | | 24 | 90 | 24 | 90 | 970 | 564 | 994 | 654 | 1098 | 638 | 1098 | 654 | YES | YES |
| OKEECHOBEE BLVD | SOUTHERN BLVD | 4LD | 1860 | 916 | 509 | -144 | -102 | 772 | 407 | | | 10 | 37 | 10 | 37 | 791 | 417 | 801 | 454 | 896 | 472 | 896 | 472 | YES | YES |
| BINKS FOREST DR | | | | | | | | | | | | | | | | | | | | | | | | | |
| SOUTHERN | GREENVIEW SHORES BLVD | 4LD | 1860 | 394 | 447 | 0 | 0 | 394 | 447 | | | 0 | 0 | 0 | 0 | 404 | 458 | 404 | 458 | 457 | 519 | 457 | 519 | YES | YES |
| BIG BLUE TRACE | | | | | | | | | | | | | | | | | | | | | | | | | |
| SOUTHERN BLVD | PADDOCK DRIVE | 4LU | 1400 | 292 | 595 | 0 | 0 | 292 | 595 | | | 0 | 0 | 0 | 0 | 299 | 610 | 299 | 610 | 339 | 690 | 339 | 690 | YES | YES |
| AVOCADO BLVD | | | | | | | | | | | | | | | | | | | | | | | | | |
| ORANGE BLVD | PERSIMMON BLVD | 2L | 690 | 249 | 261 | 0 | 0 | 249 | 261 | | | 0 | 0 | 0 | 0 | 255 | 268 | 255 | 268 | 289 | 303 | 289 | 303 | YES | YES |
| COCONUT BLVD | | | | | | | | | | | | | | | | | | | | | | | | | |
| ORANGE BLVD | PERSIMMON BLVD | 2L | 690 | 121 | 296 | 0 | 0 | 121 | 296 | | | 2 | 7 | 2 | 7 | 124 | 303 | 126 | 310 | 140 | 343 | 140 | 343 | YES | YES |
| ROYAL PALM BEACH BLVD | | | | | | | | | | | | | | | | | | | | | | | | | |
| ORANGE BLVD | PERSIMMON BLVD | 2L | 690 | 786 | 772 | 169 | 119 | 955 | 891 | | | 7 | 25 | 7 | 25 | 979 | 913 | 986 | 938 | 1108 | 1034 | 1108 | 1034 | NO | NO |
| PERSIMMON BLVD | OKEECHOBEE BLVD | 4LD | 1860 | 1944 | 1211 | | -210 | 1944 | 1001 | | | | 42 | 0 | 42 | 1993 | 1026 | 1993 | 1068 | 2256 | 1162 | 2256 | 1162 | NO | YES |
| S.R. 7 | | | | | | | | | | | | | | | | | | | | | | | | | |
| PERSIMMON BLVD | OKEECHOBEE BLVD | 2L | 950 | 0 | 0 | 467 | 329 | 467 | 329 | 169 | 96 | 54 | 66 | 223 | 162 | 479 | 337 | 702 | 499 | 542 | 382 | 702 | 499 | YES | YES |
| OKEECHOBEE BLVD | BELVEDERE RD | 6LD | 2790 | 1787 | 1432 | 144 | 102 | 1931 | 1534 | 634 | 577 | 322 | 346 | 956 | 923 | 1980 | 1573 | 2936 | 2496 | 2241 | 1780 | 2936 | 2496 | NO | YES |
| BELVEDERE RD | SOUTHERN BLVD | 8LD | 3540 | 2159 | 2249 | 144 | 102 | 2303 | 2351 | 945 | 981 | | 235 | 945 | 1216 | 2361 | 2410 | 3306 | 3626 | 2672 | 2728 | 3306 | 3626 | YES | NO |
| SOUTHERN BLVD | FOREST HILL BLVD | 8LD | 3540 | 2122 | 2230 | 0 | | 2122 | 2230 | 1403 | 1668 | | | 1403 | 1668 | 2176 | 2286 | 3579 | 3954 | 2462 | 2588 | 3579 | 3954 | NO | NO |
| JOG ROAD | | | | | | | | | | | | | | | | | | | | | | | | | |
| OKEECHOBEE BLVD | FLORIDA'S TURNPIKE | 6LD | 2790 | 864 | 920 | 0 | 0 | 864 | 920 | 216 | 158 | 140 | 394 | 356 | 552 | 886 | 943 | 1242 | 1495 | 1003 | 1068 | 1242 | 1495 | YES | YES |
| FLORIDA'S TURNPIKE | BELVEDERE RD | 6LD | 2790 | 864 | 920 | 0 | 0 | 864 | 920 | 216 | 158 | 140 | 394 | 356 | 552 | 886 | 943 | 1242 | 1495 | 1003 | 1068 | 1242 | 1495 | YES | YES |

* 2003 Traffic Count / 2004 Not Available

**Table TR - 2**

**Phase 1 A.M. Peak Hour Project Traffic Impact**

| ROADWAY | | Committed Lanes | | Project Assignment | NB/EB Direction | Project Traffic | | Percent of LOS | | Significant Impact (>5%)? | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| From: | To: | Number Of Lanes | Directional Peak Hr. Capacity | | | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB |
| **BRIDGE ROAD** | | | | | | | | | | | |
| KANNER HIGHWAY | PRATT WHITNEY ROAD | 2L | 860 | 0.01% | IN | 0 | 0 | 0.00% | 0.00% | NO | NO |
| PRATT WHITNEY ROAD | INTERSTATE 95 | 2L | 860 | 0.84% | OUT | 11 | 8 | 1.28% | 0.93% | NO | NO |
| **BEE LINE HWY/8 ST W (SR 710)** | | | | | | | | | | | |
| INDIANTOWN ROAD | SEMINOLE PRATT WHITNEY | 4LD | 1810 | 1.49% | IN | 15 | 20 | 0.83% | 1.10% | NO | NO |
| SEMINOLE PRATT WHITNEY | PGA BLVD | 4LD | 1860 | 1.66% | IN | 16 | 23 | 0.86% | 1.24% | NO | NO |
| PGA BLVD | NORTHLAKE BLVD | 4LD | 1860 | 1.40% | OUT | 19 | 14 | 1.02% | 0.75% | NO | NO |
| NORTHLAKE BLVD | JOG RD | 4LD | 1860 | 2.77% | OUT | 38 | 27 | 2.04% | 1.45% | NO | NO |
| JOG RD | HAVERHILL RD | 4LD | 1860 | 2.71% | OUT | 37 | 27 | 1.99% | 1.45% | NO | NO |
| HAVERHILL RD | BLUE HERON BLVD | 4LD | 1860 | 2.53% | OUT | 34 | 25 | 1.83% | 1.34% | NO | NO |
| BLUE HERON BLVD | MILITARY TR | 4LD | 1860 | 1.32% | OUT | 18 | 13 | 0.97% | 0.70% | NO | NO |
| **INDIANTOWN ROAD** | | | | | | | | | | | |
| BEE LINE HWY | SEMINOLE PRATT WHITNEY | 2L | 860 | 0.00% | IN | 0 | 0 | 0.00% | 0.00% | NO | NO |
| SEMINOLE PRATT WHITNEY | ALEXANDER RUN | 2L | 860 | 1.44% | OUT | 20 | 14 | 2.33% | 1.63% | NO | NO |
| ALEXANDER RUN | JUPITER FARMS | 2L | 860 | 1.08% | OUT | 15 | 11 | 1.74% | 1.28% | NO | NO |
| **PGA BLVD** | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | PBC BRP DRIVEWAY | -- | -- | 0.00% | OUT | -- | -- | -- | -- | -- | -- |
| PBC BRP DRIVEWAY | BEE LINE HWY | -- | -- | 0.00% | OUT | -- | -- | -- | -- | -- | -- |
| BEE LINE HWY | RYDER CUP | 2L | 860 | 1.20% | OUT | 16 | 12 | 1.86% | 1.40% | NO | NO |
| RYDER CUP | FLORIDA'S TURNPIKE | 2L | 860 | 0.00% | OUT | 0 | 0 | 0.00% | 0.00% | NO | NO |
| FLORIDA'S TURNPIKE | CENTRAL BLVD | 6LD | 2790 | 0.00% | OUT | 0 | 0 | 0.00% | 0.00% | NO | NO |
| **NORTHLAKE BLVD** | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | COCONUT BLVD | 4LD | 1860 | 13.40% | OUT | 183 | 132 | 9.84% | 7.10% | YES | YES |
| COCONUT BLVD | SHOPPES AT IBIS | 4LD | 1860 | 12.50% | OUT | 170 | 123 | 9.14% | 6.61% | YES | YES |
| SHOPPES AT IBIS | BEE LINE HWY | 4LD | 1860 | 11.80% | OUT | 161 | 116 | 8.66% | 6.24% | YES | YES |
| BEE LINE HWY | RYDER CUP | 6LD | 2790 | 7.60% | OUT | 104 | 75 | 3.73% | 2.69% | NO | NO |
| RYDER CUP | MILITARY TR | 6LD | 2790 | 6.50% | OUT | 89 | 64 | 3.19% | 2.29% | NO | NO |
| **BLUE HERON BOULEVARD** | | | | | | | | | | | |
| BEE LINE HWY | MILITARY TR | 4LD | 1860 | 1.20% | OUT | 16 | 12 | 0.86% | 0.65% | NO | NO |
| **ORANGE BLVD** | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | COCONUT BLVD | 2L | 950 | 2.13% | OUT | 29 | 21 | 3.05% | 2.21% | NO | NO |
| COCONUT BLVD | ROYAL PALM BEACH BLVD | 2L | 690 | 0.81% | OUT | 11 | 8 | 1.59% | 1.16% | NO | NO |
| **PERSIMMON BLVD** | | | | | | | | | | | |
| 140TH AVE | AVOCADO BLVD | 2L | 690 | 30.00% | OUT | 409 | 295 | 59.28% | 42.75% | YES | YES |
| AVOCADO BLVD | COCONUT BLVD | 2L | 690 | 28.00% | OUT | 381 | 276 | 55.22% | 40.00% | YES | YES |
| COCONUT BLVD | ROYAL PALM BEACH BLVD | 2L | 690 | 26.50% | OUT | 361 | 261 | 52.32% | 37.83% | YES | YES |
| ROYAL PALM BEACH BLVD | S.R.7 | 2L | 860 | 20.00% | OUT | 272 | 197 | 31.63% | 22.91% | YES | YES |
| **OKEECHOBEE BLVD** | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | 140TH AVE | 2L | 860 | 6.61% | OUT | 90 | 65 | 10.47% | 7.56% | YES | YES |
| 140TH AVE | CRESTWOOD | 2L | 860 | 5.48% | OUT | 75 | 54 | 8.72% | 6.28% | YES | YES |
| CRESTWOOD | ROYAL PALM BEACH BLVD | 4LD | 1860 | 4.36% | OUT | 59 | 43 | 3.17% | 2.31% | NO | NO |
| ROYAL PALM BEACH BLVD | S.R.7 | 6LD | 2790 | 3.96% | OUT | 54 | 39 | 1.94% | 1.40% | NO | NO |
| S.R.7 | SANSBURY'S WAY | 8LD | 3540 | 15.00% | OUT | 204 | 148 | 5.76% | 4.18% | YES | NO |
| SANSBURY'S WAY | BENOIST FARMS ROAD | 8LD | 3540 | 14.25% | OUT | 194 | 140 | 5.48% | 3.95% | YES | NO |
| BENOIST FARMS ROAD | SKEES RD | 8LD | 3330 | 14.25% | OUT | 194 | 140 | 5.83% | 4.20% | YES | NO |
| SKEES RD | JOG RD | 8LD | 3330 | 13.60% | OUT | 185 | 134 | 5.56% | 4.02% | YES | NO |
| JOG RD | FLORIDA'S TURNPIKE | 8LD | 3330 | 9.50% | OUT | 129 | 93 | 3.87% | 2.79% | NO | NO |
| FLORIDA'S TURNPIKE | HAVERHILL RD | 8LD | 3330 | 8.70% | OUT | 118 | 86 | 3.54% | 2.58% | NO | NO |
| **BELVEDERE ROAD** | | | | | | | | | | | |
| SR 7 | SANSBURY'S WAY | 6LD | 2790 | 2.01% | OUT | 27 | 20 | 0.97% | 0.72% | NO | NO |

Table TR - 2

Phase 1 A.M. Peak Hour Project Traffic Impact

| ROADWAY | | Committed Lanes | | Project Assignment | NB/EB Direction | Project Traffic | | Percent of LOS | | Significant Impact (>5%)? | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| From: | To: | Number Of Lanes | Directional Peak Hr. Capacity | | | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB |
| **SOUTHERN BLVD (SR 80)** | | | | | | | | | | | |
| SR 880 | SEMINOLE PRATT WHITNEY | 4LD | 2500 | 1.88% | IN | 18 | 26 | 0.72% | 1.04% | NO | NO |
| SEMINOLE PRATT WHITNEY | BINKS FOREST DR | 4LD | 1860 | 20.17% | OUT | 275 | 198 | 14.78% | 10.65% | YES | YES |
| BINKS FOREST DR | BIG BLUE TRACE | 4LD | 1860 | 17.62% | OUT | 240 | 173 | 12.90% | 9.30% | YES | YES |
| BIG BLUE TRACE | CRESTWOOD | 4LD | 1860 | 15.74% | OUT | 214 | 155 | 11.51% | 8.33% | YES | YES |
| CRESTWOOD | ROYAL PALM BEACH BLVD | 6LD | 2790 | 10.74% | OUT | 146 | 106 | 5.23% | 3.80% | YES | NO |
| ROYAL PALM BEACH BLVD | S.R.7 | 8LD | 3540 | 10.70% | OUT | 146 | 105 | 4.12% | 2.97% | NO | NO |
| S.R.7 | SANSBURY'S WAY | 8LD | 3540 | 6.60% | OUT | 90 | 65 | 2.54% | 1.84% | NO | NO |
| **GREENVIEW SHORES BLVD** | | | | | | | | | | | |
| SOUTH SHORE | BINKS FOREST DR | 2L | 860 | 0.30% | IN | 3 | 4 | 0.35% | 0.47% | NO | NO |
| BINKS FOREST DR | WELLINGTON TRACE | 2L | 860 | 2.00% | OUT | 27 | 20 | 3.14% | 2.33% | NO | NO |
| WELLINGTON TRACE | SOUTH SHORE | 4LD | 1860 | 1.30% | OUT | 18 | 13 | 0.97% | 0.70% | NO | NO |
| **WELLINGTON TRACE** | | | | | | | | | | | |
| GREENVIEW SHORES BLVD | BIG BLUE TRACE | 4LD | 1860 | 0.37% | IN | 4 | 5 | 0.22% | 0.27% | NO | NO |
| BIG BLUE TRACE | FOREST HILL BLVD | 4LD | 1860 | 1.80% | IN | 18 | 25 | 0.97% | 1.34% | NO | NO |
| **FOREST HILL BLVD** | | | | | | | | | | | |
| SOUTHERN BLVD | WELLINGTON TRACE | 6LD | 2790 | 5.00% | OUT | 68 | 49 | 2.44% | 1.76% | NO | NO |
| WELLINGTON TRACE | SOUTH SHORE | 4LD | 1860 | 4.70% | OUT | 64 | 46 | 3.44% | 2.47% | NO | NO |
| SOUTH SHORE | S.R.7 | 6LD | 2790 | 4.50% | OUT | 61 | 44 | 2.19% | 1.58% | NO | NO |
| **SEMINOLE PRATT WHITNEY ROAD / PRATT WHITNEY ROAD** | | | | | | | | | | | |
| KANNER HIGHWAY | BRIDGE ROAD | 2L | 950 | 0.67% | OUT | 9 | 7 | 0.95% | 0.74% | NO | NO |
| BRIDGE ROAD | INDIANTOWN RD | 2L | 950 | 1.54% | OUT | 21 | 15 | 2.21% | 1.58% | NO | NO |
| INDIANTOWN ROAD | BEE LINE HWY | 2L | 860 | 4.66% | OUT | 63 | 46 | 7.33% | 5.35% | YES | YES |
| BEE LINE HWY | PGA BLVD | 2L | 950 | 8.73% | OUT | 119 | 86 | 12.53% | 9.05% | YES | YES |
| PGA BLVD | NORTHLAKE BLVD | 4LD | 1860 | 22.32% | OUT | 304 | 220 | 16.34% | 11.83% | YES | YES |
| NORTHLAKE BLVD | ORANGE BLVD | 4LD | 1860 | 35.74% | OUT | 487 | 352 | 26.18% | 18.92% | YES | YES |
| ORANGE BLVD | SYCAMORE DR | 4LD | 1860 | 37.84% | OUT | 515 | 372 | 27.69% | 20.00% | YES | YES |
| SYCAMORE DR | OKEECHOBEE BLVD | 4LD | 1860 | 28.62% | IN | 282 | 390 | 15.16% | 20.97% | YES | YES |
| OKEECHOBEE BLVD | SOUTHERN BLVD | 4LD | 1860 | 22.66% | IN | 223 | 309 | 11.99% | 16.61% | YES | YES |
| **BINKS FOREST DR** | | | | | | | | | | | |
| SOUTHERN | GREENVIEW SHORES BLVD | 4LD | 1860 | 2.30% | IN | 23 | 31 | 1.24% | 1.67% | NO | NO |
| **BIG BLUE TRACE** | | | | | | | | | | | |
| SOUTHERN BLVD | PADDOCK DRIVE | 4LD | 1400 | 1.88% | IN | 18 | 26 | 1.29% | 1.86% | NO | NO |
| PADDOCK DRIVE | WELLINGTON TRACE | 2L | 860 | 0.43% | IN | 4 | 6 | 0.47% | 0.70% | NO | NO |
| **CRESTWOOD BLVD** | | | | | | | | | | | |
| OKEECHOBEE BLVD | FOLSOM ROAD | 4LD | 1860 | 0.60% | IN | 6 | 8 | 0.32% | 0.43% | NO | NO |
| FOLSOM ROAD | SOUTHERN BLVD | 4LD | 1860 | 0.00% | IN | 0 | 0 | 0.00% | 0.00% | NO | NO |
| **AVOCADO BLVD** | | | | | | | | | | | |
| ORANGE BLVD | PERSIMMON BLVD | 2L | 690 | 2.00% | OUT | 27 | 20 | 3.91% | 2.90% | NO | NO |
| **COCONUT BLVD** | | | | | | | | | | | |
| NORTHLAKE BLVD | ORANGE BLVD | 2L | 860 | 0.35% | OUT | 5 | 3 | 0.58% | 0.35% | NO | NO |
| ORANGE BLVD | PERSIMMON BLVD | 2L | 690 | 1.50% | OUT | 20 | 15 | 2.90% | 2.17% | NO | NO |
| **ROYAL PALM BEACH BLVD** | | | | | | | | | | | |
| ORANGE BLVD | PERSIMMON BLVD | 2L | 690 | 1.50% | OUT | 20 | 15 | 2.90% | 2.17% | NO | NO |
| PERSIMMON BLVD | OKEECHOBEE BLVD | 4LD | 1860 | 5.00% | IN | 49 | 68 | 2.63% | 3.66% | NO | NO |
| OKEECHOBEE BLVD | SOUTHERN BLVD | 2L | 690 | 0.15% | IN | 1 | 2 | 0.14% | 0.29% | NO | NO |
| **S.R. 7** | | | | | | | | | | | |
| PERSIMMON BLVD | OKEECHOBEE BLVD | 2L | 950 | 20.00% | IN | 197 | 272 | 20.74% | 28.63% | YES | YES |
| OKEECHOBEE BLVD | BELVEDERE RD | 6LD | 2790 | 7.00% | IN | 69 | 95 | 2.47% | 3.41% | NO | NO |
| BELVEDERE RD | SOUTHERN BLVD | 8LD | 3540 | 3.68% | IN | 36 | 50 | 1.02% | 1.41% | NO | NO |
| SOUTHERN BLVD | FOREST HILL BLVD | 8LD | 3540 | 5.42% | IN | 53 | 74 | 1.50% | 2.09% | NO | NO |

Table TR - 2

Phase 1 A.M. Peak Hour Project Traffic Impact

| ROADWAY | | Committed Lanes | | Project Assignment | NB/EB Direction | Project Traffic | | Percent of LOS | | Significant Impact (>5%)? | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| From: | To: | Number Of Lanes | Directional Peak Hr. Capacity | | | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB |
| **SANSBURY'S WAY** | | | | | | | | | | | |
| OKEECHOBEE BLVD | BELVEDERE RD | 2L | 690 | 0.00% | IN | 0 | 0 | 0.00% | 0.00% | NO | NO |
| **BENOIST FARMS RD** | | | | | | | | | | | |
| OKEECHOBEE BLVD | BELVEDERE RD | 2L | 860 | 0.00% | IN | 0 | 0 | 0.00% | 0.00% | NO | NO |
| **SKEES RD** | | | | | | | | | | | |
| OKEECHOBEE BLVD | BELVEDERE RD | 2L | 690 | 0.21% | IN | 2 | 3 | 0.29% | 0.43% | NO | NO |
| **HAVERHILL ROAD** | | | | | | | | | | | |
| BEE LINE HWY | 45th STREET | 2L | 690 | 0.18% | IN | 2 | 2 | 0.29% | 0.29% | NO | NO |
| **JOG ROAD** | | | | | | | | | | | |
| N. OF OKEECHOBEE BLVD | OKEECHOBEE BLVD | 4LD | 1860 | 0.15% | OUT | 2 | 1 | 0.11% | 0.05% | NO | NO |
| OKEECHOBEE BLVD | FLORIDA'S TURNPIKE | 6LD | 2790 | 3.95% | IN | 39 | 54 | 1.40% | 1.94% | NO | NO |
| FLORIDA'S TURNPIKE | BELVEDERE RD | 6LD | 2790 | 2.40% | IN | 24 | 33 | 0.86% | 1.18% | NO | NO |
| BELVEDERE RD | SOUTHERN BLVD | 6LD | 2790 | 2.40% | IN | 24 | 33 | 0.86% | 1.18% | NO | NO |

Table TR - 3

Phase 1 P.M. Peak Hour Project Traffic Impact

| ROADWAY | | Committed Lanes | | Project Assignment | NB/EB Direction | Project Traffic | | Percent of LOS | | Significant Impact (>5%)? | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| From: | To: | Number Of Lanes | Directional Peak Hr. Capacity | | | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB |
| **BRIDGE ROAD** | | | | | | | | | | | |
| KANNER HIGHWAY | PRATT WHITNEY ROAD | 2L | 860 | 0.01% | IN | 0 | 0 | 0.00% | 0.00% | NO | NO |
| PRATT WHITNEY ROAD | INTERSTATE 95 | 2L | 860 | 0.84% | OUT | 13 | 14 | 1.51% | 1.63% | NO | NO |
| **BEE LINE HWY/8 ST W (SR 710)** | | | | | | | | | | | |
| INDIANTOWN ROAD | SEMINOLE PRATT WHITNEY | 4LD | 1810 | 1.49% | IN | 25 | 23 | 1.38% | 1.27% | NO | NO |
| SEMINOLE PRATT WHITNEY | PGA BLVD | 4LD | 1860 | 1.66% | IN | 28 | 26 | 1.51% | 1.40% | NO | NO |
| PGA BLVD | NORTHLAKE BLVD | 4LD | 1860 | 1.40% | OUT | 22 | 24 | 1.18% | 1.29% | NO | NO |
| NORTHLAKE BLVD | JOG RD | 4LD | 1860 | 2.77% | OUT | 43 | 47 | 2.31% | 2.53% | NO | NO |
| JOG RD | HAVERHILL RD | 4LD | 1860 | 2.71% | OUT | 42 | 46 | 2.26% | 2.47% | NO | NO |
| HAVERHILL RD | BLUE HERON BLVD | 4LD | 1860 | 2.53% | OUT | 39 | 43 | 2.10% | 2.31% | NO | NO |
| BLUE HERON BLVD | MILITARY TR | 4LD | 1860 | 1.32% | OUT | 20 | 22 | 1.08% | 1.18% | NO | NO |
| **INDIANTOWN ROAD** | | | | | | | | | | | |
| BEE LINE HWY | SEMINOLE PRATT WHITNEY | 2L | 860 | 0.00% | IN | 0 | 0 | 0.00% | 0.00% | NO | NO |
| SEMINOLE PRATT WHITNEY | ALEXANDER RUN | 2L | 860 | 1.44% | OUT | 22 | 25 | 2.56% | 2.91% | NO | NO |
| ALEXANDER RUN | JUPITER FARMS | 2L | 860 | 1.08% | OUT | 17 | 18 | 1.98% | 2.09% | NO | NO |
| **PGA BLVD** | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | PBC BRP DRIVEWAY | -- | -- | 0.00% | OUT | -- | -- | -- | -- | -- | -- |
| PBC BRP DRIVEWAY | BEE LINE HWY | -- | -- | 0.00% | OUT | -- | -- | -- | -- | -- | -- |
| BEE LINE HWY | RYDER CUP | 2L | 860 | 1.20% | OUT | 19 | 20 | 2.21% | 2.33% | NO | NO |
| RYDER CUP | FLORIDA'S TURNPIKE | 2L | 860 | 0.00% | OUT | 0 | 0 | 0.00% | 0.00% | NO | NO |
| FLORIDA'S TURNPIKE | CENTRAL BLVD | 6LD | 2790 | 0.00% | OUT | 0 | 0 | 0.00% | 0.00% | NO | NO |
| **NORTHLAKE BLVD** | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | COCONUT BLVD | 4LD | 1860 | 13.40% | OUT | 208 | 228 | 11.18% | 12.26% | YES | YES |
| COCONUT BLVD | SHOPPES AT IBIS | 4LD | 1860 | 12.50% | OUT | 194 | 213 | 10.43% | 11.45% | YES | YES |
| SHOPPES AT IBIS | BEE LINE HWY | 4LD | 1860 | 11.80% | OUT | 183 | 201 | 9.84% | 10.81% | YES | YES |
| BEE LINE HWY | RYDER CUP | 6LD | 2790 | 7.60% | OUT | 118 | 129 | 4.23% | 4.62% | NO | NO |
| RYDER CUP | MILITARY TR | 6LD | 2790 | 6.50% | OUT | 101 | 111 | 3.62% | 3.98% | NO | NO |
| **BLUE HERON BOULEVARD** | | | | | | | | | | | |
| BEE LINE HWY | MILITARY TR | 4LD | 1860 | 1.20% | OUT | 19 | 20 | 1.02% | 1.08% | NO | NO |
| **ORANGE BLVD** | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | COCONUT BLVD | 2L | 950 | 2.13% | OUT | 33 | 36 | 3.47% | 3.79% | NO | NO |
| COCONUT BLVD | ROYAL PALM BEACH BLVD | 2L | 690 | 0.81% | OUT | 13 | 14 | 1.88% | 2.03% | NO | NO |
| **PERSIMMON BLVD** | | | | | | | | | | | |
| 140TH AVE | AVOCADO BLVD | 2L | 690 | 30.00% | OUT | 465 | 511 | 67.39% | 74.06% | YES | YES |
| AVOCADO BLVD | COCONUT BLVD | 2L | 690 | 28.00% | OUT | 434 | 477 | 62.90% | 69.13% | YES | YES |
| COCONUT BLVD | ROYAL PALM BEACH BLVD | 2L | 690 | 26.50% | OUT | 411 | 451 | 59.57% | 65.36% | YES | YES |
| ROYAL PALM BEACH BLVD | S.R.7 | 2L | 860 | 20.00% | OUT | 310 | 341 | 36.05% | 39.65% | YES | YES |
| **OKEECHOBEE BLVD** | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | 140TH AVE | 2L | 860 | 6.61% | OUT | 102 | 113 | 11.86% | 13.14% | YES | YES |
| 140TH AVE | CRESTWOOD | 2L | 860 | 5.48% | OUT | 85 | 93 | 9.88% | 10.81% | YES | YES |
| CRESTWOOD | ROYAL PALM BEACH BLVD | 4LD | 1860 | 4.36% | OUT | 68 | 74 | 3.66% | 3.98% | NO | NO |
| ROYAL PALM BEACH BLVD | S.R.7 | 6LD | 2790 | 3.96% | OUT | 61 | 67 | 2.19% | 2.40% | NO | NO |
| S.R.7 | SANSBURY'S WAY | 8LD | 3540 | 15.00% | OUT | 233 | 255 | 6.58% | 7.20% | YES | YES |
| SANSBURY'S WAY | BENOIST FARMS ROAD | 8LD | 3540 | 14.25% | OUT | 221 | 243 | 6.24% | 6.86% | YES | YES |
| BENOIST FARMS ROAD | SKEES RD | 8LD | 3330 | 14.25% | OUT | 221 | 243 | 6.64% | 7.30% | YES | YES |
| SKEES RD | JOG RD | 8LD | 3330 | 13.60% | OUT | 211 | 232 | 6.34% | 6.97% | YES | YES |
| JOG RD | FLORIDA'S TURNPIKE | 8LD | 3330 | 9.50% | OUT | 147 | 162 | 4.41% | 4.86% | NO | NO |
| FLORIDA'S TURNPIKE | HAVERHILL RD | 8LD | 3330 | 8.70% | OUT | 135 | 148 | 4.05% | 4.44% | NO | NO |
| **BELVEDERE ROAD** | | | | | | | | | | | |
| SR 7 | SANSBURY'S WAY | 6LD | 2790 | 2.01% | OUT | 31 | 34 | 1.11% | 1.22% | NO | NO |

**Table TR - 3**

**Phase 1 P.M. Peak Hour Project Traffic Impact**

| ROADWAY | | Committed Lanes | | Project Assignment | NB/EB Direction | Project Traffic | | Percent of LOS | | Significant Impact (>5%)? | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| From: | To: | Number Of Lanes | Directional Peak Hr. Capacity | | | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB |
| **SOUTHERN BLVD (SR 80)** | | | | | | | | | | | |
| SR 880 | SEMINOLE PRATT WHITNEY | 4LD | 2500 | 1.88% | IN | 32 | 29 | 1.28% | 1.16% | NO | NO |
| SEMINOLE PRATT WHITNEY | BINKS FOREST DR | 4LD | 1860 | 20.17% | OUT | 313 | 343 | 16.83% | 18.44% | YES | YES |
| BINKS FOREST DR | BIG BLUE TRACE | 4LD | 1860 | 17.62% | OUT | 273 | 300 | 14.68% | 16.13% | YES | YES |
| BIG BLUE TRACE | CRESTWOOD | 4LD | 1860 | 15.74% | OUT | 244 | 268 | 13.12% | 14.41% | YES | YES |
| CRESTWOOD | ROYAL PALM BEACH BLVD | 6LD | 2790 | 10.74% | OUT | 166 | 183 | 5.95% | 6.56% | YES | YES |
| ROYAL PALM BEACH BLVD | S.R.7 | 8LD | 3540 | 10.70% | OUT | 166 | 182 | 4.69% | 5.14% | NO | YES |
| S.R.7 | SANSBURY'S WAY | 8LD | 3540 | 6.60% | OUT | 102 | 112 | 2.88% | 3.16% | NO | NO |
| **GREENVIEW SHORES BLVD** | | | | | | | | | | | |
| SOUTH SHORE | BINKS FOREST DR | 2L | 860 | 0.30% | IN | 5 | 5 | 0.58% | 0.58% | NO | NO |
| BINKS FOREST DR | WELLINGTON TRACE | 2L | 860 | 2.00% | OUT | 31 | 34 | 3.60% | 3.95% | NO | NO |
| WELLINGTON TRACE | SOUTH SHORE | 4LD | 1860 | 1.30% | OUT | 20 | 22 | 1.08% | 1.18% | NO | NO |
| **WELLINGTON TRACE** | | | | | | | | | | | |
| GREENVIEW SHORES BLVD | BIG BLUE TRACE | 4LD | 1860 | 0.37% | IN | 6 | 6 | 0.32% | 0.32% | NO | NO |
| BIG BLUE TRACE | FOREST HILL BLVD | 4LD | 1860 | 1.80% | IN | 31 | 28 | 1.67% | 1.51% | NO | NO |
| **FOREST HILL BLVD** | | | | | | | | | | | |
| SOUTHERN BLVD | WELLINGTON TRACE | 6LD | 2790 | 5.00% | OUT | 78 | 85 | 2.80% | 3.05% | NO | NO |
| WELLINGTON TRACE | SOUTH SHORE | 4LD | 1860 | 4.70% | OUT | 73 | 80 | 3.92% | 4.30% | NO | NO |
| SOUTH SHORE | S.R.7 | 6LD | 2790 | 4.50% | OUT | 70 | 77 | 2.51% | 2.76% | NO | NO |
| **SEMINOLE PRATT WHITNEY ROAD / PRATT WHITNEY ROAD** | | | | | | | | | | | |
| KANNER HIGHWAY | BRIDGE ROAD | 2L | 950 | 0.67% | OUT | 10 | 11 | 1.05% | 1.16% | NO | NO |
| BRIDGE ROAD | INDIANTOWN RD | 2L | 950 | 1.54% | OUT | 24 | 26 | 2.53% | 2.74% | NO | NO |
| INDIANTOWN ROAD | BEE LINE HWY | 2L | 860 | 4.66% | OUT | 72 | 79 | 8.37% | 9.19% | YES | YES |
| BEE LINE HWY | PGA BLVD | 2L | 950 | 8.73% | OUT | 135 | 149 | 14.21% | 15.68% | YES | YES |
| PGA BLVD | NORTHLAKE BLVD | 4LD | 1860 | 22.32% | OUT | 346 | 380 | 18.60% | 20.43% | YES | YES |
| NORTHLAKE BLVD | ORANGE BLVD | 4LD | 1860 | 35.74% | OUT | 554 | 609 | 29.78% | 32.74% | YES | YES |
| ORANGE BLVD | SYCAMORE DR | 4LD | 1860 | 37.84% | OUT | 587 | 644 | 31.56% | 34.62% | YES | YES |
| SYCAMORE DR | OKEECHOBEE BLVD | 4LD | 1860 | 28.62% | IN | 487 | 444 | 26.18% | 23.87% | YES | YES |
| OKEECHOBEE BLVD | SOUTHERN BLVD | 4LD | 1860 | 22.66% | IN | 386 | 351 | 20.75% | 18.87% | YES | YES |
| **BINKS FOREST DR** | | | | | | | | | | | |
| SOUTHERN | GREENVIEW SHORES BLVD | 4LD | 1860 | 2.30% | IN | 39 | 36 | 2.10% | 1.94% | NO | NO |
| **BIG BLUE TRACE** | | | | | | | | | | | |
| SOUTHERN BLVD | PADDOCK DRIVE | 4LU | 1400 | 1.88% | IN | 32 | 29 | 2.29% | 2.07% | NO | NO |
| PADDOCK DRIVE | WELLINGTON TRACE | 2L | 860 | 0.43% | IN | 7 | 7 | 0.81% | 0.81% | NO | NO |
| **CRESTWOOD BLVD** | | | | | | | | | | | |
| OKEECHOBEE BLVD | FOLSOM ROAD | 4LD | 1860 | 0.60% | IN | 10 | 9 | 0.54% | 0.48% | NO | NO |
| FOLSOM ROAD | SOUTHERN BLVD | 4LD | 1860 | 0.00% | IN | 0 | 0 | 0.00% | 0.00% | NO | NO |
| **AVOCADO BLVD** | | | | | | | | | | | |
| ORANGE BLVD | PERSIMMON BLVD | 2L | 690 | 2.00% | OUT | 31 | 34 | 4.49% | 4.93% | NO | NO |
| **COCONUT BLVD** | | | | | | | | | | | |
| NORTHLAKE BLVD | ORANGE BLVD | 2L | 860 | 0.35% | OUT | 5 | 6 | 0.58% | 0.70% | NO | NO |
| ORANGE BLVD | PERSIMMON BLVD | 2L | 690 | 1.50% | OUT | 23 | 26 | 3.33% | 3.77% | NO | NO |
| **ROYAL PALM BEACH BLVD** | | | | | | | | | | | |
| ORANGE BLVD | PERSIMMON BLVD | 2L | 690 | 1.50% | OUT | 23 | 26 | 3.33% | 3.77% | NO | NO |
| PERSIMMON BLVD | OKEECHOBEE BLVD | 4LD | 1860 | 5.00% | IN | 85 | 78 | 4.57% | 4.19% | NO | NO |
| OKEECHOBEE BLVD | SOUTHERN BLVD | 2L | 690 | 0.15% | IN | 3 | 2 | 0.43% | 0.29% | NO | NO |
| **S.R. 7** | | | | | | | | | | | |
| PERSIMMON BLVD | OKEECHOBEE BLVD | 2L | 950 | 20.00% | IN | 341 | 310 | 35.89% | 32.63% | YES | YES |
| OKEECHOBEE BLVD | BELVEDERE RD | 6LD | 2790 | 7.00% | IN | 119 | 109 | 4.27% | 3.91% | NO | NO |
| BELVEDERE RD | SOUTHERN BLVD | 8LD | 3540 | 3.68% | IN | 63 | 57 | 1.78% | 1.61% | NO | NO |
| SOUTHERN BLVD | FOREST HILL BLVD | 8LD | 3540 | 5.42% | IN | 92 | 84 | 2.60% | 2.37% | NO | NO |

**Table TR - 3**

**Phase 1 P.M. Peak Hour Project Traffic Impact**

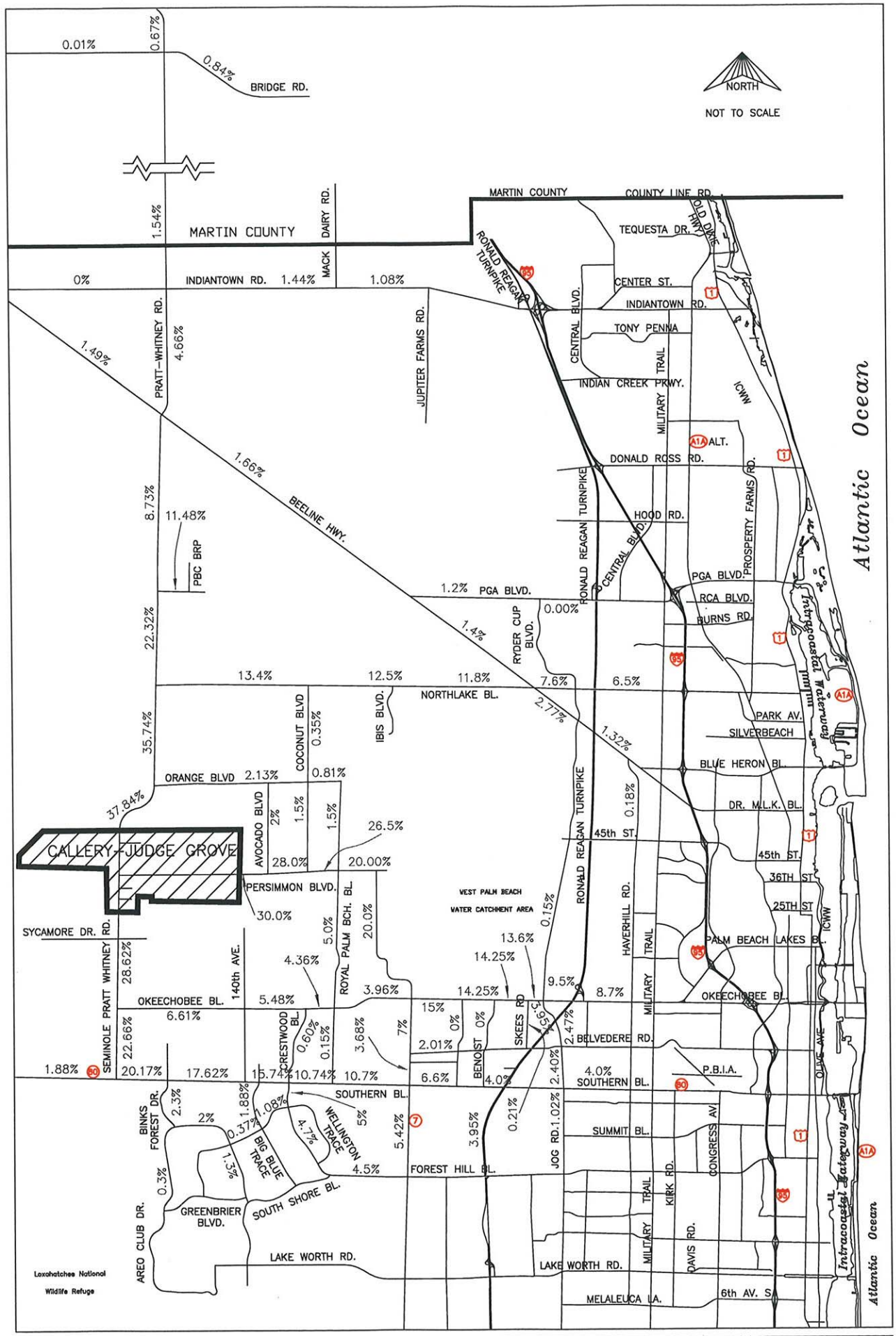
| ROADWAY | | Committed Lanes | | Project Assignment | NB/EB Direction | Project Traffic | | Percent of LOS | | Significant Impact (>5%)? | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| From: | To: | Number Of Lanes | Directional Peak Hr. Capacity | | | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB |
| **SANSBURY'S WAY** | | | | | | | | | | | |
| OKEECHOBEE BLVD | BELVEDERE RD | 2L | 690 | 0.00% | IN | 0 | 0 | 0.00% | 0.00% | NO | NO |
| **BENOIST FARMS RD** | | | | | | | | | | | |
| OKEECHOBEE BLVD | BELVEDERE RD | 2L | 860 | 0.00% | IN | 0 | 0 | 0.00% | 0.00% | NO | NO |
| **SKEES RD** | | | | | | | | | | | |
| OKEECHOBEE BLVD | BELVEDERE RD | 2L | 690 | 0.21% | IN | 4 | 3 | 0.58% | 0.43% | NO | NO |
| **HAVERHILL ROAD** | | | | | | | | | | | |
| BEE LINE HWY | 45th STREET | 2L | 690 | 0.18% | IN | 3 | 3 | 0.43% | 0.43% | NO | NO |
| **JOG ROAD** | | | | | | | | | | | |
| N. OF OKEECHOBEE BLVD | OKEECHOBEE BLVD | 4LD | 1860 | 0.15% | OUT | 2 | 3 | 0.11% | 0.16% | NO | NO |
| OKEECHOBEE BLVD | FLORIDA'S TURNPIKE | 6LD | 2790 | 3.95% | IN | 67 | 61 | 2.40% | 2.19% | NO | NO |
| FLORIDA'S TURNPIKE | BELVEDERE RD | 6LD | 2790 | 2.40% | IN | 41 | 37 | 1.47% | 1.33% | NO | NO |
| BELVEDERE RD | SOUTHERN BLVD | 6LD | 2790 | 2.40% | IN | 41 | 37 | 1.47% | 1.33% | NO | NO |

Table TR - 4

Phase 1 P.M. Peak Hour Total Traffic (Year 2009

| ROADWAY | | Existing Lanes | | Committed Lanes | | 2009 Non-Project USE Greater | | Reassignment of PBC BRP DRI | | Project Traffic | | 2009 Total | | Meets Level of Service? | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| From: | To: | Number Of Lanes | Directional Peak Hr. Capacity | Number Of Lanes | Directional Peak Hr. Capacity | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB | NB/EB | SB/WB | NB / EB | SB / WB |
| **NORTHLAKE BLVD** | | | | | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | COCONUT BLVD | 2L | 860 | 4LD | 1860 | 746 | 808 | 0 | 0 | 208 | 228 | 954 | 1036 | YES | YES |
| COCONUT BLVD | SHOPPES AT IBIS | 4LD | 1860 | 4LD | 1860 | 949 | 2583 | 0 | 0 | 194 | 213 | 1143 | 2796 | YES | NO |
| SHOPPES AT IBIS | BEE LINE HWY | 4LD | 1860 | 4LD | 1860 | 1172 | 2455 | 0 | 0 | 183 | 201 | 1355 | 2656 | YES | NO |
| **PERSIMMON BLVD** | | | | | | | | | | | | | | | |
| 140TH AVE | AVOCADO BLVD | 2L | 690 | 2L | 690 | 238 | 323 | 0 | 0 | 465 | 511 | 703 | 834 | NO | NO |
| AVOCADO BLVD | COCONUT BLVD | 2L | 690 | 2L | 690 | 238 | 323 | 0 | 0 | 434 | 477 | 672 | 800 | YES | NO |
| COCONUT BLVD | ROYAL PALM BEACH BLVD | 2L | 690 | 2L | 690 | 444 | 504 | 0 | 0 | 411 | 451 | 855 | 955 | NO | NO |
| ROYAL PALM BEACH BLVD | S.R.7 | 2L | 860 | 2L | 860 | 382 | 542 | 0 | 0 | 310 | 341 | 692 | 883 | YES | NO |
| **OKEECHOBEE BLVD** | | | | | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | 140TH AVE | 2L | 860 | 2L | 860 | 457 | 667 | 0 | 0 | 102 | 113 | 559 | 780 | YES | YES |
| 140TH AVE | CRESTWOOD | 2L | 860 | 2L | 860 | 715 | 1087 | 0 | 0 | 85 | 93 | 800 | 1180 | YES | NO |
| S.R.7 | SANSBURY'S WAY | 8LD | 3540 | 8LD | 3540 | 2579 | 3784 | 0 | 0 | 233 | 255 | 2812 | 4039 | YES | NO |
| SANSBURY'S WAY | BENOIST FARMS ROAD | 8LD | 3540 | 8LD | 3540 | 2722 | 4388 | 0 | 0 | 221 | 243 | 2943 | 4631 | YES | NO |
| BENOIST FARMS ROAD | SKEES RD | 8LD | 3330 | 8LD | 3330 | 2758 | 4549 | 0 | 0 | 221 | 243 | 2979 | 4792 | YES | NO |
| SKEES RD | JOG RD | 8LD | 3330 | 8LD | 3330 | 3026 | 5221 | 0 | 0 | 211 | 232 | 3237 | 5453 | YES | NO |
| **SOUTHERN BLVD (SR 80)** | | | | | | | | | | | | | | | |
| SEMINOLE PRATT WHITNEY | BINKS FOREST DR | 4LD | 1860 | 4LD | 1860 | 1271 | 1307 | 0 | 0 | 313 | 343 | 1584 | 1650 | YES | YES |
| BINKS FOREST DR | BIG BLUE TRACE | 4LD | 1860 | 4LD | 1860 | 1538 | 1282 | 0 | 0 | 273 | 300 | 1811 | 1582 | YES | YES |
| BIG BLUE TRACE | CRESTWOOD | 4LD | 1860 | 4LD | 1860 | 1874 | 1862 | 0 | 0 | 244 | 268 | 2118 | 2130 | NO | NO |
| CRESTWOOD | ROYAL PALM BEACH BLVD | 6LD | 2790 | 6LD | 2790 | 1734 | 1821 | 0 | 0 | 166 | 183 | 1900 | 2004 | YES | YES |
| ROYAL PALM BEACH BLVD | S.R.7 | 8LD | 3540 | 8LD | 3540 | 2189 | 2969 | 0 | 0 | 166 | 182 | 2355 | 3151 | YES | YES |
| **SEMINOLE PRATT WHITNEY ROAD / PRATT WHITNEY ROAD** | | | | | | | | | | | | | | | |
| INDIANTOWN ROAD | BEE LINE HWY | 2L | 860 | 2L | 860 | 871 | 256 | 0 | 0 | 72 | 79 | 943 | 335 | NO | YES |
| BEE LINE HWY | PGA BLVD | 2L | 950 | 2L | 950 | 452 | 235 | 0 | 0 | 135 | 149 | 587 | 384 | YES | YES |
| PGA BLVD | NORTHLAKE BLVD | 2L | 860 | 4LD | 1860 | 255 | 956 | -24 | -88 | 346 | 380 | 577 | 1248 | YES | YES |
| NORTHLAKE BLVD | ORANGE BLVD | 2L | 860 | 4LD | 1860 | 664 | 1062 | -24 | -88 | 554 | 609 | 1194 | 1583 | YES | YES |
| ORANGE BLVD | SYCAMORE DR | 2L | 860 | 4LD | 1860 | 906 | 778 | 0 | -88 | 587 | 644 | 1493 | 1334 | YES | YES |
| SYCAMORE DR | OKEECHOBEE BLVD | 2L | 860 | 4LD | 1860 | 1098 | 654 | 0 | 0 | 487 | 444 | 1585 | 1098 | YES | YES |
| OKEECHOBEE BLVD | SOUTHERN BLVD | 2L | 860 | 4LD | 1860 | 896 | 472 | 0 | 0 | 386 | 351 | 1282 | 823 | YES | YES |
| **S.R. 7** | | | | | | | | | | | | | | | |
| PERSIMMON BLVD | OKEECHOBEE BLVD | 2L | 950 | 2L | 950 | 702 | 499 | 0 | 0 | 341 | 310 | 1043 | 809 | NO | YES |

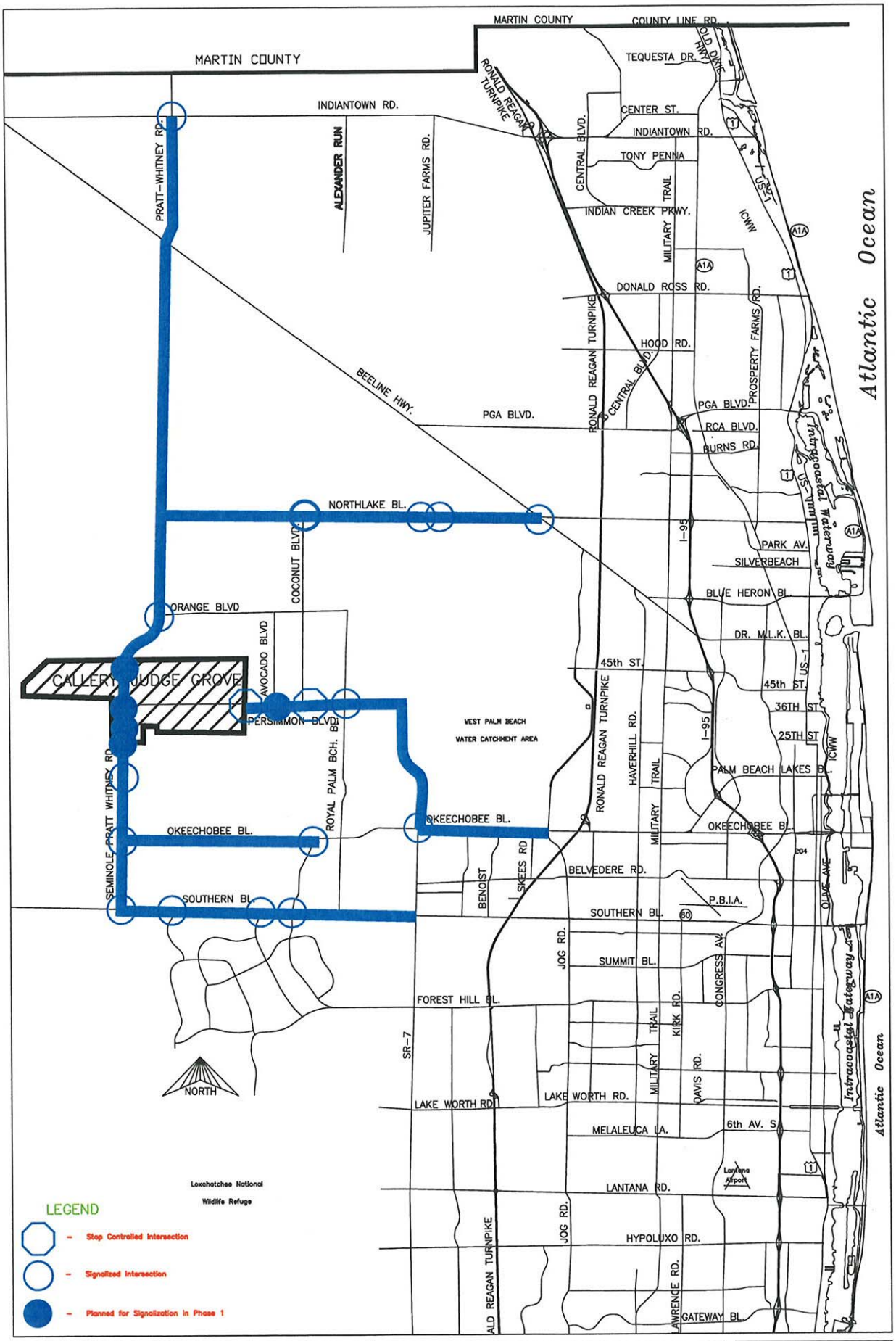
*Arterial Analysis




CALLERY–JUDGE GROVE DRI

PERCENT PROJECT DISTRIBUTION
F-15 PHASE 1

MAP
TR–1




CALLERY–JUDGE GROVE DRI

SIGNIFICANTLY IMPACTED LINKS
PHASE 1

MAP
TR–2

# APPENDIX G

## Components of Public Open Space and the Countryside

The following may be counted or credited toward the 60 percent public open space/countryside requirement for the Callery-Judge Grove DRI:

1. **Agriculture**. The County, in cooperation with the land management entity, should develop incentives for promoting agriculture in the Countryside. Agriculture uses should be designed to utilize reuse wastewater to help reduce the biological impact of new development. Agricultural uses and facilities supporting crop production, processing and distribution are eligible for credit.

2. **Native Habitat and Environmentally Sensitive Areas**. The preservation, restoration, and creation of native habitat and the preservation of Environmentally Significant Land is eligible for credit.

3. **Water Management**. Open areas of the surface water management system are eligible for credit.

4. **Community Amenities**. Land used for community amenities within the Callery-Judge Grove DRI may be counted towards the fulfillment of the required amount of public open space. Such amenities include, but are not limited to the following:

    a) **Community Recreation Areas**. Uses such as equestrian facilities, regional parks, picnic areas, campgrounds, ecotourism areas, swimming and fishing lakes, greenways and trails, and/or polo fields are appropriate in community recreation areas.

    b) **Neighborhood Parks, Greens and Squares**. Such spaces must be publicly accessible to be counted.

    c) **Golf Courses**. Golf courses may be counted towards the fulfillment of the required amount of Countryside, provided that it is designed to accommodate reuse wastewater.

    d) **Civic Uses and Community Buildings**. Civic uses such as Police and Fire Stations, Schools ((including the associated playfields), libraries as well as community buildings and clubhouses may be counted towards the fulfillment of the required amount of public open space except for the paved parking facilities.

    e) **Boulevards and Avenues**. Green, pervious components within public boulevards and avenues are eligible for credit.

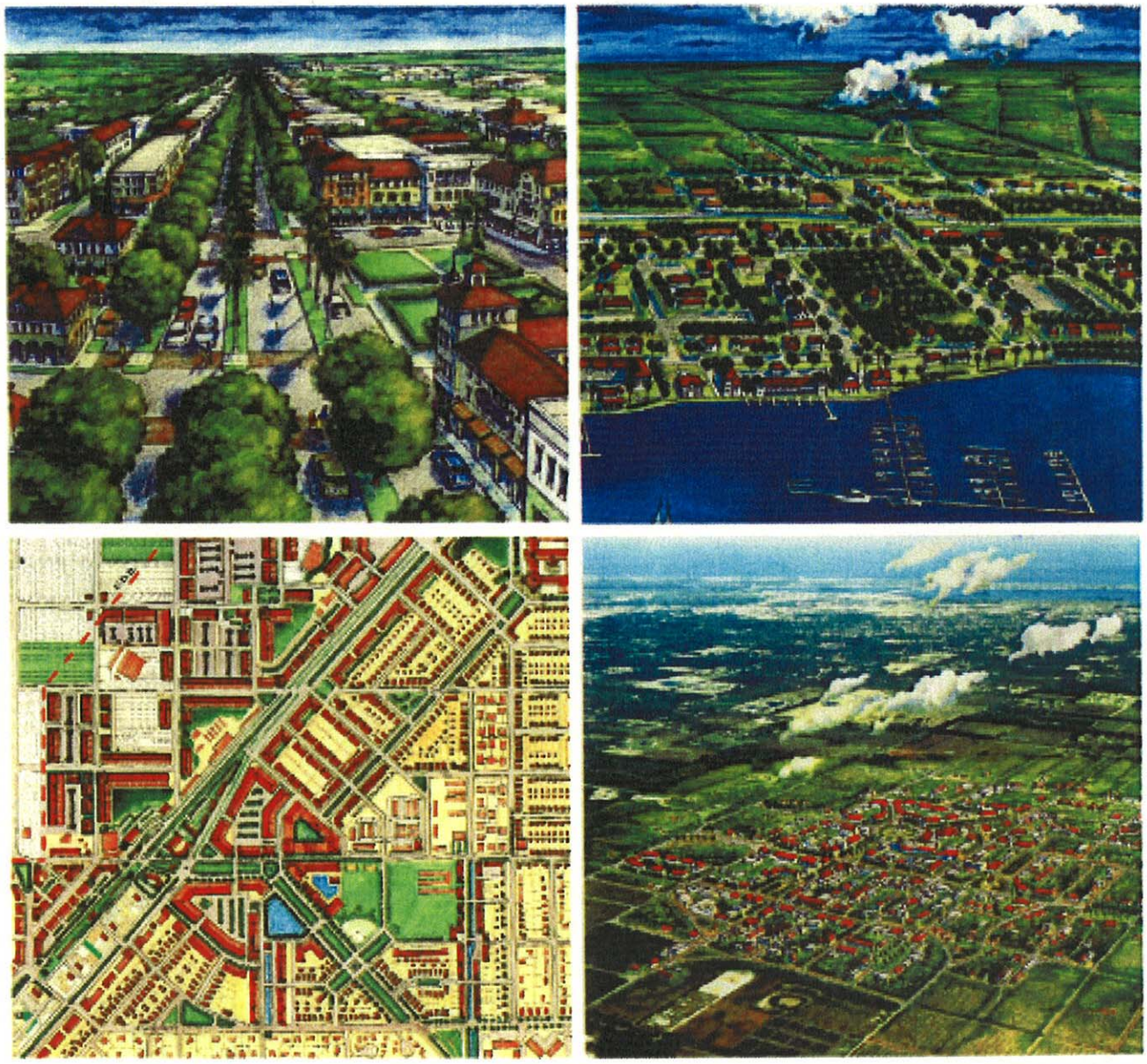
No more than 10 percent of the total 60 percent public open space/countryside requirement for the Callery-Judge Grove DRI should be derived from public open space categories 4.d and e. above.

# APPENDIX H

## Components of the Traditional Urban Neighborhood Authentic Mixed Use for DRIs

# Components Of The Traditional Urban Neighborhood

## Authentic Mixed Use For DRIs



May 2004

H-2

Treasure Coast Regional Planning Council

# COMPONENTS
Of the
# TRADITIONAL URBAN NEIGHBORHOOD

American neighborhoods and cities are organisms, which are as complex and unique as the individuals who reside in them. Like people, places grow at different times, at different scales, with differing values and a varying sense of purpose. While it is impossible to generically characterize the human ethos and spirit, there are consistent basic needs like food, water, and shelter, which are fundamental to human existence.

Cities, towns and neighborhoods also require basic elements if they are to provide a memorable and sustainable habitat for their residents. These elements, while they may vary in scale and character from place to place, are consistently found in traditional development patterns. Listed below are the basic components which make up the traditional urban neighborhood.

## I. Neighborhood Size

a. The neighborhood is scaled upon a five-minute walking radius (1,350 feet) as measured from the approximate center of the neighborhood.

b. In general, the neighborhood has well-defined edges, and should range between 40 - 150 acres in size. This size may vary depending upon physical and geological conditions.

c. Adjacent neighborhoods are connected with a series of streets detailed to encourage pedestrian and bicycle traffic.

## II. Neighborhood Center

a. Each neighborhood has a recognizable center in the form of a public square, a park, a green, or a plaza.

b. The neighborhood center is faced by the fronts of buildings, which are sited to best define the public open space. A minimum of 80% of these buildings has a minimum height of 2 stories in order to achieve adequate spatial definition.

## III. Streets, Blocks, and Alleyways

a. The basic building blocks of the neighborhood are the street, the block, and the alleyway. Each neighborhood has a fine-grained network of streets and blocks. Alleyways are encouraged in residential areas

(especially where higher densities occur) and are provided in the mixed-use areas of the neighborhood.

b. Streets are detailed with sidewalks, on-street parallel parking, regularly spaced street trees and pedestrian-scaled lighting. Street trees are placed between the pedestrian and the roadway in parkways or in tree grates.

c. Blocks are scaled to accommodate a variety of building types and encourage pedestrian traffic. Typical block dimensions range between 300' – 500' on a block face and do not exceed 600' on any single block face. Single blocks do not exceed a total perimeter distance of 2,000'.

d. Alleyways provide access for rear-loaded parking, municipal services, loading and unloading of goods, and allows the street face to be inhabited by buildings and people. In residential areas, alleyways provide private entrances and parking for rental units located behind single-family homes.

e. Streets, blocks, and alleyways provide a continuous network of vehicular, pedestrian, and bicycle circulation and are designed to accommodate each in a meaningful way.

f. A hierarchy of streets is provided in the neighborhood. Larger streets have larger buildings and sidewalks; smaller streets have smaller buildings and sidewalks.

g. Streets are designed so the buildings facing a street are proportional to the width of that street. The preferred ratio of height to width proportion is 1:1.5 (1 unit in height to 1.5 units in width).

h. Sidewalks are continuous, provided on both sides of every street, and are a minimum dimension of 5'-0" wide on residential streets and a minimum of 10'-0" on mixed-use streets.

**IV. Public Open Spaces**

a. Each neighborhood has at least one primary, centrally located public plaza, green, park, or square. This space is faced by the fronts of buildings and is detailed with pedestrian-scaled street lighting, regularly spaced street trees, and street furnishings such as benches and fountains.

b. Streets and public open spaces are accessible to the public.

c. Public open spaces, including waterfronts, parkways and golf courses have public edges so these amenities are not wholly privatized.

d. Each neighborhood has a series of secondary and tertiary public open spaces, which are linked to one another by streets and parkways. Every residential unit is within a five-minute walk of a neighborhood park, green, square, or plaza.

**V. Civic and Public Buildings**

a. Civic and public buildings are sited on locations of high public visibility and importance. These locations include street terminations, parkways and greens, squares, important intersections, and other special sites.

b. Civic and public buildings include, but are not limited to, municipal buildings, places of worship, meeting halls, hotels and clubhouses, gazebos and other forms of garden architecture.

**VI. Mix of Uses**

a. Neighborhoods accommodate a mix of uses to support the daily needs of the neighborhood. Varying uses can occur in mixed-use buildings or within walkable distances of each other; not every building must have multiple uses. However, proximity alone is not enough. Streets must be detailed so that pedestrians will walk to different uses.

b. Mixed-use buildings are designed so they can accommodate a variety of uses over time as the local market dictates.

**VII. Mix of Housing Prices**

a. Neighborhoods provide a variety of housing opportunities to accommodate varying housing prices.

b. The neighborhood provides home-ownership as well as rental housing opportunities in an integrated manner. Rental housing is not concentrated in segregated areas; they are dispersed and filtered into the general neighborhood fabric in a compatible way.

c. The use of accessory or "out" buildings to provide dispersed rental housing, or other accessory uses, within the single-family fabric is critical to the overall sustainability of the neighborhood.

**VIII. Building Types**

a. Housing types are defined by building typologies (single family, multi-family, townhouse, mixed-use, etc) so that they can be logically and fairly distributed throughout the neighborhood.

b. Building types of like scale, massing, and uses face one another on any given street. Differing building types may be placed back-to-back on a single block.

c. The primary entrance of every building directly faces a street, a square, a park, a plaza, or a green.

**IX. Parking**

a. All streets have on-street parking, which should be counted towards meeting parking requirements.

b. All surface parking lots are screened from the street view with buildings, garden walls, and/or landscaping.

c. Parking structures are located to the interior of the block and are completely screened by buildings with habitable uses for all floors.

d. All on-site parking is located behind the primary building façade. Civic, cultural, and clubhouse buildings are exempted from this provision.

e. For residential lots 50' wide or less, parking is accessed from the rear alleyway.

# APPENDIX I

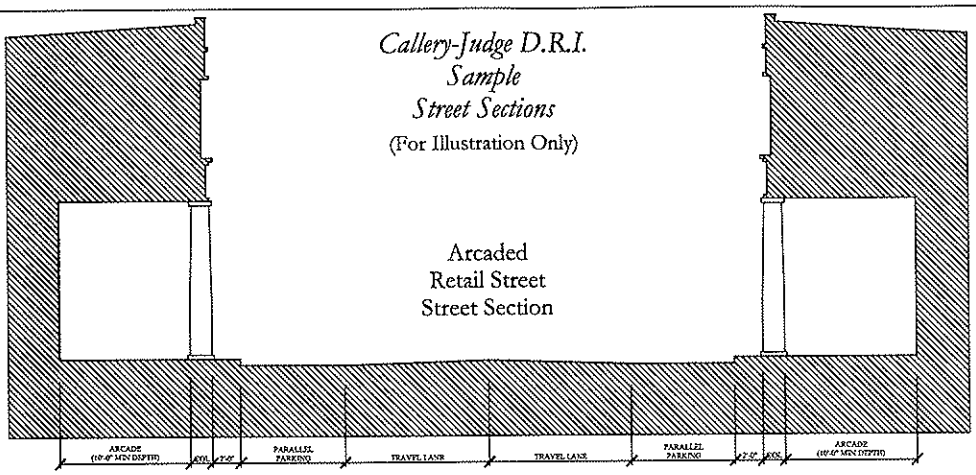
# Compendium of Street Sections

# For the

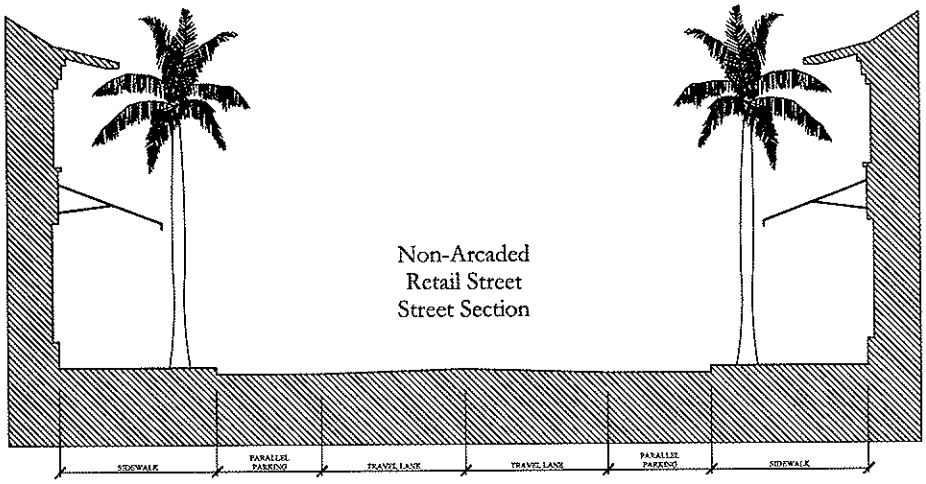
# Callery-Judge Grove DRI

*Callery-Judge D.R.I.*
*Sample*
*Street Sections*
(For Illustration Only)

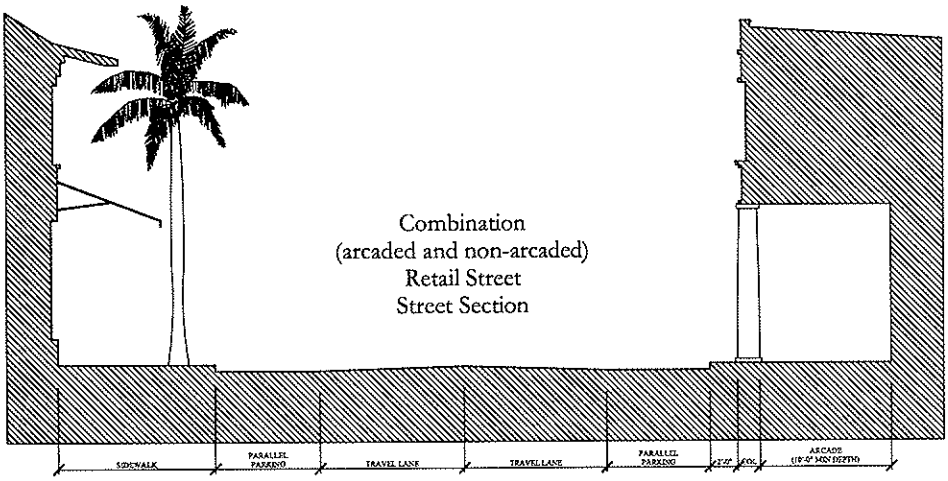
Arcaded
Retail Street
Street Section



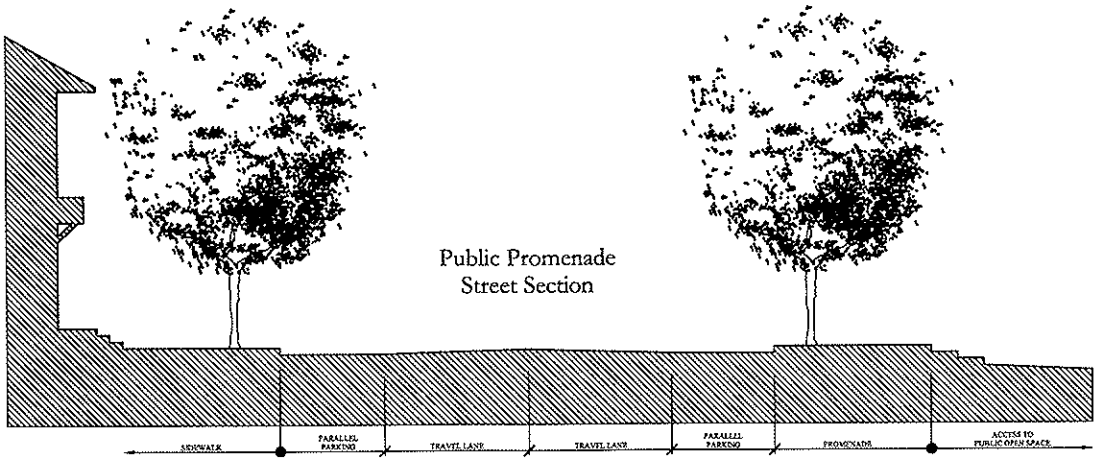

Non-Arcaded
Retail Street
Street Section




Combination
(arcaded and non-arcaded)
Retail Street
Street Section

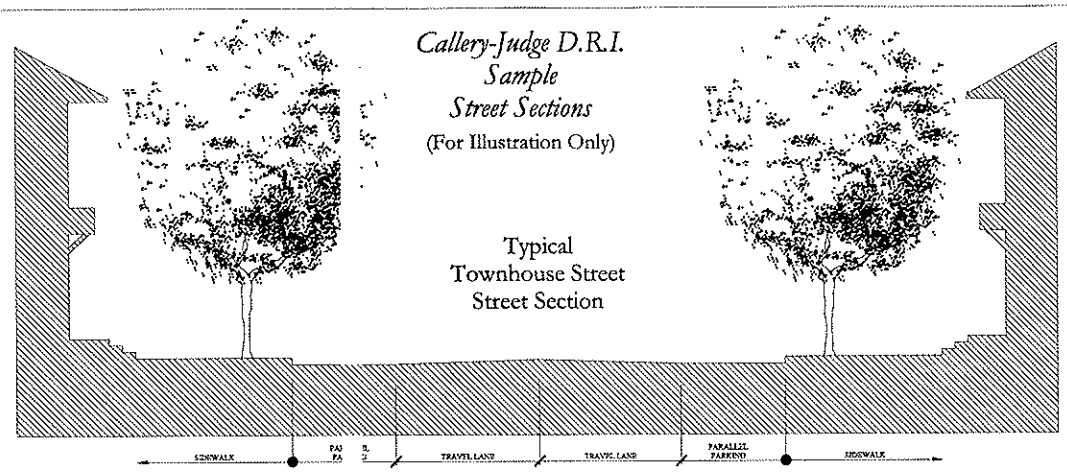



Public Promenade
Street Section

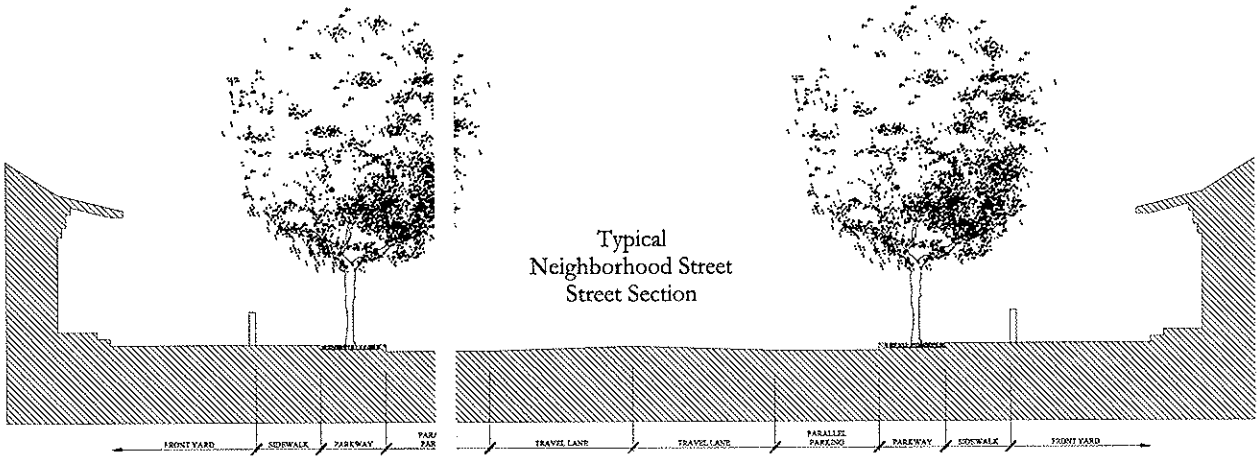


*Callery-Judge D.R.I.*
*Sample*
*Street Sections*
(For Illustration Only)

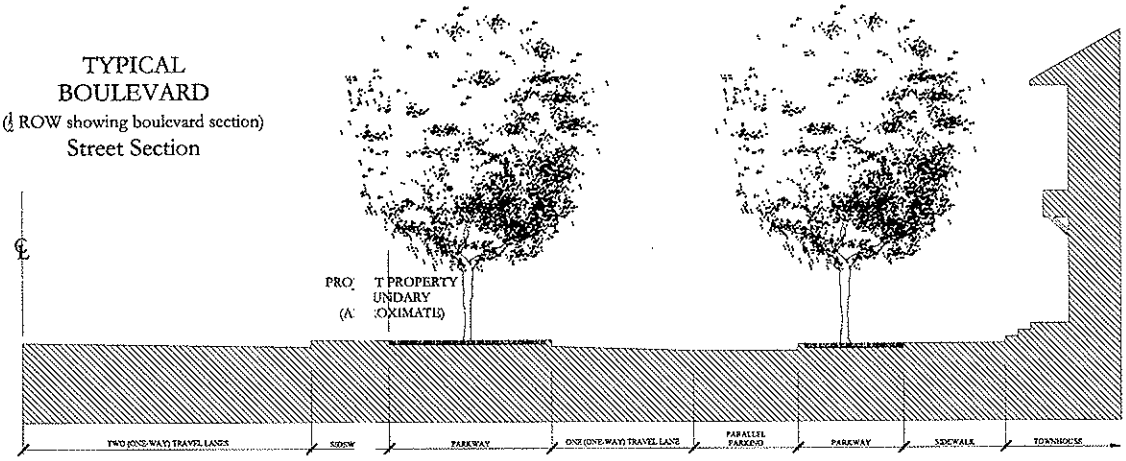
Typical
Townhouse Street
Street Section




Typical
Neighborhood Street
Street Section

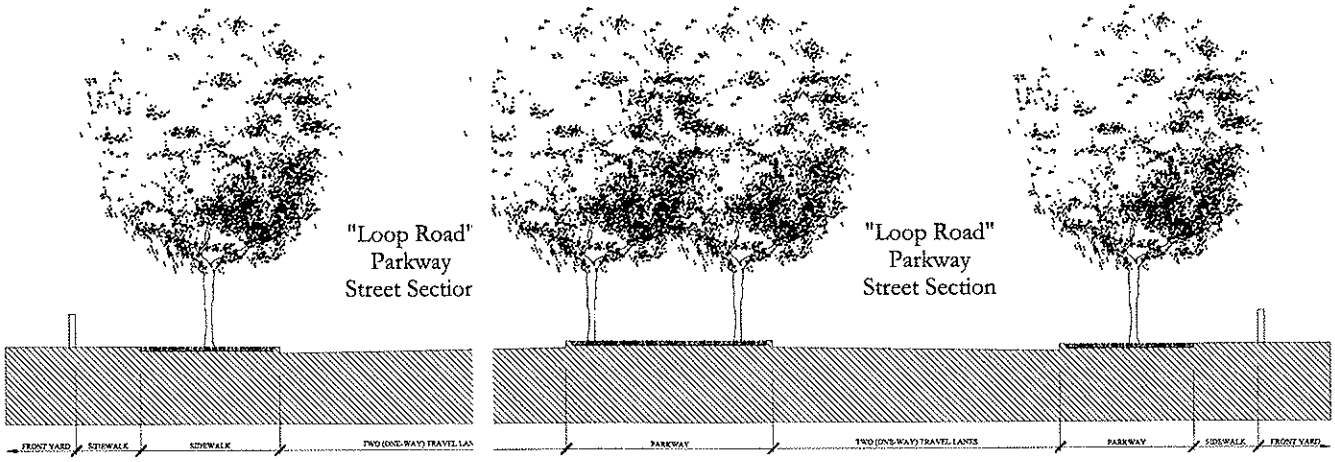



TYPICAL
BOULEVARD
(1 ROW showing boulevard section)
Street Section




"Loop Road"
Parkway
Street Sectior

"Loop Road"
Parkway
Street Section



# APPENDIX J

# Rationale for Traditional Patterns of Development and Open Space Requirements for the Countryside

This appendix contains information related to the Callery-Judge Grove DRI:

Patterns of Development.....J-2
Callery-Judge Grove Master Plan Rationale.....J-3
The Benefits of Traditional Town and Village Planning Techniques .....J-4
The Rationale and Benefits of Protecting Significant Areas of Open Space.....J-7
General Considerations.....J-7
Conclusion .....J-9
Figure 1: Various Percentages of Developed Lands.....J-10

# Rationale For Traditional Patterns of Development and Open Space Requirements for the Countryside

## Patterns of Development

The suburban development patterns that have characterized south Florida's growth during the last few decades represent a failed experiment in planning that has had terrible environmental, ecological and social costs. Although the suburbs are expensive and difficult to live in, and have been proven to be ecological and environmental disasters, they have survived as a development model primarily because few alternatives have been offered in the market place, and the product is sold without the buyer understanding the full consequences of such life styles.

Home buyers see all the green of suburbia and think this must be good. They like the idea of having a large yard for the pets and for the kids to play in, and perhaps even a pool. Unfortunately the full consequences suburban living are subtle, and take time to settle in. Long commutes, shuttling children to activities, and the necessity of owning a fleet of automobiles to survive are not always emphasized at the point of sale.

In the typical suburb, what once was a beautiful meadow, forest or agricultural field has now been replaced by a poorly managed and over-fertilized lawn, with exotic vegetation supporting swarms of equally exotic insects and birds that would never naturally occur within the area. In many parts of the country the wholesale replacement of native plant species with exotic ornamental plants imported from other parts of the world has facilitated the establishment of large populations of alien insect and animal populations, sometimes completely displacing native species. A recent careful and extensive study of habitats in England concludes that we are entering a period of massive species extinction, all thanks to our naive management of the environment.

Although the effects of suburbia on the ecology of the land are large, the worst environmental impacts of suburbia and low density living are the result of having to drive long distances for every purpose, burning up fossil fuels and filling the air with greenhouse gases on our way to the playground five miles away. With the advent of automobile dependent suburbs, the portion of typical American family expenditures allocated for transportation steadily rose from less than 2 percent in 1900 to nearly 25 percent today - excluding the portion of income taxes that supports transportation, the portion of your house that stores the car, and private sector costs associated with providing parking lots and access roads. Increase in transportation costs are directly related to the suburbanization that took place after World War II and the deliberate destruction of our nation's public transportation systems, and reflect the dependency of our nation on automobile ownership and use.

Suburban patterns of development increase the number of vehicle trips per household and the length of each trip. Average trip length is four times longer in suburbs than in traditional American towns. It would be absolutely impossible for people to live within

most suburban communities without the use of an automobile. This makes our economy entirely vulnerable to any significant disruption in the flow of energy that could result from the instability in the Middle East, terrorism, and the increasing global demands on oil reserves. Sadly, the increased energy use, air pollution and global warming have not provided a higher quality of life. Parents that commute to work 30 minutes each day, loose the equivalent of 2.25 years of eight hour days with their families, over the eighteen years children are typically at home, as a direct result of driving long distances to work. For the elderly, children, and those hard pressed to afford an automobile, the promise of the green suburb was false, leaving this large segment of the population dependent on their relatives or friends to shuttle them to basic services.

In contrast, the compactness of traditional development patterns minimizes use of land and impacts on natural systems, and results in reductions in energy and water use, reductions in air pollution, and more efficient handling of all forms of waste. Traditional patterns of development provide a diversity of housing types in close proximity to places of work and shopping, and even to schools. Yards exist but are smaller, requiring less water use, less displacement of native systems per capita, and less chemical support. Instead of every home having a second rate playground, small parks exist in close proximity to many houses and many children, where they have the opportunity to play together without being shuttled there by car. Because of the compactness, it is also possible to economically provide efficient water, wastewater and solid waste collection, treatment, and disposal systems.

The suburb is an experiment that has failed society. Given its inefficiency and its environmental impacts, and facing the likelihood of increasing fuel costs, the car-dependent suburb is an experiment that may even prove fatal to our economy.

The worst development scenario for this area of Palm Beach County would be its development at a density of one unit per acre, or following the segregated and sprawling pattern typical of this area's development during the last several decades. The Callery-Judge Grove DRI proposes a more efficient and sustainable pattern of development, that provides for density incentives in return for preservation of countryside and establishment of better patterns of growth in the form of authentic towns and villages. Unlike the suburb, and gated "community", the town and village pattern of development is not an experiment, but rather the tried and tested pattern of establishing settlements, towns and villages that has worked successfully for thousands of years.

## Callery-Judge Grove Master Plan Rationale

The Callery-Judge Grove Development of Regional Impact proposes a sustainable settlement that aims to preserve the area's rural character, and increase the quality of life of its citizens. The general strategy for accomplishing this goal has two key components: 1) planning and organizing development as an efficient and sustainable, traditional compact mixed-use town; and 2) the protection and restoration of substantial portions of the landscape as pubic open space and countryside.

**The benefits of traditional town and village planning techniques**

Developing land as traditional, compact mixed-use towns and villages has a great number of quantifiable advantages over typical Florida sprawl. Quantifiable benefits include:

*Reductions in vehicle trip lengths* – Reductions in trip length are the result of small block size, an interconnected network of streets, and the relative proximity of destinations to where people live. Just providing a well connected grid of streets can reduce trip lengths to common destinations such as grocery stores, schools and recreational areas by an average of 30 to 50 percent, and average trip lengths can be even more dramatically reduced when jobs, shopping and other needs are provided in proximity to where people live.

*Reductions in the number of vehicle trips* – Traditional towns and villages typically have the highest density of housing very close to places of shopping and services. Frequently a significant number of residential units are provided above ground floor retail and office uses. Where destinations can be provided in close proximity to where people live, a substantial proportion of vehicle trips can be eliminated.

Although it is not the objective of town planning to eliminate the use of automobiles, within well designed communities it is possible to enjoy a good quality of life without the necessity of automobile ownership. Real communities include significant segments that can not drive, because they are too old or to young.

*Reduced roadway congestion* – Where traditional development patterns are followed, rather than those characteristic of post WWII sprawl, traffic congestion is significantly reduced. Congestion is reduced because of four factors: 1) the interconnected grid of traditional development provides alternative routes of travel; 2) distributing trips on a series of smaller roads is always more efficient than forcing them on a single large road; 3) the number of trips generated by traditional development are fewer; and 4) a greater proportion of trips are shorter and more local than those generated by sprawl.

*Reduced travel times* – Although traditionally planned communities do not eliminate all trips, they can significantly reduce travel times, and can provide opportunities for the establishment of work place close to one's home. Reduced travel and commute times free up time for other more productive uses of time, including time with family.

*Reduced fuel use and air pollution* - A direct result of reduced trip length, a reduced number of trips, and reduced roadway congestion is a significant reduction in fuel consumption and air pollution. Given the current and projected concerns regarding energy costs, and greenhouse gases such as CO2, it is hard to imagine any justification for approving developments with a pattern of development that would unnecessarily contribute to such problems.

*More efficient transit service* – It is impossible to efficiently provide transit services to sprawl. Traditional town and villages are organized to be served much more cost

effectively by transit systems. Most Florida communities already provide transit services to at least the transportation disadvantaged, including the elderly. As our population ages the cost of providing such services will increase unless more efficient patterns of development are provided.

Prior to WWII many of America's towns and villages were linked by trolley systems, and today where such patterns of development remain, these communities are efficiently served by bus and shuttle systems.

*Safer environments for pedestrians and bicycles, and shorter street crossing lengths* – Because traditional towns and villages are more compact than sprawl development, and because the have an interconnected grid of smaller streets, it is easier to economically provide sidewalk and bike path connections. Street crossings are shorter and therefore safer. In addition, the sidewalk systems are more functional, since they interconnect residential areas with shopping, work place destinations, recreation, and often schools.

*Reduced parking demand and land dedicated to parking area* – Compact mixed-use towns and villages, planned following the principles of traditional urbanism, typically have significantly reduced parking requirements. Often providing a "park once" environment, parking requirements are often between 25 and 50 percent lower than those for sprawl communities. Reduction in parking loads leaves more green space, reduces runoff, and makes development more affordable.

*More affordable housing* – Housing within traditional towns and villages can be more attainable, and more affordable for a number of reasons. Because services and infrastructure can be provided more efficiently, including reductions in parking requirements, the cost of units should be less. Smaller average lot sizes can translate to lower maintenance costs. But most importantly, reduced transportation costs free up financial resources that can be allocated to housing that would not be available in a completely automobile dependent pattern of development. By way of example, if reducing the number of cars per household by one, saves on average $5,000.00 per year in transportation costs, the capitalized value of this annual expense, at 5% interest, is equal to $100,000.00. Put another way, a family that could only afford a $150,000.00 mortgage in an automobile dependent environment, could afford a $250,000.00 mortgage if they lived in a community where multiple car ownership was not a necessity.

*More efficient provision of infrastructure and public services* –Utilities and services can be provided much more cost effectively to compact development than to those that sprawl. Savings occur in the provision of water and sewer lines, power lines, trash removal, and police and fire protection.

*Better proximity to services and shopping* – A characteristic component of traditional towns and villages is the mix of uses that occur within the community. By providing shopping and services close to where people live, vehicle trip lengths are reduced and sometimes eliminated, as is travel time, all of which contribute to a more convenient higher quality of life.

*Better proximity to job opportunities* – Traditional towns and villages provide work place opportunities within the community, allowing businesses and services to be established close to where people live. Within traditional towns and villages, it was often possible to work very close to one's place of residence, and older children could often find part time jobs within walking distance of home.

*Better proximity to recreational opportunities* – As a result of their relative compactness, and as a result of the interconnected streets and sidewalks, recreational areas can be easily accessed without requiring use of a car. This is particularly important to children, who may be old enough to visit such facilities on there own where safe routes of travel have been provided. Where facilities can be easily accessed, they can be more frequently used, making it easier to justify their improvement and costs.

*Reduced solid waste generation* – Solid waste generation rates can be significantly lower per household within traditional towns and villages as a result of smaller average lot sizes (reduced yard waste) and higher percentages of townhouses and multifamily units, than would occur in very low density developments. In addition compactness increases the efficiency of delivering service.

*Possibility of neighborhood schools* – Because of the diverse mix of housing types and affordability that typically occurs within authentic towns and villages it is often easier to provide such communities with neighborhood schools, particularly at the elementary and middle school levels, than would be possible in the case of a similarly sized development that catered to a more limited demographic cross section.

*Provision of civic spaces* – Within communities characterized by sprawl, true civic spaces rarely exist. Town greens and plazas require the organization and definition of space that only traditional patterns of development can provide. Traditional patterns of development have special sites for art, fountains, and civic buildings that do not exist within conventional sprawl.

*Better proximity to countryside and open space*. The towns, villages and countryside pattern of development is unique in providing everyone that lives within these communities the convenience of easy access to shopping, jobs and services, as well as, proximity and access to countryside. Within easy walking distance residents of traditional towns and villages can access expansive areas of open space for walking, horseback riding, and other experiences only available in rural settings.

*Higher quality of life for families, the elderly and children* – Quality of life is compromised for everyone when the basic necessities of a good life can only be obtained by those that can drive and have access to an automobile. Children become completely dependent on parents to cart them to sporting events and practice. Elders that are too old or uncomfortable driving, become dependent on friends and family to access even basic needs, often forcing them into retirement homes earlier than otherwise would be necessary. Parents spend adjusting their schedules to the necessities of car pools and

their children's practice schedules. Opportunities that were commonplace in traditional American small towns, require special effort to achieve in suburban sprawl, or simply do not exist.

## The Rationale and Benefits of Protecting Significant Areas of Open Space

The County's existing rural character has aesthetic and functional components, both of which must be addressed if these components are to be maintained. Aesthetic aspects of the rural character include the preservation of landscapes that are characteristic of Palm Beach County's cultural history, including most predominantly citrus, equestrian, and vegetable farms, and the scenic views associated with them. Functional considerations include assuring that a sufficient quantity and configuration of land is available to support viable agricultural operations, and to provide the unique benefits that are associated with rural open space, including wildlife habitat, air and water quality enhancement, provision of places to hunt, fish, walk or ride horseback, and even places to passively enjoy the stars and quiet values associated with expansive countryside.

A very practical policy consideration is how much land, at a minimum, and in what configuration, needs to be set aside as open space to preserve rural character.

## General Considerations

As the percentage of the landscape dedicated to development increases, some of the values associated with rural lands begin to disappear. Conflicts will arise with residential neighbors when crop types require applications of pesticide or fungicide. Inadequate management of residential citrus will put nearby commercial groves at risk of disease. Agricultural parcel sizes can be reduced to the point of being too small for viable operations. If the total agricultural production of an area falls too low, supporting businesses such as packing houses can be lost. Some of the most treasured values of countryside are sadly often the first to go: the quiet, the number of stars visible at night, or the possibility of hunting on one's own property. Even common species of wildlife can diminish or be lost due to predation or harassment by cats and dogs, competition, and introductions of exotic species.

In establishing policy recommendations for open space, a variety of issues were considered, all of which relate to the values perceived to be associated with Palm Beach County's rural heritage.

*Rural Character* - The perception that an area is rural begins to fail when approximately 20 to 25 percent of the landscape is developed, unless the pattern of development and distribution of the open space are optimized. Figure 1 shows the visual impact of increasing percentages of development within the landscape. At the 5 and 10 percent levels, the landscape is easily perceived as rural. There are reasonable separations between settlement areas, and long vistas of countryside and farmland as one moves from one developed area to the next. At 20 percent levels of development, settlements remain distinct, and some long vistas still remain, however the landscape begins to feel crowded

as the travel time between developed and undeveloped areas diminishes to a matter of minutes by car. At 40 percent development, although some rural values can remain, including the retention of agriculture, the perception of the area as truly rural is nearly lost, and settlements begin to merge, loosing their identity as separate towns and villages (see Figure 1).

*Surface water management system requirements* – In order to meet the requirements for surface water management, approximately 10 to 15 percent of the land area will need to take the form of lakes and canals. In order for these to have maximum value as wildlife habitat and recreational areas the slopes along the edges of these water bodies will need to be graded down to allow easy access to the waters edge, and landscaped. Grading and edge habitat will increase the area associated with the lakes to approximately 20 percent. If, as is anticipated, SFWMD increases the standards for retention in order to protect the estuaries and public water supplies from drainage related impacts, even larger percentages of land may need to be set aside.

By encouraging these features to be included within the countryside component of the landscape rather than within developed areas, the countryside is perceived to be larger and more expansive than it would seem otherwise, and the wildlife, environmental, and recreational values of the lake system can be dramatically increased. Consolidation of water management features under the authority of a utility assures that they will be properly managed for maximum water quality and recreational value. Consolidation of such features also increases their scale to a level where they can begin to provide the values associated with natural lakes and rivers, adding significant value to nearby developed areas. Centralized management may also provide opportunities for water storage and reuse as irrigation water for agricultural lands.

Consolidation of centrally managed lands for treatment of storm water provides the flexibility to meet changing water management needs, and begin to address the problems associated with water quality within the Loxahatchee River and Lake Worth Lagoon and contributing water bodies.

*Parcel sizes for viable agriculture* - The average farm size in Florida is approximately 236 acres, with the majority of farms being less than 179 acres (Economic Research Service, USDA). A variety of agricultural uses, including the growing of ornamental landscaping material and vegetables can occur on parcels of between 10 and 50 acres; however parcels used for citrus or vegetables are typically larger and more characteristic of Palm Beach County agriculture.

*Compatibility of agricultural uses with urban development* – Certain types of agriculture including grazing and pasture land can represent ideal neighbors for urban areas; others, particularly those requiring application of chemical sprays and soil fumigation can create problems and require buffering. Still others, including citrus are put at risk by nearby development, where unregulated citrus in residential yards represents potential source of canker and other very serious problems. In order to protect agriculture, it is generally advised to discourage the intrusion of development within the rural landscape.

*Parcel sizes to protect wildlife and wildlife nesting areas.* – As the size of a natural area is reduced, so is the number of species that can be maintained within that habitat. Proximity to developed areas further reduces the wildlife value for certain species. When in proximity to developed areas, disturbance increases, as well as predation by dogs, cats and small boys, and by species such as raccoons and opossum which can thrive at unusually high levels near residential areas.

Residential developments also can result in unexpected impacts. By introducing large numbers of fruiting trees and bushes into the landscape, south Florida residential areas have increased the population of Red-bellied Woodpeckers to levels that could have never been supported in the past. This frugivorous woodpecker has thrived and almost entirely displaced the once common Red-headed Woodpecker, by aggressively competing for limited nest sites.

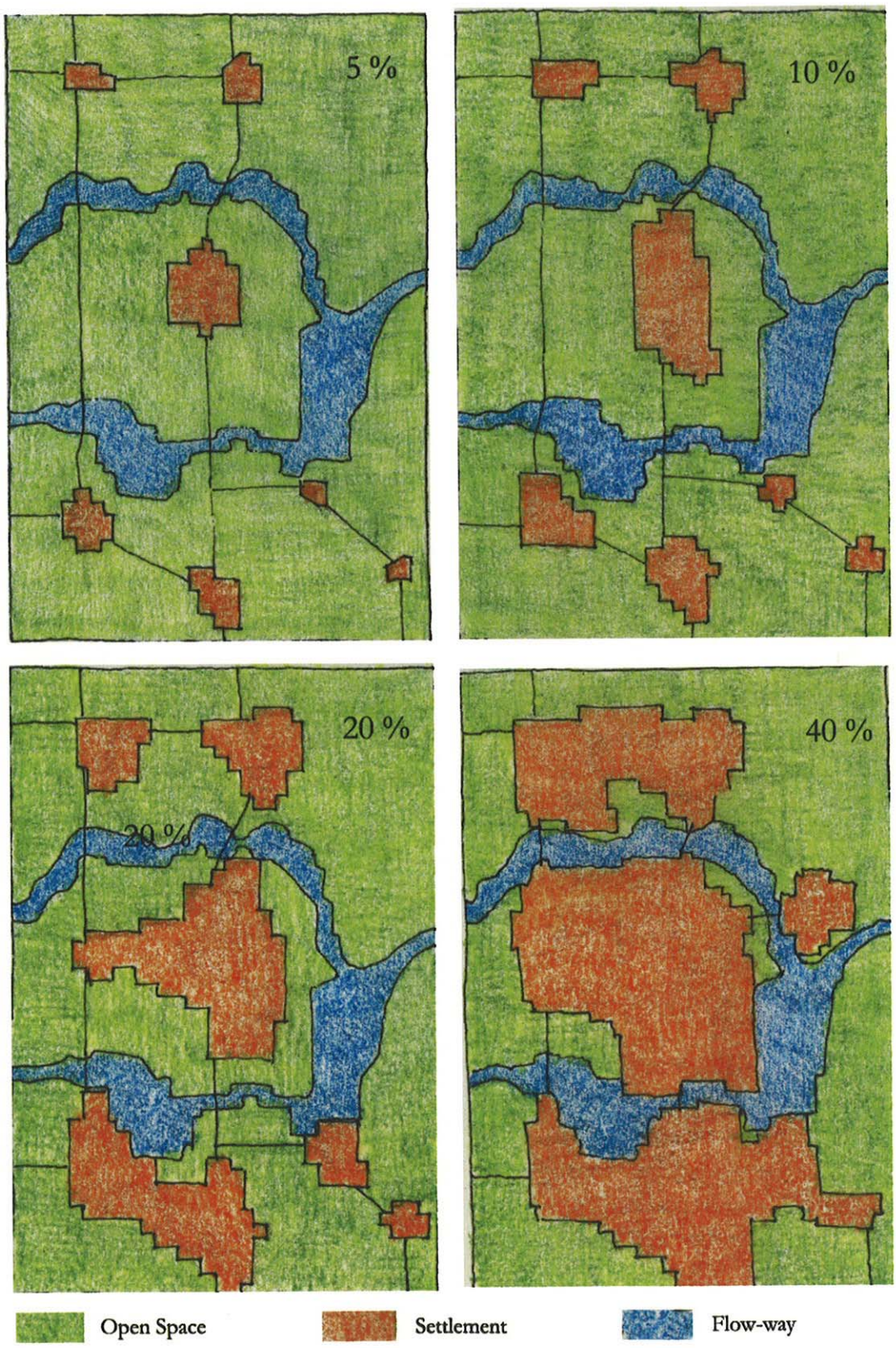
*Rural recreational activities* – One of the characteristics of truly rural areas is unique recreational opportunities such as hunting. One of the great opportunities afforded those growing up in the country or within small rural towns was easy access to hunting and shooting areas. Depending on the pattern of development, hunting opportunities would be very limited, if existent at all, where more than 20 percent of the land was developed in an urban form. Although rural recreational values such as hunting will likely be lost at development levels 25%, other values such as trail riding, and fishing are much less sensitive to moderate levels of development activity, and will remain.

## Conclusion

Although some agricultural and rural values will be lost if settlements occupy more than 5 or 10 percent of the land, rural character and agricultural value can be maintained with 25 percent of the land developed in the form of towns or villages, and to a lesser extent where 40 percent of the land is developed, providing that countryside is consolidated into large and contiguous blocks of land. Although these levels of development are not ideal within agricultural areas, they represent a reasonable way to protect the rural character of areas such as the north central Palm Beach County study area, where the existing Comprehensive Plan includes future land use designations of one unit per acre, and lower densities on several parcels.

Formatting developed areas as traditional towns and villages, minimizes the environmental and ecological impacts on the land, while providing a more sustainable form of development and a very high quality of life for residents.

Figure 1: Various Percentages of Developed Land.



# APPENDIX K

# Two Ways to Grow

*If what you are selling is privacy and exclusivity, then every new house is a degradation of the amenity. However, if what you are selling is community, then every new house is an enhancement of the asset.*

- Vince Graham, *Addressing the National Association of Home Builders*, (1997)

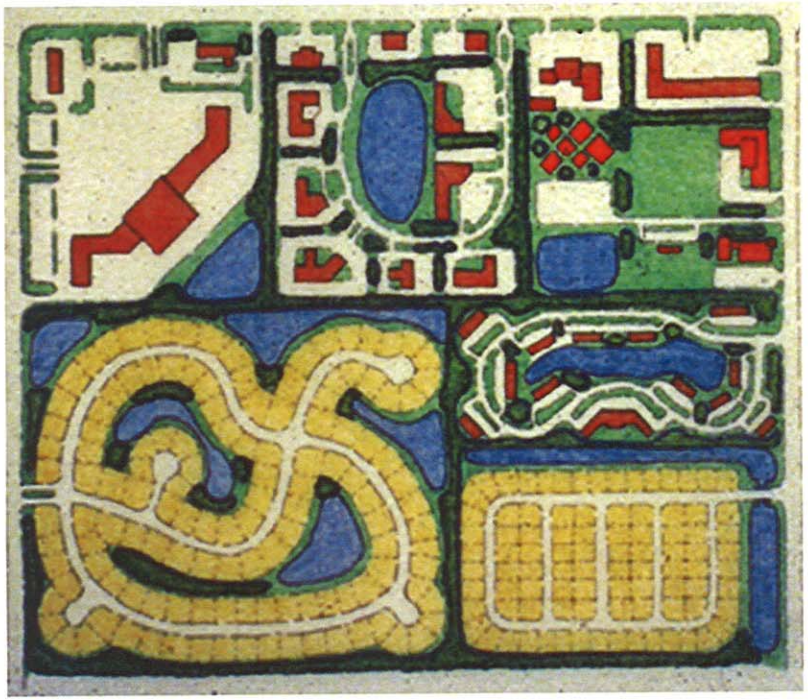
There are basically two different models of urban growth: the traditional neighborhood and suburban sprawl. They are polar opposites in appearance, function, and character: they look different, they act differently, and they affect us in different ways.

The traditional neighborhood was the fundamental form of European settlement on this continent through the Second World War, from St. Augustine to Seattle. It continues to be the dominant pattern of habitation outside the United States, as it has been throughout recorded history. The traditional neighborhood – represented by mixed-use, pedestrian-friendly communities of varied population, either standing free as villages or grouped into towns and cities – has proved to be a sustainable form of growth. It allowed us to settle the continent without bankrupting the country or destroying the countryside in the process.

Suburban sprawl, now the standard North American pattern of growth, ignores historical precedent and human experience. It is an invention, conceived by architects, engineers, and planners, and promoted by developers in the treat *sweeping aside of the old* that occurred after the Second World War. Unlike the traditional neighborhood model, which evolved organically as a response to human needs, suburban sprawl is an idealize artificial system. it is not without a certain beauty: it is rational, consistent, and comprehensive. Its performance is largely predictable. It is an outgrowth of modern problem solving: a system for living. Unlike the traditional neighborhood, sprawl is not healthy growth; it is essentially self-destructive. Even at relatively low population densities, sprawl tends not to pay for itself financially and consumes land at an alarming rate, while producing insurmountable traffic problems and exacerbating social inequity and isolation. These particular outcomes were not predicted. Neither was the toll that sprawl exacts from America's cities and towns, which continue to decant slowly into the countryside. As the ring of suburbia grows around most of our cities, so grows the void at the center. Even while the struggle to revitalize deteriorated downtown neighborhoods and business districts continues, the inner ring of suburbs is already at risk. Losing residents and businesses to fresher locations on the new suburban edge.

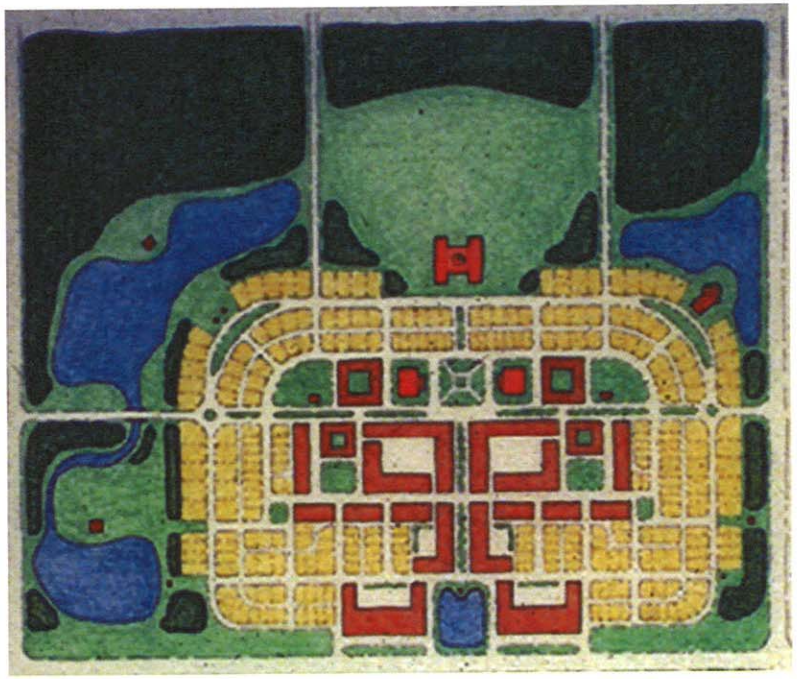
# Regional Impacts of Sprawl

## Non-Preferred Form



- 30% more energy
- 2 to 4 times poorer water quality
- 25% to 50 % more time in our cars
- 30% to 40% more land used
- Public transportation is not an option
- 20% to 25% of your income spent on cars
- Kids won't be able to walk to school

## Preferred Form



- Sprawl housing products underperform able comparable New Urbanist products on sales price and absorption
- Road building will take priority over the arts, culture, care of the elderly and education of your children
- Fiscal savings of $606 million through 2025
- Capital cost savings of $4.19 billion through 2025

# APPENDIX L

## Regional Settlement Plan for Northern Palm Beach County

This appendix contains a Plan related to the Callery-Judge Grove DRI:

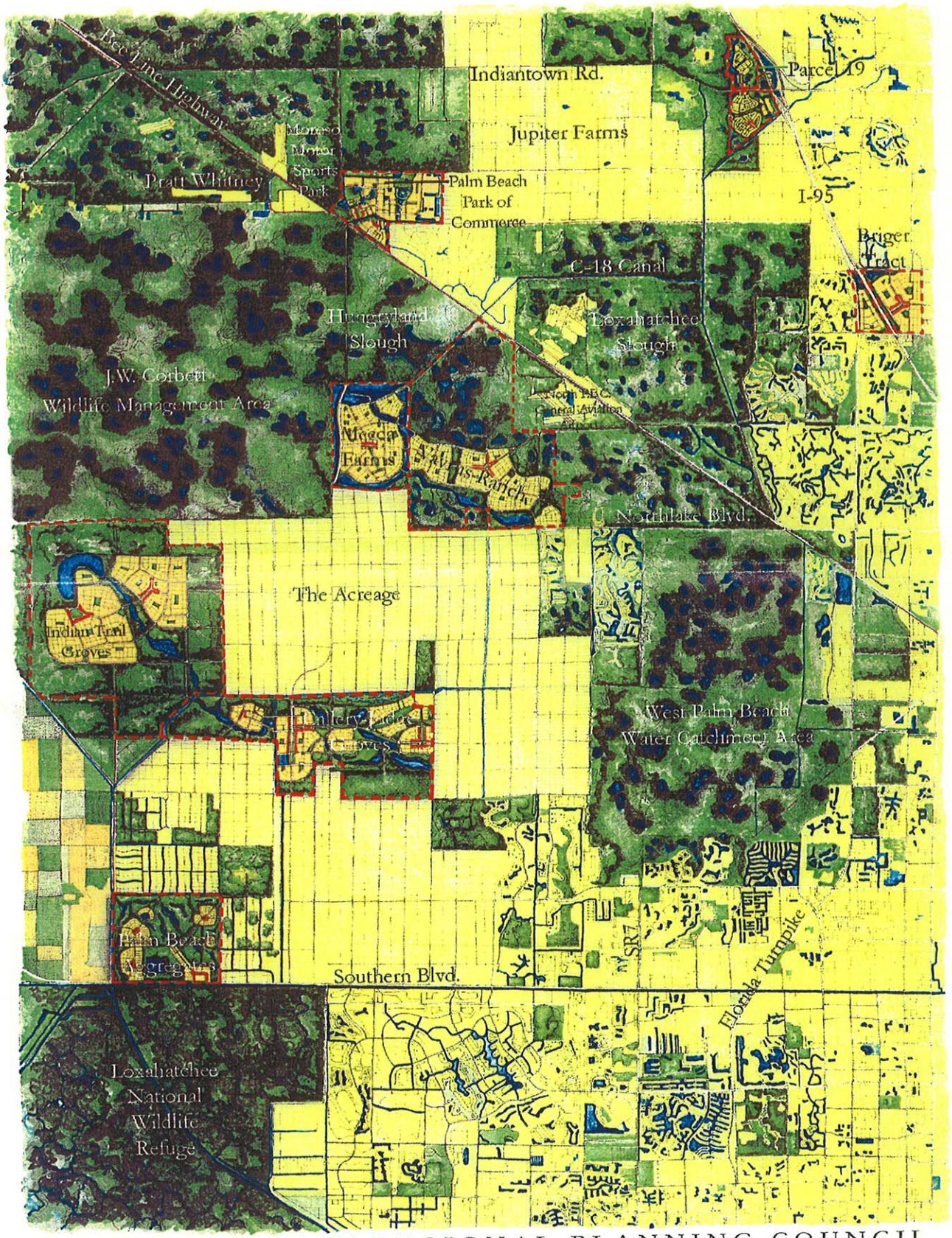
Regional Settlement Plan for Northern Palm Beach County ..... L-2
Agenda Item 8 dated October 15, 2004 ..... L-3

# REGIONAL SETTLEMENT PLAN

*for*

## North Central Palm Beach County

Not To Scale




TREASURE COAST REGIONAL PLANNING COUNCIL

Indian River - St. Lucie - Martin - Palm Beach

TREASURE COAST REGIONAL PLANNING COUNCIL

# MEMORANDUM

To: Council Members AGENDA ITEM 8

From: Staff

Date: October 15, 2004 Council Meeting

Subject: Regional Settlement Plan for North Central Palm Beach County

## Introduction

Palm Beach County, like most counties in the Treasure Coast Region, has experienced explosive growth in the past few years. The continual flood of new residents into Palm Beach County has necessitated the reassessment of land use and density propositions, some of which were recently put in place. While the County has developed policies to manage their growth, such as the Managed Growth Tier System, the pressure to change land uses and zoning in favor increased development is constant. North Central County agricultural and rural lands, once sacrosanct from development, are now being seriously considered for suburban growth.

The proposed siting of the new Palm Beach County Biotechnology Research Park (PBCBRP) with the Scripps Research Institute at Mecca Farms has only amplified the overtures for westward expansion. With nearly 18,000 new jobs and 8,000,000 square feet of research-related uses proposed, the PBCBRP will forever alter the character of the County's western Rural Tier. The mere suggestion that PBCBRP might go on the Mecca property has generated tremendous anticipation on behalf of agricultural landowners who see their property as perfect opportunities to develop new homesteads and shops for Scripps' employees. Council is already processing four Developments of Regional Impact in this area. A fifth is expected in the near future.

In an effort to assist the County in dealing with these and other development proposals, Council staff has prepared a detailed conceptual Regional Settlement Plan for North Central Palm Beach County. This plan (Attachment A) explores patterns of new development in the County's Rural Tier that could accommodate an influx of new residents, preserves great amounts of vital open space, proposes meaningful watershed and flow way systems, works toward maintaining the character of the area, and creates a comprehensive system of neighborhoods and villages.

## Background

The conceptual Regional Settlement Plan for North Central Palm Beach County covers over 420 square miles and is bounded by the Florida Turnpike to the east, the 20-Mile Bend to the west, Southern Boulevard to the south, and the Palm Beach County line (Indiantown Road) to the north. The majority of the lands affected by the Regional

Settlement Plan for North Central Palm Beach County are aging cattle ranches, citrus groves, and other agricultural areas. While the area covered by the plan is enormous, a large percentage of the area is already developed as the Acreage or is in conservation.

Overview of the Plan

The basic strategy for developing the Regional Settlement Plan for North Central Palm Beach County is as follows:

1. accept that continued growth is changing the context of our Region;

2. realize such growth and change can be accommodated on terms different from development trends of the 1980 and 1990's and in ways that improve the standard of living;

3. identify land most likely to be developed and best suited for development;

4. promote a model of compact, sustainable development that creates neighborhoods and towns, not sprawl;

5. establish a method for allowing great increases in allowable residential densities only when strictly implementing the Regional Plan; and

6. create a model for regional growth that helps to comprehensively create and restore a large interconnected system of vital water management areas and greenways.

Current population projections suggest that by 2025 260,000 new residents will call unincorporated Palm Beach County home. The plan considers this amount of new growth and accommodates a portion of it in limited and well-defined areas. The plan reflects a pattern of development flexible enough to accommodate a tremendous amount of growth and a wide range of densities. How much growth the County is willing to consider in this area will be a long-range policy decision made by the Board of County Commissioners.

A central purpose of this conceptual Regional Settlement Plan for North Central Palm Beach County is to support the ongoing sector planning work by the County and to form a plausible strategy and basis for County Commission decisions about future growth in this area. Without a clear and easily understood strategy for accommodating this growth, there is concern that an accelerated proliferation of suburban sprawl, traffic congestion, degradation of the public realm, and hardship to the natural environment will be the end result.

There is still a great deal of work to do, however, for this type of plan to be successfully implemented. Elements including transportation and traffic, phasing, public infrastructure and services, water management, greenway preservation, land stewardship, and fiscal impacts must all be fully explored and analyzed to ensure these issues are adequately addressed. Similar to the commitment to competent regional planning currently being exhibited by St. Lucie County in its own comprehensive analysis of

sustainable growth in rural areas, Palm Beach County must embark upon a process of detailed, analytical planning and commit the resources.

Conclusion

If Palm Beach County is going to consider significant additional development in its Rural and Agricultural tiers, then a predictable and detailed plan for those rural lands should be developed to guide growth in a direction of regional health and sustainability. The Regional Settlement Plan for North Central Palm Beach County produced by Council staff is a first pass at laying out a regional growth plan for this area of the County. Resources need to be committed to finalize the fiscal, land and water management, planning, public infrastructure, and transportation strategies necessary to refine and implement the plan.

Recommendation

Council should transmit this report and conceptual Regional Settlement Plan for North Central Palm Beach County to the County and recommend that the Board of County Commissioners consider the following:

1. not approving any new projects in these rural areas prior to adoption of a Regional Plan or Sector Plan for settlement unless the following conditions are met:

    a. The proposed project is contained within a submitted D.R.I.;
    b. The proposed project is consistent with the Regional Settlement Plan for North Central Palm Beach County;
    c. The proposed project is consistent with the Strategic Regional Policy Plan;
    d. The proposed project is developed using the public planning charrette process for community input and involvement.

2. allocating resources to refine and implement the plan;

3. undertaking public planning charrettes for public education and garnishing community support for the plan;

4. Include Pratt Whitney and Moroso Motorsports Park in the Settlement Plan for the area; and

5. Create a more detail plan for the future of the Southern Boulevard Corridor

Attachments

# A Regional Plan for Settlement
# North Central Palm Beach County

| Parcel | Total Parcel Area (acres) | Proposed Developed Area (acres) | Proposed Green/ Open Spaces (acres) | Proposed No. of Neighborhoods | No. of Dwelling Units Currently Allowed |
|---|---|---|---|---|---|
| Palm Beach Aggregate | 2,100 | 623.75 | 1,476.25 | 3.89 | 110 |
| P.B.Park of Commerce | 1,165 | 992.5 | 172.5 | 6.2 | 0 |
| Vavrus Ranch | 4,700 | 1172.5 | 3,527.50 | 7.32 | 470 |
| Mecca Farms | 1,919 | 1225 | 775 | 7.65 | 200 |
| Callery-Judge Groves | 3,980 | 1507.5 | 2,472.50 | 9.42 | 796 |
| Indian Trail Groves | 7,950 | 2382.5 | 5,567.50 | 14.89 | 795 |
| **TOTAL** | **21,814** | **7,903.75** | **13,991.25** | **49.37** | **2,371** |

*Future allowable residential units and nonresidential uses to be determined.

# APPENDIX M

## Agreement for Donation of Lands

## Between

## Palm Beach County
## and
## Callery-Judge Grove, L.P.

R2003 1967

RECEIVED
MAR 08 2006
TREASURE COAST
REGIONAL PLANNING COUNCIL

# AGREEMENT FOR DONATION OF LANDS

This Agreement for Donation of Lands is made and entered into DEC 02 2003, by and between PALM BEACH COUNTY, a political subdivision of the State of Florida (hereinafter referred to as the "County") and CALLERY-JUDGE GROVE, L.P., a New York limited partnership with a Federal Tax Identification number of 74-1542468 (hereinafter referred to as Callery-Judge Grove").

## WITNESSETH:

1. DEFINITIONS. The following terms as used herein shall have the following meanings:

1.1 "Agreement" - this instrument, together with all exhibits, addenda, and proper amendments hereto.

1.2 "Closing and Closing Date" - the consummation of the transaction contemplated hereby which shall be held upon the date reflected in Section 9.2 of this Agreement, unless extended by the terms of this Agreement, or by mutual consent of the parties.

1.3 "Current Funds" - Palm Beach County warrant drawn against a public banking institution located in Palm Beach County, Florida.

1.4 "Effective Date" - the Effective Date of this Agreement shall be the date upon which the Palm Beach County Board of County Commissioners approves this Agreement at a formal meeting of the Board. Provided, however, if the Effective Date has not been established on or before December 12, 2003, this Agreement may, at the option of Callery-Judge Grove, be terminated by Callery-Judge Grove's delivery of a termination notice to the County.

1.5 "Inspection Period" - that certain period of time commencing upon the Effective Date and terminating thirty(30) days thereafter.

1.6 "New Road" – the road to be constructed pursuant to Section 10 at the location generally shown on Exhibit A hereto.

1.7 "Permitted Exceptions" - those exceptions to the title of the Property as set forth in Exhibit "D" attached hereto, together with any other title matters that may be accepted in writing by the County.

1.8 "Personal Property" - None, together with all additional items of personal property located upon the Real Property at Closing.

1.9 "Property" - the Real Property and Personal Property

1.10 "Property Value" - the value set forth in or determined in accordance with Section 2.1 of this Agreement

1.11 "Real Property" - the Real Property shown on the sketch attached hereto as Exhibit A and legally described on the attached Exhibit A-1 .

**NOW, THEREFORE,** for and in consideration of the mutual covenants herein contained, and various other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Callery-Judge Grove agrees to donate and convey to County and County agrees to accept from Callery-Judge Grove, on the terms, covenants, and conditions hereinafter set forth, the Property, together with all improvements located thereon, if any, and all right, title, interest, privileges, estates, tenements, hereditaments, and appurtenances appertaining to the Real Property, including, without limitation, any and all streets, roads, highways, easements, accesses, and rights of way appurtenant thereto.

2. PURCHASE PRICE AND METHOD OF PAYMENT.

2.1 Property Value. County and Callery-Judge Grove agree that, as of the Effective Date, the fair market value of the Property to be donated is six hundred fifty thousand dollars($650,000). Both parties recognize that the value may increase by the Closing and that Callery-Judge Grove, at it's cost, may have an appraisal done to value the property at Closing.

2.2 Donation. On the Closing Date, Callery-Judge Grove shall donate and convey the Property to the County without payment by the County.

3. ACKNOWLEDGMENTS, REPRESENTATIONS AND WARRANTIES OF SELLER. As a material inducement to County to enter into this Agreement, Callery-Judge Grove hereby acknowledges, represents, and warrants to County as follows:

3.1 To the best of Callery-Judge Grove's knowledge, Callery-Judge Grove is indefeasibly seized of marketable, fee simple title to the Property, and is the sole owner of and has good right, title, and authority to convey and transfer the Property free and clear of all liens and encumbrances, excepting only the Permitted Exceptions.

3.2 THIS SECTION INTENTIONALLY OMITTED.

3.3 To the best of Callery-Judge Grove's knowledge, there is no litigation, investigation, or proceeding pending, or to the knowledge of Callery-Judge Grove threatened, which relates to or adversely affect Callery-Judge Grove's ability to perform its obligations under this Agreement.

3.4 There are no judicial or administrative actions, suits, or judgments affecting the Property pending, or to the knowledge of Callery-Judge Grove threatened, which relate to or adversely affect Callery-Judge Grove's ability to perform its obligations under this Agreement, including, without limitation, those relating to any laws, ordinances, rules, or regulations of any governmental authority having jurisdiction of the Property.

3.5 On the Closing Date there will be no outstanding contracts made by Callery-Judge Grove for any improvements to the Property which have not been fully paid for, and Callery-Judge Grove shall cause to be discharged all mechanics' or construction liens arising from any labor or materials furnished to the Property prior to the time of Closing.

3.6 All documents executed or to be executed by Callery-Judge Grove which are to be delivered to County at Closing will be legal, valid, and binding obligations of Callery-Judge Grove.

3.7 There are no service contracts affecting the Property which will survive Closing.

3.8 That all ad valorem and non-ad valorem taxes for the Property have been fully paid or will be paid at or prior to Closing in accordance with paragraph 12 hereof, for the year of Closing and all prior years.

3.9 Callery-Judge Grove has not entered into any contracts for the sale of any portion of the Property which remain in force.

3.10 To the best of Callery-Judge Grove's knowledge, Callery-Judge Grove has complied and shall comply from the date hereof until Closing with all applicable Federal, State, County and municipal regulations, rules, ordinances, statutes and other requirements and regulations pertaining to the Property.

3.11 Except for the use of hazardous materials in connection with Callery-Judge Grove's citrus operations, Callery-Judge Grove has not used, is not currently using and will not in the future (for so long as Callery-Judge Grove owns the same) use the Property for the handling, storage, transportation or disposal of hazardous materials and, to the best of Callery-Judge Grove's knowledge, the Property has not in the past been so used.

In the event that any of Callery-Judge Grove's acknowledgments, representations and warranties shall prove to be materially untrue, County shall have the rights and remedies identified in Section 17.1 hereof.

4. INSPECTION OF PROPERTY. During the Inspection Period, County and its engineers, surveyors, agents and representatives shall, upon reasonable notice to Callery-Judge Grove, have access to the Property for purposes of survey, testing and

inspection thereof. All surveys, testing and inspections shall be conducted by County at its expense, and shall be performed by licensed persons or firms dealing in the respective areas or matters tested. All testing shall be done in the least intrusive manner reasonably practical. In the event County elects not to close upon its acquisition of the Property, County shall restore the Property to the condition in which it existed prior to such inspections, using materials of like kind and quality. Nothing contained herein shall be construed to prohibit County from disclosing the results of said inspections as may be required by applicable law. In the event that such inspections shall reveal a deficiency in the Property, as determined by County in its sole and absolute discretion, County shall have the right to terminate this Agreement at any time during the Inspection Period by giving written notice thereof to Callery-Judge Grove, whereupon the parties shall be relieved of all further obligations hereunder.

5. EVIDENCE OF TITLE.

5.1 Within thirty (30) days after the Effective Date of this Agreement, Callery-Judge Grove shall deliver to the County an owner's title insurance commitment, together with legible copies of all exceptions to coverage reflected therein, issued by a title insurance company acceptable to County, agreeing to issue to the County upon the recording of a Special Warranty Deed to the Real Property, an owner's title insurance policy in the amount of Six Hundred Fifty Thousand Dollars ($650,000.00) insuring the marketability of the fee title of the County to the Real Property, subject only to the Permitted Exceptions. The cost of said commitment and policy and any premium therefor shall be borne by Callery-Judge Grove.

The County shall have until the later of ten (10) days after receipt from Callery-Judge Grove of the title insurance commitment, or until the end of the Inspection Period, whichever is later, in which to review same. In the event the title insurance commitment shall show as an exception any matter other than the Permitted Exceptions, County shall notify Callery-Judge Grove of County's objection thereto, and Callery-Judge Grove shall, at its sole discretion, either decline to cure such objection or make a good faith effort (which shall not require the filing of any legal or administrative action), to remove such exception(s), which exceptions shall be deemed to constitute title defects. In the event Callery-Judge Grove agrees to make a good faith effort to cure an objection, Callery-Judge Grove shall be entitled to thirty (30) days from the date of notification by County (with adjournment of the Closing Date if necessary) within which to cure such defects or to make arrangements with the title insurer for deletion of any such title defects from the commitment without the inclusion of any additional exceptions to coverage. Notwithstanding the foregoing, Callery-Judge Grove shall have the option of discharging any such matters at closing with the closing proceeds. If the defect(s) shall not have been so cured or removed from the commitment by endorsement thereto at the termination of the said thirty (30) day period, County shall, as its sole and exclusive remedy, have the option of: (a) accepting title to the Property as it then exists whereupon the exceptions shown on the title commitment, including any of the County's objections to title shall be Permitted Exceptions, by giving written notice thereof to Callery-Judge Grove; or (b) terminating this Agreement. In the event Callery-Judge Grove does not

elect option (a) above within ten (10) days following the expiration of Callery-Judge Grove's cure period, County shall be deemed to have elected option (b).

5.2 County may request, prior to the Closing, an endorsement of the commitment making it effective to within fifteen (15) days of the Closing Date. At Closing, Callery-Judge Grove shall cause the title insurance commitment to be endorsed to remove, without the inclusion of any additional exceptions to coverage, any and all requirements or preconditions to the issuance of an owner's title insurance policy, and to delete any exceptions for: (a) any rights or claims of parties in possession not shown by the public records; (b) encroachments, overlaps, boundary line disputes and any other matters which would be disclosed by an accurate survey and inspection of the Property (provided County obtains a survey in accordance with Section 6 hereof); (c) easements or claims of easement not shown by the public records (provided County obtains a survey in accordance with Section 6 hereof); (d) any lien, or right to a lien, for services, labor or material heretofore or hereinafter furnished, imposed by law and not shown by the public records; (e) taxes for the year of Closing and all prior years, and taxes or special assessments which are not shown as existing liens by the public records; (f) matters arising or attaching subsequent to the effective date of the commitment but before the acquisition of record of title to the Property by the County; and (g) any general or specific title exceptions other than the Permitted Exceptions.

5.3 From and after the Effective Date of this Agreement, Callery-Judge Grove shall take no action which would impair or otherwise affect title to any portion of the Property, and shall record no documents in the Public Records which would affect title to the Real Property, without the prior written consent of the County.

6. SURVEY. County shall have the right, within the time period provided in Section 5 for delivery and examination of title, to obtain a current survey of the Real Property and all improvements thereon. If the survey reveals any encroachments, overlaps, boundary disputes, or other defects, or any matters other than the Permitted Exceptions, the same shall be treated as title defects as described in Section 5 of this Agreement, and County shall have the same rights and remedies as set forth therein.

7. MAINTENANCE. Between the Effective Date and Closing, Callery-Judge Grove shall bear the risk of any loss, damage or casualty to the Property prior to Closing. In the event of a loss or damage to any improvements (including citrus trees) to the Property prior to Closing, Callery-Judge Grove shall be entitled to retain any insurance proceeds or any other form of payment made or to be made by virtue of such loss or damage. The County has agreed to accept the Property as a donation of vacant land, therefore, Callery-Judge Grove is not required to repair or replace any improvements (including citrus trees) to the Property in the event of a loss, damage or casualty to the Property. Except as set forth above, Callery-Judge Grove is required to maintain the Property in its current condition. County shall have access to the Property at any reasonable time prior to Closing in order to confirm that the condition of the Property is in substantially the same condition as it was in at the expiration of the Inspection Period. If requested by Callery-Judge Grove by submission to the County

made prior to Closing, the County would be willing to grant a no fee farming easement, in a form acceptable to the County, in favor of Callery-Judge Grove that would permit Callery-Judge Grove to continue to farm the Property until such a time that the farming would, in the sole and absolute judgment of the County, delay the development of the Property. County upon making such a determination shall give Callery-Judge Grove at least 90 days prior notice of the termination of the easement.

8. CONDITION PRECEDENT TO CLOSING. The following are conditions precedent to County's obligation to close upon its acquisition of the Property: (1) Callery-Judge Grove shall have performed all of the covenants and obligations under this Agreement that it is obligated to perform at or prior to Closing, on or prior to the dates such performance is required hereby; (2) Callery-Judge Grove's representations and warranties identified in this Agreement shall be true and correct; (3) there shall have been no change in the condition of the Property or the status of title to the Property, other than as specifically permitted by this Agreement. The foregoing conditions precedent are for the exclusive benefit of County and may be unilaterally waived by the County. In the event any of the conditions precedent are not satisfied as of the date of Closing, County may, as its sole and exclusive remedy, either (a) terminate the Agreement and be relieved of all further obligations arising herein or (b) bring an action against Callery-Judge Grove for specific performance of those conditions which are within the ability of Callery-Judge Grove to satisfy.

9. CLOSING. The parties agree that the Closing upon the Property shall be consummated as follows:

9.1 Place of Closing. The Closing shall be held at the Property and Real Estate Management Division office, 3323 Belvedere Road, Building 503, West Palm Beach, Florida.

9.2 Closing Date. Provided the condition to Closing identified in Section 9.6 have either been satisfied or waived by the County, the Closing shall take place on December 1, 2004, or at such earlier date as is mutually agreed upon by the parties (the "Closing Date").

9.3 Closing Documents. Callery-Judge Grove shall be responsible for preparation of all Closing documents. Callery-Judge Grove shall submit copies of same to County no less than ten (10) days before Closing. At Closing, Callery-Judge Grove shall deliver, or cause to be delivered to County, the following documents, each fully executed and acknowledged as required.

9.3.1 Special Warranty Deed. A Special Warranty Deed conveying good and marketable fee simple title to the property, subject only to the Permitted Exceptions, and the following additional encumbrances:

9.3.1.1. Construction of the County's planned vertical improvements, specifically; a sheriff's substation, a fire station, and a

library, to the Real Property must commence within 18 months following Closing.

9.3.1.2. The Property shall be deed restricted against (a) any use other than governmental use and (b) use by the Solid Waste Authority or its successors or any similar purposes.

9.3.1.3. Callery-Judge Grove retains the right to approve the architectural guidelines for all improvements to the Real Property, such approval shall not be unreasonably withheld.

9.3.1.4. A violation of the restriction set forth in 9.3.1.1, 9.3.1.2, 9.3.1.3 shall result in a forfeiture of title, with title reverting to Callery-Judge Grove.

9.3.2 Affidavit of Callery-Judge Grove. A Callery-Judge Grove's Affidavit stating that the Property is free and clear of all encumbrances, mortgages, liens, leases, licenses, contracts or claim of rights in a form sufficient to permit the title insurer to delete the "Gap" and "Standard Exceptions" from the title insurance policy and insure County's title to the Property in accordance with Section 5 of this Agreement, subject only to the Permitted Exceptions.

9.3.3 Non-Foreign Affidavit. Callery-Judge Grove represents and warrants to County that Callery-Judge Grove is not a "foreign person" as defined by the Federal Foreign Investment in Real Property Tax Act (the "Act"). At Closing, Callery-Judge Grove shall execute and deliver to County a "Non-Foreign Affidavit," as required by the Act.

9.3.4 Closing Statement. A Closing statement prepared in accordance with the terms hereof.

9.3.5 Additional Documents. Callery-Judge Grove shall also deliver and/or execute such other instruments as are necessary or reasonably required to consummate the transactions herein contemplated including, without limitation, if applicable, such documents as County or the title company may require evidencing Callery-Judge Grove's existence, good standing, power and authority to enter into and consummate the transaction herein contemplated and a Seller's Disclosure of Beneficial Interests as required by 286.23, Florida Statutes.

9.4 Possession. At Closing, Callery-Judge Grove shall deliver full, complete, and exclusive possession of the Property to the County.

9.5 County's Obligations. At Closing, County shall deliver, or cause to be delivered, to Callery-Judge Grove the following:

9.5.1 Cash due at Closing. The required funds, if any, due in Current Funds as provided elsewhere herein.

9.6 County's Conditions to Closing. The following conditions are conditions which must be satisfied or waived by the County as a condition to the County's obligation to accept the donation and conveyance of the Real Property. If any of the following conditions are not satisfied or waived by the County as of the Closing Date, the County, as its sole and exclusive remedy, may terminate this Agreement by notice to Callery-Judge Grove, whereupon both parties shall be relieved of all further obligations arising hereunder. If the County closes on the acquisition of the Property when any of the following conditions are unsatisfied, the County shall be deemed to have waived such condition. The conditions to be satisfied or waived by the County as a condition to Closing are as follows:

9.6.1 Callery-Judge Grove shall have conveyed to Seminole Improvement District ("SID") a 30 foot road and utility easement in the location shown on the sketch attached hereto as Exhibit A and designated the "Frontage Property". Said easement shall be acceptable to the County in both form and substance and shall provide SID the right to provide to the County the easements as set forth in Section 9.6.2 and Section 9.6.3.

9.6.2 SID has provided a non exclusive access easement to the County in the form attached hereto as Exhibit B to provide ingress and egress to the Real Property across the Frontage Property at a location to be agreed upon between Callery-Judge Grove and the County prior to Closing.

9.6.3 SID will provide an easement to the County in the form attached hereto as Exhibit C at the location to be agreed upon between Callery-Judge Grove and the County prior to Closing to permit the County, at its option and expense, to provide signalization of the intersection shown on the attached Exhibit A.

9.6.4 Callery-Judge Grove shall convey to SID unencumbered fee simple title to the real property upon which the New Road shall be constructed. The exact location of the New Road is to be agreed upon between Callery-Judge Grove and the County prior to Closing.

9.6.5 SID shall provide to County a temporary construction easement in the form attached hereto as Exhibit E for the construction of New Road from Seminole Pratt Whitney Road to west of the fire rescue driveway at its driveway. The exact location of the New Road is to be agreed upon between Callery-Judge Grove and the County prior to Closing.

9.6.6 Callery-Judge Grove and the County have agreed to enter into an agreement providing that the County shall install, at the County's expense, (a) a fence of a design acceptable to Callery-Judge Grove, in its reasonable discretion, at the common boundary between the Real Property and those portions of Callery-Judge Grove's lands remaining in agricultural production, such fence to remain until its removal is mutually agreed upon by Callery-Judge Grove and the County, and (b) two (2) monument signs to be located at a location mutually agreed upon between Callery-Judge Grove and the County.

9.6.7 Within thirty (30) days of the Effective Date, SID shall have approved the release of, and shall by Closing, have released that portion of the 30 foot wide A-8 road right of way lying within the Property.

9.7 Callery-Judge Grove's Conditions to Closing. The following conditions are conditions which must be satisfied or waived by Callery-Judge Grove as a condition to Callery-Judge Grove's obligation to donate and convey the Real Property to the County. If any of the following conditions are not satisfied or waived by Callery-Judge Grove as of the Closing Date, Callery-Judge Grove, as its sole and exclusive remedy, may terminate this Agreement by notice to the County, whereupon both parties shall be relieved of any further obligations arising hereunder. If Callery-Judge Grove closes on the conveyance of the Property when any of the following conditions are unsatisfied, Callery-Judge Grove shall be deemed to have waived such condition. The conditions to be satisfied or waived by Callery-Judge Grove as a condition to Closing are as follows:

9.7.1 The County has satisfied or waived any platting requirements which must be satisfied in order to prevent either the Property or Callery-Judge Grove's remaining property from constituting an illegal subdivision. Any platting shall be the sole and exclusive responsibility of the County.

9.7.2 The County will provide to SID, for SID's approval, a surface water management system on the Property that shall provide the same conveyance of, and shall then replace, SID's canal water as currently exists as of the Effective Date through Canal A-5. Both parties have had preliminary discussions on this issue and agree that the provision of the same conveyance is feasible and that both parties will make a best efforts basis to come to a quick implementable resolution of this issue.

9.7.3 The Real Property shall be properly zoned for the County's intended use of the Property as a Sheriffs' Station, a Fire Station and Library. Any and all zoning requirements shall be the sole and exclusive responsibility of the County. Callery-Judge Grove authorizes the County to act as Agent in the rezoning and permitting of the Property and authorizes the County to accept such conditions as imposed in the zoning and permitting process as long as they do not become the obligations of Callery-Judge Grove.

10. NEW ROAD. The County, at County's expense, shall design and construct a road meeting County local road standards at the location of the New Road as generally shown on the attached Exhibit A. New Road is to connect the existing Seminole Pratt Whitney Road with the proposed re-alignment identified as Alternate Seminole Pratt Whitney Road on Exhibit A. The construction of the New Road shall be completed no later than the completion and opening for traffic of Alternate Seminole Pratt Whitney Road. Upon completion of construction of the entire length of New Road, New Road shall be conveyed to SID and dedicated as a public road.

11. EXPENSES.

11.1 County shall pay the following expenses at Closing.

11.1.1 The cost of recording the deed of conveyance and the easements referenced in Sections 9.6.2, 9.6.3 and 9.6.5 of this Agreement.

11.2 Callery-Judge Grove shall pay the following expenses at Closing:

11.2.1 Any documentary stamps required to be affixed to the deed of conveyance.

11.2.2 All costs and premiums for the owner's title insurance commitment and policy.

11.2.3 All costs necessary to cure title defect(s) or encumbrances, other than the Permitted Exceptions, and to satisfy or release of record all existing mortgages and liens upon the Property.

11.3 Callery-Judge Grove and County shall each pay their own attorney's fees.

12. PRORATIONS.

12.1 Taxes. On or before the Closing Date, Callery-Judge Grove shall establish an escrow fund with the County Tax Collector pursuant to Florida Statutes Section 196.295, and shall pay into said escrow Callery-Judge Grove's prorata portion of ad valorem and non-ad valorem real property taxes and assessments for the year of Closing and any prior years as determined by the Tax Collector.

12.2 Assessments. Callery-Judge Grove has advised the County that the Property is subject to SID assessments Unit 1, Unit 2 and Unit 3 for the payment of SID bonds and operating expenses (the "Current Assessments"). The County acknowledges the existence of the Current Assessments and agrees to assume the Current Assessments as of Closing, with any Current Assessments for the year of Closing prorated between Callery-Judge Grove and the County.

13. CONDEMNATION. In the event that all or any part of the Property shall be acquired or condemned for any public or quasi-public use or purpose, or if any acquisition or condemnation proceedings shall be threatened or begun prior to the closing of this transaction, County shall have the option to either terminate this Agreement, and the obligations of all parties hereunder shall cease, or to proceed, subject to all other terms, covenants, conditions, representations, and warranties of this Agreement, to Closing, with Callery-Judge Grove receiving, however, any and all damages, awards, or other compensation arising from or attributable to such acquisition or condemnation proceedings awarded or paid prior to or subsequent to Closing.

14. REAL ESTATE BROKER. Callery-Judge Grove and County represent and warrant to each other that they have not dealt with any broker salesman, agent, or finder in connection with this transaction.

15. NOTICES. All notices and elections (collectively, "notices") to be given or delivered by or to any party hereunder shall be in writing and shall be (as elected by the party giving such notice) hand delivered by messenger, courier service, or national overnight delivery service, or alternatively shall be sent by United States Certified Mail, with Return-Receipt Requested. The effective date of any notice shall be the date of delivery of the notice if by personal delivery, courier services, or national overnight delivery service, or if mailed, upon the date which the return receipt is signed or delivery is refused or the notice designated by the postal authorities as non-deliverable, as the case may be. The parties hereby designate the following addresses as the addresses to which notices may be delivered, and delivery to such addresses shall constitute binding notice given to such party:

15.1 County:

Palm Beach County
Property & Real Estate Management Division
3323 Belvedere Road
Building 503
West Palm Beach, Florida 33406

With a copy to:

Howard J. Falcon, III, Assistant County Attorney
Palm Beach County Attorney's Office
301 North Olive Avenue
Suite 601
West Palm Beach, Florida 33401

15.2 Callery-Judge Grove:

Nathaniel Roberts
Callery-Judge Grove
4001 Seminole Pratt Whitney Road
Loxahatchee, FL 33470

With a copy to:

Michael E. Botos, P.A.
Edwards & Angell, LLP
One North Clematis Street, Suite 400
West Palm Beach, FL 33401

Any party may from time to time change the address to which notice under this Agreement shall be given such party, upon three (3) days prior written notice to the other parties.

16. ASSIGNMENT. Neither County nor Callery-Judge Grove may assign this Agreement or any interest herein without the prior written consent of the other party, which may be granted or withheld at such other party's sole and absolute discretion. This provision shall be construed to include a prohibition against any assignment, by operation of law, legal process, receivership, bankruptcy, or otherwise, whether voluntary or involuntary.

17. DEFAULT.

17.1 Default by Callery-Judge Grove. In the event Callery-Judge Grove fails, neglects or refuses to perform any term, covenant, or condition of this Agreement for which a specific remedy is not set forth in this Agreement, County shall have, as its sole and exclusive remedy, the right to, (a) either terminate this Agreement by written notice to Callery-Judge Grove, in which event Callery-Judge Grove shall pay County the sum of One Thousand Dollars ($1,000.00) as complete and agreed upon liquidated damages, whereupon the parties shall be released from all obligations hereunder other than those which specifically survive termination of this Agreement or (b) bring an action against Callery-Judge Grove for specific performance.

17.2 Default by County. In the event County fails or refuses to perform any term, covenant, or condition of this Agreement for which a specific remedy is not set forth in this Agreement, Callery-Judge Grove shall have the right to (1) terminate this Agreement at any time prior to Closing by written notice to County, in which event the parties shall be released from all obligations hereunder other than those which specifically survive termination of this Agreement; or (2) grant County a reasonable period of time within which to cure such default during which time County shall utilize County's best efforts, including bringing suit, to remedy such default. Provided,

however, neither remedy (1) or (2) above shall limit or prohibit Callery-Judge Grove's enforcement of the provisions of Section 4 herein.

18. GOVERNING LAW & VENUE. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Florida. Venue in any action, suit or proceeding in connection with this Agreement shall be in a state court of competent jurisdiction in Palm Beach County, Florida.

19. BINDING EFFECT. This Agreement shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective legal representatives, successors, and assigns.

19. TIME OF ESSENCE. Time is of the essence with respect to the performance of each and every provision of this Agreement where a time is specified for performance.

20. INTEGRATION. This Agreement constitutes the entire understanding and Agreement between the parties with respect to the subject matter hereof, and may not be modified or amended, except in a writing signed by all of the parties hereto.

21. EFFECTIVE DATE OF AGREEMENT. This Agreement is expressly contingent upon the approval of the Palm Beach County Board of County Commissioners, and shall become effective only when signed by all parties and approved by the Palm Beach County Board of County Commissioners.

22. HEADINGS. The paragraph headings or captions appearing in this Agreement are for convenience only, are not part of this Agreement, and are not to be considered in interpreting this Agreement.

23. NON-DISCRIMINATION. The parties agree that no person shall, on the grounds of race, color, sex, national origin, disability, religion, ancestry, marital status, or sexual orientation be excluded from the benefits of, or be subjected to any form of discrimination under any activity carried out by the performance of this Agreement.

24. CONSTRUCTION. No party shall be considered the author of this Agreement since the parties hereto have participated in extensive negotiations and drafting and redrafting of this document to arrive at a final Agreement. Thus, the terms of this Agreement shall not be strictly construed against one party as opposed to the other party based upon who drafted it. In the event that any section, paragraph, sentence, clause, or provision hereof be held by a court of competent jurisdiction to be invalid, such shall not affect the remaining portions of this Agreement and the same shall remain in full force and effect.

25. ENTIRE UNDERSTANDING. This Agreement represents the entire understanding between the parties, and supersedes all other negotiations, representations, or agreements, either written or oral, relating to this Agreement.

26. SURVIVAL. The parties' warranties, agreements, covenants and representations set forth in this Agreement shall not be merged and shall survive consummation of the transaction contemplated by this Agreement.

27. WAIVER. No waiver of any provision of this Agreement shall be effective against any party hereto unless it is in writing and signed by the party waiving such provision. A written waiver shall only be effective as to the specific instance for which it is obtained and shall not be deemed a continuing or future waiver.

28. AMENDMENT. This Agreement may be modified and amended only by written instrument executed by the parties hereto.

29. INCORPORATION BY REFERENCES. Exhibits attached hereto and referenced herein shall be deemed to be incorporated into this Agreement by reference.

30. RADON GAS. Radon is a naturally occurring radioactive gas that, when it has accumulated in a building in sufficient quantities, may present health risks to persons who are exposed to it over time. Levels of radon that exceed federal and state guidelines have been found in buildings in Florida. Additional information regarding radon testing may be obtained from your County public health unit.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in their respective names on the dates set forth below.

Signed, sealed, and delivered
in the presence of:

Print Name: Michael Botes

Print Name: NEVA M CARNEVALE

CALLERY-JUDGE GROVE, L.P., a New York, limited partnership

By: CJG Management, Ltd., a Florida limited liability company, its General Partner

By: Managed Citrus, Inc., a Florida corporation, its general partner

By:
Print Name: Nathaniel Roberts
Title: President
Date: 11/11/03

R2003 1967

Date of Execution by County:

DEC 02 2003, 2003

ATTEST:
Dorothy H. Wilken, Clerk

By:
Deputy Clerk

PALM BEACH COUNTY, a political subdivision of the State of Florida

By:
Karen T. Marcus, Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

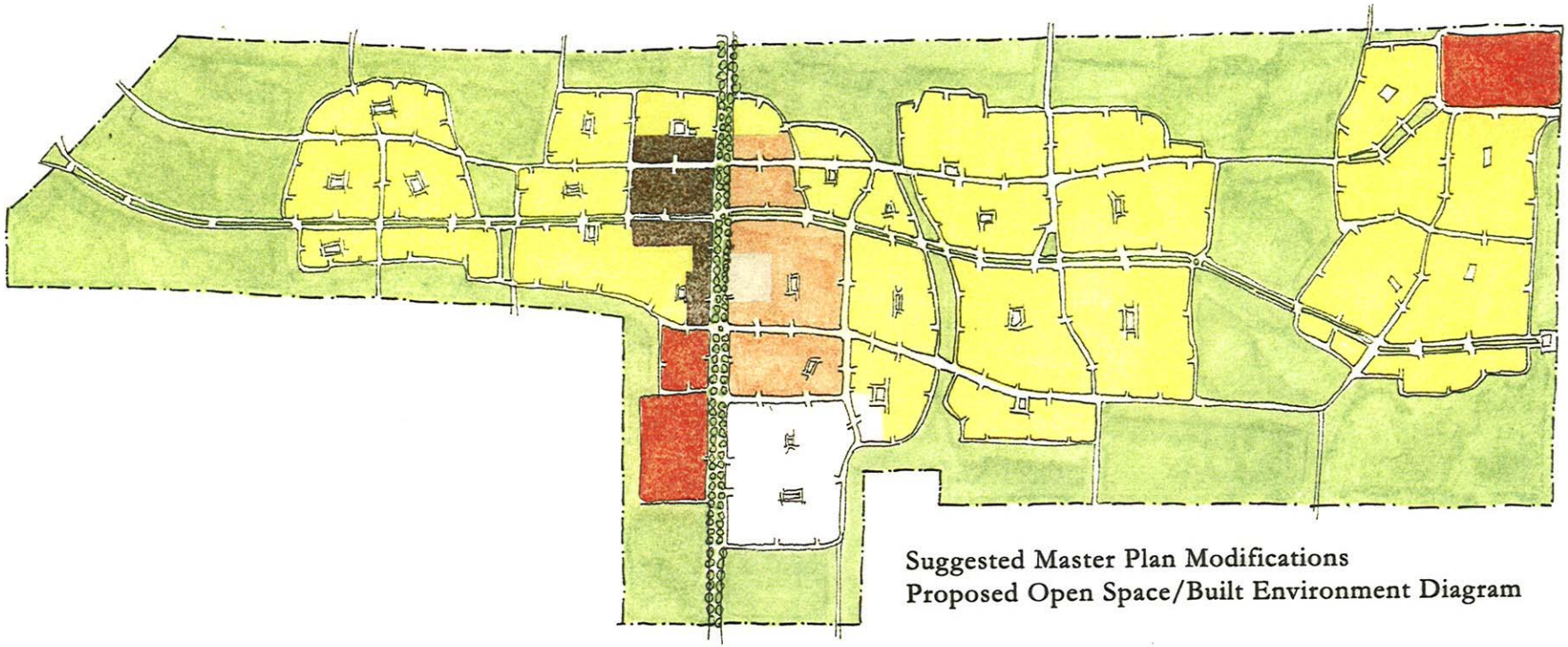
By:
Assistant County Attorney

APPROVED AS TO TERMS AND CONDITIONS:

By:
Department Director

# APPENDIX N

# Suggested Master Plan Modifications



## Suggested Master Plan Modifications
## Proposed Open Space/Built Environment Diagram

- College Campus
- Residential/Neighborhood-Scale Service and Retail/Recreation
- Retail/Office/Residential/Hotel
- Workplace/Office/Industrial/High Tech
- Open Space / Trail Network (Pedestrian and Equestrian) / Recreation / Bicycle / Other Amenities
- Civic Use
- Schools
- Fire Station, Sheriff's Department and Library Site
- Existing Potable Water Well

# TREASURE COAST REGIONAL PLANNING COUNCIL

## STAFF

| EMPLOYEE | TITLE |
|---|---|
| Michael J. Busha | Executive Director |
| Marcela Camblor | Urban Design Coordinator |
| Kim Delaney | Growth Management Coordinator |
| Sandy Gippert | Accounting Manager |
| Elizabeth Gulick | Administrative Secretary |
| Stephanie Heidt | Administrative Assistant |
| Terry L. Hess | Deputy Director |
| Diane Hodel | Office Clerk |
| Peter G. Merritt | Regional Ecologist |
| Wynsum Hatton | Graphics Technician/Administrator |
| Penny Myszkowski | Secretary/Receptionist |
| Gregory Vaday | Economic Development Coordinator |
| Joan Young | Accounting Clerk |

301 East Ocean Boulevard, Suite 300
Stuart, Florida 34994
(772) 221-4060 (phone)
(772) 221-4067 (fax)
e-mail: admin@tcrpc.org