

RESOLUTION NO. R-2001 - 0140.1

RESOLUTION APPROVING ZONING PETITION DOA84-054(E)  
DEVELOPMENT ORDER AMENDMENT  
PETITION OF PALMS WEST HOSPITAL  
BY KILDAY & ASSOCIATES, AGENT  
(PALMS WEST HOSPITAL)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition DOA84-054(E) was presented to the Board of County Commissioners at a public hearing conducted on January 25, 2001; and

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

WHEREAS, this approval is subject to **Article 5**, Section 5.8 (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Development Order Amendment has a concurrency determination and

complies with Article 11 (Adequate Public Facility **Standards**) of the Palm Beach County Unified Land Development Code.

9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition **DOA84-054(E)**, the petition of Palms West Hospital, by Kilday & Associates, agent, for a Development Order Amendment (**DOA**) to redesignate land uses and reconfigure site plan on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on January 25, 2001, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Masilotti moved for the approval of the Resolution.

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

Warren H. Newell, Chair	-	Aye
Carol A. Roberts, Vice Chair	-	Aye
Karen T. Marcus		Aye
Mary McCarty		Absent
<b>Burt Aaronson</b>		Aye
Tony Masilotti		Aye
<b>Addie L. Greene</b>		Absent

The Chair thereupon declared that the resolution was duly passed and adopted on January 25, 2001.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK

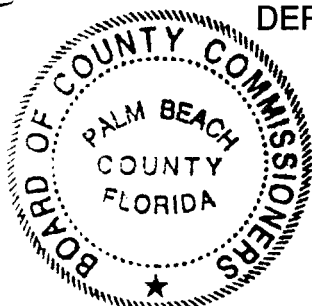


EXHIBIT A  
LEGAL DESCRIPTION

PALMS WEST MEDICAL CENTER, according to the plat thereof as recorded in Plat Book 54, pages 155-156 of the Public Records of Palm Beach County, Florida: Together with PALMS WEST MEDICAL OFFICE COMPLEX: (being a re-plat of a portion of PALMS WEST MEDICAL CENTER), according to the plat thereof as recorded in Plat Book 69, pages 149-150 of the Public Records of Palm Beach County, Florida. Containing 74.32 acres more or less.

EXHIBIT B  
VICINITY SKETCH

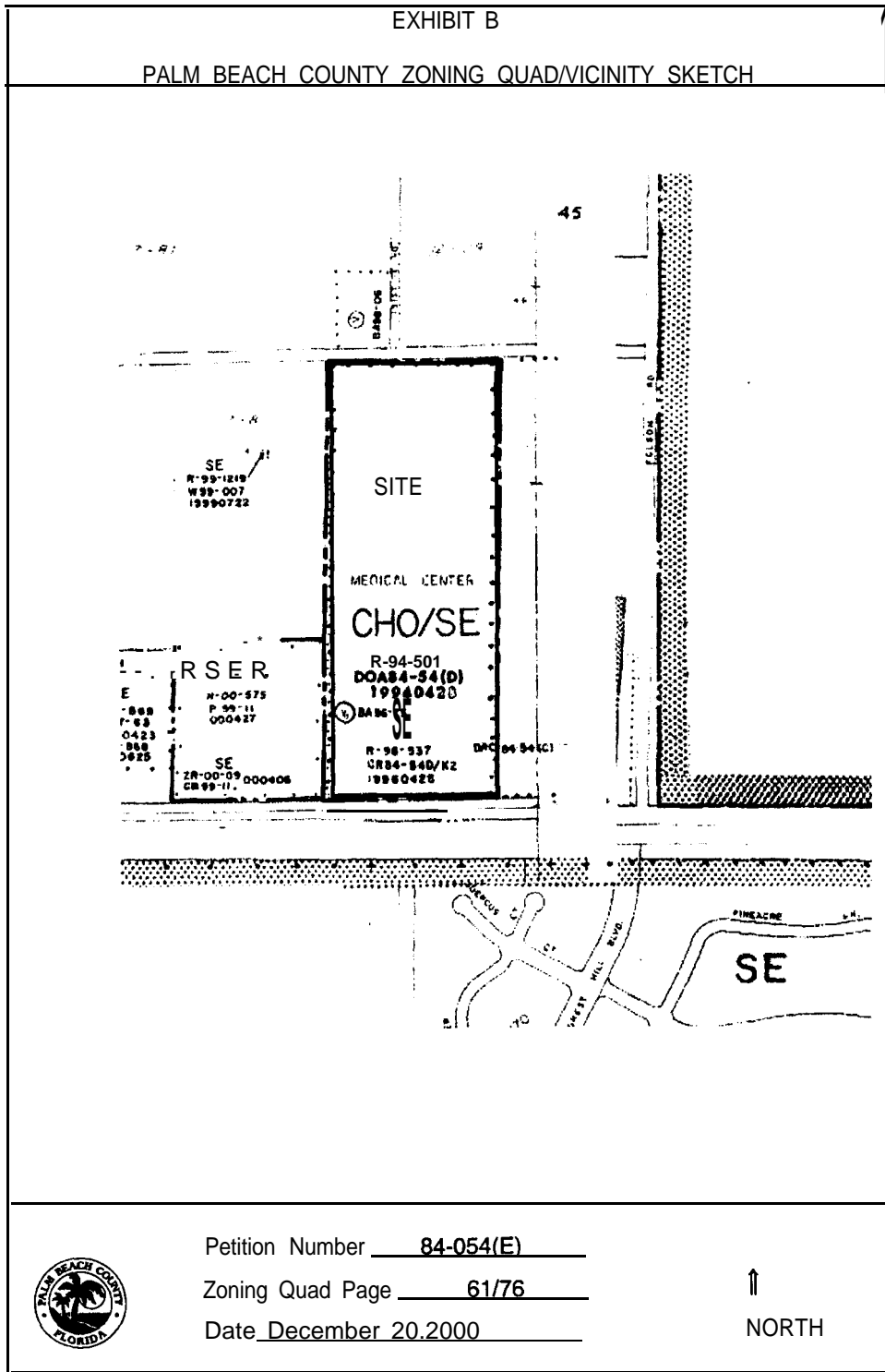


EXHIBIT C

CONDITIONS OF APPROVAL

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

A. ALL PETITIONS

1. Condition A.1 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**All previous conditions of approval applicable to the subject property have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval, unless expressly modified.** (MONITORING)

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-94-501 (Petition DOA 84-054(D)) have been consolidated herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Condition A.2 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**Prior to site plan certification, the site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements of Palm Beach County.** (ZONING)

Is hereby amended to read:

Development of the site is limited to the uses and site design approved by the Board of County Commissioners. The approved master plan is dated November 21, 2000. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (DRC: ZONING)

B. BUILDING AND SITE DESIGN

1. Condition B.1 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**Total gross floor area shall be limited to a maximum of 575,473 square feet. Additional square footage may be allowed pursuant to Section 5.4.E.13 (Minor Deviations)** (ZONING/BUILDING)

Is hereby amended to read:

Total gross floor area shall be limited to a maximum of 526,441 square feet. Expansion shall be limited to an increase of five percent (5%) of the total square footage or 1,000 square feet, whichever is less, subject to approval by Traffic Division or DRC. (ZONING/BUILDING)

2. Condition B.2 of Resolution R-94-501, Petition DOA84-054(D) which

currently states:

**A maximum of 153,374 square feet of medical office shall be permitted. Additional square footage may be approved pursuant to Section 5.4.E.13 (Minor Deviations) (ZONING/BUILDING-Traffic)**

Is hereby deleted. Reason: [Use/square footage have to be consistent with concurrency approval]

3. Condition B.3 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**A maximum of 90,400 square feet of ancillary hospital use shall be permitted. Additional square footage may be allowed pursuant to Section 5.4.E.13 (Minor Deviations) (ZONING/BUILDING-Traffic)**

Is hereby deleted. Reason:[Use/square footage have to be consistent with concurrency approval]

4. **Architectural character and treatment which is compatible and harmonious with abutting development shall be provided on all sides of each building.** (BUILDING-zoning) (Previous Condition B.4 of Resolution R-94-501, Petition DOA84-054(D))

5. Condition B.5 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**All air conditioning and mechanical equipment shall be roof mounted and screened from view on all sides in a manner consistent with the color and character of the principle structure.** (BUILDING)

Is hereby amended to read:

All ground or roof mounted air conditioning and mechanical equipment including satellite dishes shall be screened from view on all sides by a visually opaque barrier consistent with the color, character and architectural style of the principal structure or equivalent landscape material. (CO: BLDG - Zoning)

6. Condition B.6 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**The hospital structure from finished grade to highest point shall be limited to no more than sixty (60) feet. The medical offices as presented on the site plan, shall be limited to two (2) stories.** (BUILDING)

Is hereby amended to read:

The hospital structure from finished grade to highest point shall be limited to no more than sixty (60) feet. All medical office buildings shall be limited to two (2) stories except for Medical Office Building 5 which shall be limited to four (4) stories provided all setbacks are met. (CO: BLDG - Zoning)

## C. DAY CARE

1. Condition C.I of Resolution R-94-501, Petition DOA84-054(D) which

currently states:

**The day care center shall be limited to a maximum of 100 students and five thousand (5,000) square feet of usable building area. (ZONING/BUILDING)**

Is hereby amended to read:

The daycare center shall be limited to a maximum of 100 children and provide services for on site employees only. (ONGOING: HEALTH)

2. Condition C.2 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**The petitioner shall provide a minimum of one twelve (12) foot tall native canopy tree per 1500 square feet of outdoor play area provided. All trees required by this condition shall be planted within the interior of the outdoor play area. (BUILDING/ZONING)**

Is hereby deleted. Reason:[condition is a code requirement]

3. **Landscaping along the perimeter of the outdoor activity area shall be upgraded to include fourteen (14) foot tall native canopy trees placed twenty (20) feet on center and twenty-four (24) inch high hedge or shrub material placed twenty-four (24) inches on center. Existing native plant material shall be credited towards this requirement. (BUILDING/ZONING) (Previous Condition C.3 of Resolution R-94-501, Petition DOA84-054(D))**

4. Condition C.4 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**The petitioner shall amend the site plan to indicate the minimum number of required drop off stalls pursuant to the ULDC, Section 7.2. (ZONING)**

Is hereby deleted. Reason:[condition is a code requirement]

5. Condition C.5 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**The site plan shall be amended to reflect a five (5) foot wide walkway in front of the drop-off spaces and connecting to the day care entrance. (ZONING)**

Is hereby deleted. Reason: [completed]

#### D. DUMPSTER

1. **All areas or receptacles for the storage and disposal of trash, garbage or vegetation shall:**
  - a. **not be located within one-hundred (100) feet of any property line, except for the eastern property line where a fifty-foot (50) setback shall be maintained.**
  - b. **be confined to areas designated on the site plan and screened by a solid opaque enclosure. The open end of the enclosure shall have an obscure, opaque gate.**

- C. **All exterior sides of such enclosures, except the open end, shall be landscaped with thirty-six (36) inch high shrub and hedge material planted twenty-four (24) inches on center. This provision shall not apply to litter containers provided for the convenience of pedestrians. (ZONING/BUILDING) (Previous Condition D.1 of Resolution R-94-501, Petition DOA84-054(D))**

E. ENGINEERING

- 1. Condition E.1 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**The Developer shall provide discharge control and treatment for the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain on-site the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement. (ENGINEERING)**

Is hereby deleted. REASON: [Code Requirement]

- 2. Condition E.2 of Resolution R-94-501, Petition DOA84-054(D) which currently reads:

**The property owner shall pay a Fair Share Fee in the amount and manner required by the “Fair Share Contribution for Road Improvements Ordinance” as it presently exists or as it may from time to time be amended. The impact fees for the uses associated with the medical campus are as follows:**

**Medical buildings - \$990.00 per 1000 square feet = (18 trips X \$55.00);**

**Ancillary hospital uses - \$666.00 per 1000 square feet = (12.1 trips X \$55.00);**

**Main hospital - \$666.00 per 1000 square feet = (12.1 trips X \$55.00);**

**Day care center - \$2750.00 = (50 trips per day X \$55.00); and,**

**Nursing Home - \$143.00 per bed = (2.6 trips per bed X \$55.00). (IMPACT FEE COORDINATOR/BUILDING)**

Is hereby deleted. REASON: [Code Requirement]

- 3. **The Developer shall install signalization if warranted as determined by the County Engineer at State Road 80 and project’s entrance road. Should signalization not be warranted after 12 months of the final Certificate of Occupancy this property owner shall be relieved from this condition. (ENGINEERING) (Previous Condition E.3 of Resolution R-94-501, Petition DOA84-054(D))**



[COMPLETED]

4. **Prior to Site Plan approval the property owner shall execute and record Restriction Covenant for:**
  - a. **the proposed day care center limiting its use to children of employees only.**
  - b. **the use of the proposed medical office complex shall be limited to medical uses associated with the hospital and its related uses or physicians with staff privileges. (ENGINEERING) (Previous Condition E.4 of Resolution R-94-501, Petition DOA84-054(D)) (Note: Completed)**
5. **Building permits shall not be issued for a development which would generate more than 1,041 trip/day as approved by the County Engineer until construction has begun for a right turn lane, east approach on State Road 80 at Royal Palm Beach Boulevard. (ENGINEERING) (Previous Condition E.5 of Resolution R-94-501, Petition DOA84-054(D)) (Note: Completed)**
6. Prior to certification of the site plan the developer shall record a cross access easement to the property owner to the east. The width and the location of this access easement shall be subject to the approval of the County Attorney and the County Engineer. (DRC APPROVAL: ENGINEERING/COUNTY ATTORNEY)

F. ENVIRONMENTAL

1. Condition E.5 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**All new excavated lakes shall possess a littoral shelf area. The planted littoral shelf shall be an area with a slope not greater than four (4) feet horizontal to one (1) foot vertical for the already constructed lake area, and not greater than six (6) feet horizontal to one (1) foot vertical for unbuilt lake areas, ranging in depth from ordinary high water (OHW) or the controlled water level (CWL) to three feet below OHW or CWL. A minimum of 30% of the surface area of all lakes shall be planted with native aquatic vegetation on minimum of three foot centers. The deficit planted littoral shelf area (Totaling 9,300 S.F.) not previously constructed in the existing Phase I lake area, shall be constructed in the next phase of the existing lake. This planted littoral shelf area shall be in addition to the required planted littoral area for the next phase of the existing lake pursuant to Section 7.6 of the Unified Land Development Code. A littoral shelf planting plan and maintenance plan shall be submitted to and approved by the Department of Environmental Resources Management (ERM) concurrent with the Development Review Committee or excavation applications for the phase which includes the additional lake area. The plans shall be approved by ERM prior to site plan certification or any alternative acceptable to ERM. (ERM)**

Is hereby deleted. Reason: [code requirement]

2. Condition F.2 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**Preserve areas located on-site shall be labeled on the site plan and identified on a certified metes and bounds survey by a registered land surveyor. Preserve areas shall be preserved with intact canopy, understory and ground cover and maintained without significant surface alteration or infringement by drainage or utility easements. Preserve areas shall be identified on any plat required for development. A management plan that addresses the maintenance of the preserve area as well as the continued removal of invasive exotic species shall be submitted to the Department of Environmental Resources Management concurrent with the application to the Site Plan Review Committee and approved by the Department prior to site plan certification. (ERM)**

Is hereby deleted. Reason: [completed]

3. Condition F.3 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**Within five (5) working days of the submittal of the excavation application for the additional lake area, the Petitioner shall post a surety for an amount of 110% of the cost of the project for the balance of littoral shelf owed from the existing lake. The surety shall include the cost for shelf preparation, installation of plant material and maintenance and monitoring for a period of three years. (ERM)**

Is hereby deleted. Reason: [code requirement]

4. Condition F.4 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**A proposed time schedule for the management activities including the phased removal of exotic vegetation, proposed relocation of native vegetation (see condition L.I.A.) and proposed time frames and completion dates for specific management activities shall be submitted to and approved by the Department of Environmental Resources Management (ERM) prior to site plan certification. Preserve management activities, as required in the Preserve Management Plan, shall be initiated by December 31, 1994. A "Time Zero" report must be submitted to ERM by March 1, 1995. (ERM-Zoning)**

Is hereby deleted. Reason: [completed]

5. Condition F.5 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**Prior to submittal of the site plan to the Site Plan Review Committee, the petitioner shall:**

- a. **Submit a tree inventory, pursuant to Section 500.35.b.25, drawn to the same scale as the site plan. This inventory shall number, size and identify all native trees and vegetation in a tabular form, excluding platted preserve area.**
- b. **Submit a preservation and relocation program which corresponds with the tree inventory. This program shall demonstrate how significant native vegetation is to be incorporated into the site design. This program shall specify:**

- 1) **The relocation of native trees and vegetation into the designated 3.25 enhancement area, buffer, open space and parking areas.**
- 2) **The relocation of native plant material into the designated enhancement area and/or the installation of new plant material, so as to create a vegetation density of one (1) tree and three (3) shrubs shall be planted per two hundred and fifty (250) square feet and mulched, planted or seeded with native ground cover. (ERM)**

Is hereby deleted. Reason:[Completed. See exhibit 103]

6. Condition F.6 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**Native vegetation not located within preservation/ relocation areas and deemed relocatable by the Zoning Division and Environmental Resources Management, shall be relocated to perimeter buffers or other open spaces. (ERM)**

Is hereby deleted. Reason:[Completed. See exhibit 104]

7. **The petitioner shall provide a forty-two foot wide native enhancement area along the eastern side of the water management tract pursuant to Exhibit 96 Alternative Landscape Betterment Plan (ALBP) as amended. (note: species, height, and caliper specification supersede all other specifications). No development activity such as trenching, grade changes or grubbing that may cause injury to vegetation within the this enhancement area shall be permitted. (ZONING) (Previous Condition F.7 of Resolution R-94-501, Petition DOA84-054(D))**

8. Condition F.8 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**Prior to certification by the DRC, The petitioner shall amend the forty-two foot wide native enhancement area planting plan, (Exhibit 96) Alternative Landscape Betterment Plan (ALBP), to indicate a supplemental planting specification of one (1), three (3) gallon native shrub or tree for every two hundred and ten (210) square feet of native enhancement buffer, including areas that have been previously installed. (ZONING/ERM)**

Is hereby deleted. Reason:[completed]

9. Condition F.9 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**The petitioner shall install the forty-two (42) foot native enhancement planting area with the supplemental planting requirements, as required in condition F.8 concurrent with the construction of the lake system. (ZONING/ERM)**

Is hereby deleted. Reason:[completed]

10. Condition F.10 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**The petitioner shall install all supplemental planting requirements for the existing lake concurrent with the first expansion to the existing lake system. (ZONING/ERM)**

Is hereby deleted. Reason:[completed]

11. Condition F. 11 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**The petitioner shall maintain the native enhancement area free of all exotic vegetation in perpetuity. (ZONING/ERM)**

Is hereby deleted. Reason: [code requirement]

12. Condition F. 12 of Resolution R-94-501, Petition DOA84-054( D) which currently states:

**The preserve area shall consist of the twenty-five (25) percent preserve set aside of 5.33 acres, the enhancement area of 3.25 acres, and the island enhancement area of 1.57 acres. (ERM)**

Is hereby deleted. Reason: [completed]

13. Condition F.13 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**Prior to commencing with vegetation removal operation or any land development permits the petitioner shall:**

- a. **Identify all trees and vegetation to be relocated and preserved in the field, according to the tree inventory relocation grid (Exhibit 103 as amended). (ERM)**

Is hereby deleted. Reason: [code requirement]

14. Condition F. 14 of Resolution R-94-501, Petition DOA84-054( D) which currently states:

**Trees to be preserved shall receive appropriate protection during site development. Protective devices shall be in place and approved by the Department of Environmental Resources prior to commencing any clearing activity. (ERM)**

Is hereby deleted. Reason: [completed]

15. Condition F.15 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**Prior to removal of any vegetation, the petitioner shall schedule a coordinated pre-clearing inspection with the Environmental Resources Management. (ERM)**

Is hereby deleted. Reason:[code requirement]

16. Condition F.1 6 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**All preservation conditions of approval shall be completed prior to issuance of the first Certificate of Occupancy (C.O.) for Phase I of the project or a phasing plan approved by the Department of Environmental Resources shall be submitted prior to Site Plan Review Committee approval. (ERM)**

Is hereby deleted. Reason: [completed]

G. HEALTH

1. **Generation and disposal of hazardous effluent into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluent. (HEALTH) (Previous Condition G.1 of Resolution R-94-501, Petition DOA84-054(D))**
2. **Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. (HEALTH) (Previous Condition G.2 of Resolution R-94-501, Petition DOA84-054(D))**
3. **Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (HEALTH) (Previous Condition G.3 of Resolution R-94-501, Petition DOA84-054(D))**
4. Any biomedical waste which may be generated at this site shall be properly handled and disposed of in accordance with Rule 64E-16FAC (ONGOING: HEALTH/CODE ENFORCEMENT)
5. Any toxic or hazardous waste which may be generated at this site shall be handled and disposed of in accordance with Rule 62-730 FAC. (ONGOING: HEALTH/CODE ENFORCEMENT)

H. IRRIGATION QUALITY WATER

1. **When irrigation quality water is available within 500 feet of the property, the petitioner shall connect to the system. The cost for connection shall be borne by the property owner. (HEALTH) (Previous Condition H.1 of Resolution R-94-501, Petition DOA84-054(D))**

I. LANDSCAPING - GENERAL

1. Condition I.1 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**Prior to site plan certification by the DRC, the petitioner shall submit an Alternative Landscape Betterment Plan for review and approval by the Zoning Division. The Alternative Landscape Betterment Plan shall be the same or consistent with the landscape betterment plan approved as exhibit 102 along with the notes and details of exhibit 105 of the Zoning Division petition file. At a minimum the Alternative Landscape Betterment Plan shall demonstrate conformance to landscape and**

vegetation preservation conditions of approval.

**This Alternative Landscape Betterment Plan approved by the Zoning Division may supersede the perimeter landscape buffer requirements of Condition K and L, with the exception of time certain installation requirement. (ZONING)**

Is hereby deleted. Reason: [Completed. See Alternative Betterment Plan, Exhibit 102]

2. **Prior to site plan certification, the petitioner shall revise the landscape tabular data on the site plan to reflect conformance to the Landscape Betterment Plan and all landscape/vegetation preservation conditions of approval. (ZONING)** (Previous Condition 1.2 of Resolution R-94-501, Petition DOA84-054(D))
3. **Existing or relocated native vegetation and understory may be counted toward meeting landscape requirements. (BUILDING/ZONING/ERM)** (Previous Condition 1.3 of Resolution R-94-501, Petition DOA84-054(D))

J. LANDSCAPING - INTERIOR

1. **One landscape island shall be provided for every ten (10) parking spaces. Each landscape island shall be planted with a minimum of one native canopy tree or native palm tree and appropriate ground cover. The maximum spacing between landscape islands shall not exceed one hundred linear feet. (BUILDING/ZONING)** (Previous Condition J.1 of Resolution R-94-501, Petition DOA84-054(D))
2. **Landscaped divider medians shall be provided between all abutting rows of parking spaces. The minimum width of this median shall be five (5) feet. One native canopy tree or two native palm trees and appropriate ground cover shall be planted for each thirty (30) linear feet of the divider median, with a maximum tree spacing of sixty (60) feet on center. (BUILDING/ZONING)** (Previous Condition J.2 of Resolution R-94-501, Petition DOA84-054(D))
3. **All trees within the interior parking area shall be a minimum of twelve (12) feet in height. (BUILDING/ZONING)** (Previous Condition J.3 of Resolution R-94-501, Petition DOA84-054(D))
4. **Prior to site plan certification, the Alternative Landscape Betterment Plan shall be amended to indicate typical landscape island and divider median planting details, subject to approval by the Zoning Division. (ZONING)** (Previous Condition J.4 of Resolution R-94-501, Petition DOA84-054(D))

K. LANDSCAPING ALONG THE SOUTH PROPERTY LINE

1. **Landscaping within the required buffer along the south property line shall be upgraded to include:**
  - a. **One fourteen (14) foot tall native canopy tree planted every twenty (20) feet on center;**
  - b. **One twelve (12) foot tall native palm tree for each thirty (30) linear feet of frontage; and**

- c. **A continuous hedge with a minimum height of thirty-six (36) inches planted twenty-four (24) inches on center. Hedge material may be installed at twenty four (24) inches provided that the minimum height is attained within one (1) year of installation. [NOTE: superseded by Alternative Betterment Plan, Exhibit 102] (BUILDING/ZONING) (Previous Condition K.1 of Resolution R-94-501, Petition DOA84-054(D))**
- 2. Condition K.2 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**All required landscaping depicted in the approved alternative landscape betterment plan shall be installed concurrent with the construction of the future lake system or January 30, 1996, which ever occurs first. (MONITORING-ZONING/BUILDING)**

Is hereby deleted. Reason: [completed]

L. **LANDSCAPING ALONG THE NORTH, EAST AND WEST PROPERTY LINES**

- 1. **All required landscaping required by condition L.2 or as depicted in the approved alternative landscape betterment plan shall be installed on the:**
  - a. **Along the north property line within sixty (60) days of the completion of the exotic species removal along the north and west property line consistent with the submitted preserve management plan required by condition F.4 (Exotic Removal Plan & Preserve Management); and,**
  - b. **East property line concurrent with construction of each phase. (MONITORING-ZONING/BUILDING/ERM) (Previous Condition L.1 of Resolution R-94-501, Petition DOA84-054(D))**
- 2. **Landscaping and buffering along the north, east and west property lines shall be upgraded to include:**
  - a. **Along the north and west property lines - a minimum twenty-five (25) foot wide landscape buffer strip. Along the east property line - a minimum fifty (50) foot wide native buffer strip or ten (10) foot landscape strip combined with a Landscape Betterment Plan along the eastern forty-two (42) feet of the Water Management Tract.**
  - b. **A six (6) foot high opaque wall, fence, hedge, berm or combination.**

**The following landscaping requirements shall be installed on the exterior side of the required landscape barrier (Condition L.1 .b.):**

- c. **One twelve (12) foot tall native canopy tree planted every twenty (20) feet on center.**
- d. **One twelve (12) foot tall palm tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm trees shall supersede the requirement for a native canopy tree in that location.**

- e. **Thirty-six (36) inch high shrubs or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of forty-eight (48) inches.**  
(BUILDING/ZONING) (Previous Condition L.2 of Resolution R-94-501, Petition DOA84-054(D)) [NOTE: Superseded by Alternative Betterment plan Exhibit 102]
3. **Along the interior side of the required landscape barrier, the property owner shall install twenty-four (24) inch high shrubs or hedge material spaced no more than twenty-four (24) inches on center, to be maintained at a minimum height of thirty-six (36) inches.**  
(BUILDING/ZONING) (Previous Condition L.3 of Resolution R-94-501, Petition DOA84-054(D)) [NOTE: superseded by Alternative Betterment plan Exhibit 102]

M. LANDSCAPE WITHIN MEDIAN

1. **Prior to issuance of a Building Permit, the petitioner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median(s) of all abutting rights-of-way. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall consist of a minimum of one (1) fourteen (14) foot tall native tree for each thirty (30) linear feet of the adjacent median to be planted and appropriate ground cover. Trees may be planted singly or in clusters. All landscaping and maintenance shall be subject to the standards as set forth by the Palm Beach County Engineering and Public Works Department. All landscape material shall be selected for the following list:**

Trees:

Laurel Oak  
Live Oak  
Slash Pine  
Sabal Palmetto

Ground Cover:

Wedelia  
Bahia Grass

**Alternative species may be allowed subject to approval by the County Engineer. All plant material shall be installed and selected according to xeriscape principles and shall conform with the following:**

- A) **All plants shall be container grown or field collected and transplanted from the project site.**
- B) **All plantings shall be done in accordance with detailed planting plans and specifications to be submitted and approved by the County Engineer concurrent with Site Plan certification.**  
(ENGINEERING) (Previous Condition M.1 of Resolution R-94-501, Petition DOA84-054(D))  
[COMPLETE]



2. **All required median landscaping, including watering, shall be the maintenance obligation of the petitioner and its successors, legal heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association until November 1,1995, and shall be installed on or before issuance of the first Certificate of Occupancy or filing of the first plat, whichever occurs first. (BUILDING/ENGINEER - Zoning) (Previous Condition M.2 of Resolution R-94-501, Petition DOA84-054(D))**  
[COMPLETE]
3. **Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to receiving the first building permit or filing of the first plat, whichever occurs first, to reflect this obligation. Maintenance shall be in accordance with the issued permits. (BUILDING/ENGINEERING -County Attorney) (Previous Condition M.3 of Resolution R-94-501, Petition DOA84-054(D))**  
[COMPLETE]

N. LIGHTING

1. **All outdoor lighting used to illuminate the premises and identification signs shall be of low intensity, shielded and directed away from adjacent properties and streets. (BUILDING) (Previous Condition N.1 of Resolution R-94-501, Petition DOA84-054(D))**
2. **Pole mounted lighting fixtures shall not exceed twenty-four (24) feet in height. (BUILDING) (Previous Condition N.2 of Resolution R-94-501, Petition DOA84-054(D))**

O. PARKING

1. **Vehicle parking shall be limited to the parking areas designated on the approved site plan. No parking of vehicles shall be permitted in landscaped areas, right-of-way or interior drives. (CODE ENFORCEMENT) (Previous Condition P.1 of Resolution R-94-501, Petition DOA84-054(D))**
2. **Overnight storage or parking of delivery vehicles or trucks not affiliated with hospital use shall not be permitted on site, except within the loading and delivery areas designated on the site plan. (CODE ENFORCEMENT) (Previous Condition P.2 of Resolution R-94-501, Petition DOA84-054(D))**

P. PLATTING

1. **Prior to site plan approval, property owner shall record a Unity of Title on the existing platted lots. (ZONING/COUNTY ATTORNEY) (Previous Condition Q.1 of Resolution R-94-501, Petition DOA84-054(D))**  
[Status: Completed/Satisfied]

Q. PLANNING

1. Prior to January 1, 2003, the petitioner shall submit a rezoning application of

the site's RSER zoning district to the IPF zoning district or any zoning district that is consistent to the site's future land use and the ULDC regulations as amended. (DATE: MONITORING - Zoning-Planning)

2. Prior to final site plan approval by the Development Review Committee, the site plan shall be amended to include a notation which shall read "proposed cross access to be paved to the property line for future access to adjacent parcel" at the eastern property line. (DRC: PLANNING)
3. Prior to the issuance of the certificate of occupancy for Building #4, the petitioner shall pave the property to the edge of the eastern property line at the location shown on the site plan labeled "proposed cross access". (CO/BLDG PERMIT: MONITORING-BUILDING)

R. RECYCLE SOLID WASTE

1. **All property owners and lessees shall participate in a recycling program when available in the area. Material to be recycled shall include, but not be limited to, paper, plastic, metal and glass products.** (SWA) (Previous Condition R.1 of Resolution R-94-501, Petition DOA84-054(D))

S. SIGNS

1. **Signs fronting on Southern Boulevard (State Road 80) shall be limited as follows:**
  - a. **Maximum sign height - ten (10) feet.**
  - b. **Maximum total sign face area - 100 square feet.**
  - c. **Maximum of one identification sign.** (BUILDING) (Previous Condition S.1 of Resolution R-94-501, Petition DOA84-054(D))

2. **Prior to site plan certification, the petitioner shall submit a Master Sign Program to the Zoning Division which specifies sign location, sign dimensions, unified color, unified graphics, typical base planting details, and conformance to all sign related conditions of approval.** (ZONING) (Previous Condition S.2 of Resolution R-94-501, Petition DOA84-054(D))

3. **No signs shall encroach into the vegetation preservation areas.** (BUILDING) (Previous Condition S.3 of Resolution R-94-501, Petition DOA84-054(D))

4. **All on site signs shall comply with the Palm Beach County Sign Code and shall indicate principal uses only. No snipe signs, balloons, banners or other prohibited types of advertisement or signs shall be permitted on-site.** (CODE ENFORCEMENT) (Previous Condition S.4 of Resolution R-94-501, Petition DOA84-054(D))

5. Condition S.5 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**If, prior to the issuance of a building permit for the project, the Sign Code is amended to be more restrictive than the conditions of approval, the regulations of the amended Sign Code shall supersede all sign-related conditions of approval.** (BUILDING)

Is hereby deleted. Reason: [Condition R.1 restricted the number of signs on

the site].

T. TOWER

1. Prior to site plan certification by the DRC, the petitioner shall comply with the shared use provisions of the ULDC, Section 6.4.D.22.k. (shared use), as may be amended. Additional square footage on the site of the tower approval, to accommodate additional unmanned users only, may be permitted administratively subject to approval by the DRC. (DRC: ZONING)
2. Should the requisite authority, such as the FCC or OSHA, having jurisdiction over the same, determine that the Tower and/or facilities are dangerous to the public's health, safety and welfare, Palm Beach County shall have the right to require the tower and/or facilities to be removed or made safe within sixty (60) days written notice. (ONGOING: FIRE/ERM/HEALTH)
3. If tower lighting is required by the FAA, the lighting shall include a screening device to direct light away from the ground. The lighting shall also include a dual lighting system consisting of red lights for nighttime and high or medium intensity flashing white lights for daytime and twilight. (CO: BLDG - Zoning/FAA)
4. The communication tower shall be limited to a **monopole** structure, the lesser of either (1) a maximum of two hundred (200) feet in height measured from finished grade to highest point or (2) the combined overall height of the existing hospital and its roof-mounted guyed tower. Height shall be measured from finished grade to the highest point. Only one tower shall be permitted on the subject property. (DRC/BLDG PERMIT: ZONING - Bldg)

U. USE LIMITATION

1. Condition T.1 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**Use of the site shall be limited to one hundred forty (140) hospital beds, one hundred twenty five (125) nursing home beds, clinics, medical offices and accessory uses and an in-house day care facility for employees of the medical park and hospital only.** (CODE ENFORCEMENT/ZONING)

Is hereby amended to read:

Use of the site shall be limited to one hundred eighty (180) hospital beds, clinics, medical offices and accessory uses, and an in-house day care facility for employees of the medical park and hospital only. (CODE ENFORCEMENT/ZONING)

2. **No outdoor loudspeaker system audible off site shall be permitted.** (CODE ENFORCEMENT) (Previous Condition T.2 of Resolution R-94-501, Petition DOA84-054(D))
3. **The medical offices shall be limited to the following uses: physicians consulting offices; substance abuse facilities; sports medicine; dialysis facilities; and, other similar uses approved by the County Engineer.** (TRAFFIC/ZONING) (Previous Condition T.4 of Resolution R-94-501, Petition DOA84-054(D))
4. **The ancillary hospital uses shall be limited to the following uses:**

**ambulatory surgical center; x-ray facilities; rehabilitation facilities (physical and occupational therapy, cardiac rehabilitation), Laboratory facilities; oncology facilities; radiology facilities; and other similar uses approved by the County Engineer. (TRAFFIC/ZONING) (Previous Condition T.5 of Resolution R-94-501, Petition DOA84-054(D))**

V. COMPLIANCE

1. Condition V.1 of Resolution R-94-501, Petition DOA84-054(D) which currently states:

**As provided in Zoning Code Sections 400.2 and 402.6, failure to comply with any of these conditions of approval at any time may result in:**

- a. **The denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property; and/or**
- b. **The revocation of the Special Exception and any zoning which was approved concurrently with the Special Exception as well as any previously granted certifications of concurrency or exemptions therefrom; and/or**
- c. **A requirement of the development to conform with updated standards of development, applicable at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions.**

**Appeals of any departmental-administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Appeals of any revocation of Special Exception, Rezoning, or other actions based on a Board of County Commission decision, shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (MONITORING)**

Is hereby amended to read:

Failure to comply with any of the conditions of approval for the subject property at any time may result in:

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or

- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of **PZ&B** or a majority vote of the Code Enforcement Board to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (MONITORING)

- 2. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)