

RESOLUTION NO. R-2002-0302

RESOLUTION APPROVING ZONING PETITION DOA1981-096(B)
DEVELOPMENT ORDER AMENDMENT
PETITION OF SOLID WASTE AUTHORITY AND LANTANA MANGO AND ORANGE
FARMS INC.
BY KIERAN KILDAY, AGENT
(LANTANA TRANSFER STATION)

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 DOA1981-096(B) was presented to the Board of County Commissioners at a public hearing conducted on January 31, 2002 and February 28, 2002; 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 DOA1981-096(B), the petition of Solid Waste Authority and Lantana Mango and Orange Farms Inc., by Kieran Kilday, agent, for a Development Order Amendment to reconfigure site plan to add land area and square footage 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 31, 2002 and February 28, 2002, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on February 28, 2002.

Filed with the Clerk of the Board of County Commissioners on 12 day of March, 2002.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

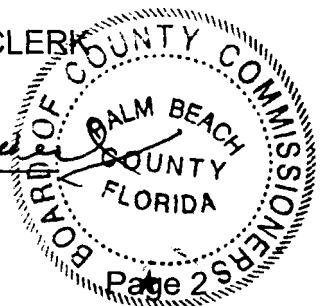
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



Petition DOA1981-096(B)
Project No. 9999-000

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATE IN SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF THE LANTANA ROAD ACCESS ROAD WITH THE EAST LINE OF THE WEST ONE-HALF (W 1/2) OF THE NORTHWEST ONE-QUARTER (NW 1/4) OF SAID SECTION 4, AS SHOWN ON THE RIGHT-OF-WAY MAP FOR 1-95 SECTION 93220-2412. THENCE S 01°25'30" WEST, ALONG SAID EAST LINE OF THE WEST ONE-HALF (W 1/2), A DISTANCE OF 956.54 FEET; THENCE N 88°43'18" WEST A DISTANCE OF 400.00 FEET TO A LINE 400.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE OF THE WEST ONE-HALF (W 1/2); THENCE N 01°25'30" EAST A DISTANCE OF 982.48 FEET TO THE AFORESAID SOUTHERLY RIGHT-OF-WAY LINE OF LANTANA ROAD; THENCE S 85°00'35" EAST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 400.78 FEET TO THE POINT OF BEGINNING.

ABOVE DESCRIBED PARCEL CONTAINS 8.903 ACRES, MORE OR LESS.

AND ALSO

A CERTAIN PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

THE NORTH 990.00 FEET OF THE SOUTHWEST ONE QUARTER (SW1/4) OF THE NORTHWEST ONE QUARTER (NW1/4) OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST.

PARCEL 2

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST ONE QUARTER (NW1/4) OF THE NORTHWEST ONE QUARTER (NW1/4) OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST; THENCE RUN WEST FOLLOWING THE SOUTH LINE OF SAID THE NORTHWEST ONE QUARTER (NW1/4) OF THE NORTHWEST ONE QUARTER (NW1/4) A DISTANCE OF 1320.00 FEET; THENCE NORTH A DISTANCE OF 264.00 FEET; THENCE EAST AT RIGHT ANGLES TO THE PRECEDING COURSE A DISTANCE OF 1320.00 FEET; THENCE AT RIGHT ANGLES TO THE PRECEDING COURSE, SOUTH A DISTANCE OF 264 FEET TO THE PLACE OF BEGINNING; MEANING AND INTENDING HEREBY TO CONVEY A STRIP OF LAND CONTAINING 8 ACRES OFF THE SOUTH END OF THE NORTHWEST ONE QUARTER (NW1/4) OF THE NORTHWEST ONE QUARTER (NW1/4) OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST.

PARCEL 3

THE SOUTHWEST ONE QUARTER (SW1/4) OF THE NORTHWEST ONE QUARTER (NW1/4) OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LESS THE NORTH 990.00 FEET THEREOF AND ALSO LESS THE WEST 450.00 FEET THEREOF. LESS AND EXCEPT THE FOLLOWING THREE PARCELS:

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EXHIBIT A

LEGAL DESCRIPTION

A TRIANGULAR PIECE OF LAND AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTH ONE HALF (S1/2) OF GOVERNMENT LOT 5, SECTION 5, TOWNSHIP 45 SOUTH, RANGE 43 EAST; THENCE EASTERLY IN SECTION 4, 80.34 FEET TO A POINT DESIGNATED POINT (B); THEN AGAIN FROM THE POINT OF BEGINNING NORTHERLY ALONG THE SECTION LINE 179.85 FEET TO A POINT DESIGNATED POINT (C); THENCE FROM (C) TO (B); POINTS (C) AND (B) ARE SOMEWHAT APPROXIMATE AND THE LINE FROM (C) AND (B) FOLLOWS THE CONTOUR OF THE PUBLIC ROAD.

AND ALSO

BEGINNING AT THE QUARTER SECTION CORNER BETWEEN SECTION 4 AND 5, TOWNSHIP 45 SOUTH, RANGE 43 EAST, THENCE RUNNING EASTERLY ALONG THE QUARTER SECTION LINE A DISTANCE OF 450.00 FEET; THENCE RUNNING NORTHERLY PARALLEL TO THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 654.46 FEET; THENCE RUNNING WESTERLY PARALLEL TO SAID QUARTER SECTION LINE A DISTANCE OF 450.00 FEET TO THE WEST LINE OF SAID SECTION 4, THENCE RUNNING SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 654.46 FEET TO THE POINT OF BEGINNING.

AND ALSO

THE RIGHT OF WAY OF HIGH RIDGE ROAD.

LESS AND EXCEPT THE FOLLOWING PARCEL:

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 4; THENCE S.03°20'15"W., AS A BASIS OF BEARING, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 4, A DISTANCE OF 1,088.55 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 4, LESS THE SOUTH 8 ACRES THEREOF; THENCE S.89°08'51"E. ALONG SAID SOUTH LINE, A DISTANCE OF 911.49 FEET TO THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 4506, PAGE 1743, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING; (SAID POINT OF BEGINNING ALSO BEING THE SOUTHWEST CORNER OF THAT PROPERTY AS SURVEYED BY GREENHORNE & O'MARA, INC. AS SHOWN ON SAID SURVEY, DRAWING NO. 8645-COI-625, DATED DECEMBER 1995 AND ATTACHED AS EXHIBIT B); THENCE CONTINUE S.89°08'51"E. ALONG SAID SOUTH LINE, AND THE SOUTH LINE OF SAID SURVEY SHOWN ON EXHIBIT B, A DISTANCE OF 400.00 FEET TO THE EAST LINE OF THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 4, ALSO BEING THE SOUTHEAST CORNER OF SAID SURVEY ON EXHIBIT B; THENCE N.00°59'57"E ALONG SAID EAST LINE OF THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 4, A DISTANCE OF 43.94 FEET TO THE NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 3052, PAGE 1544, AS SURVEYED BY LANDMARK SURVEYING & MAPPING, INC., AS SHOWN ON SAID SURVEY, FILE NO. 89-2125, DATED 11/20/89,

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EXHIBIT A
LEGAL DESCRIPTION

AND ATTACHED AS EXHIBIT C; THENCE N.89°08'06"W ALONG THE NORTH LINE OF SAID PROPERTY AS SURVEYED ON EXHIBIT C, A DISTANCE OF 399.99 FEET TO THE WEST LINE OF SAID PROPERTY AS SURVEYED ON EXHIBIT B; THENCE S.01°01'08"W. ALONG AFORE SAID WEST LINE, A DISTANCE OF 44.03 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 40.669 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

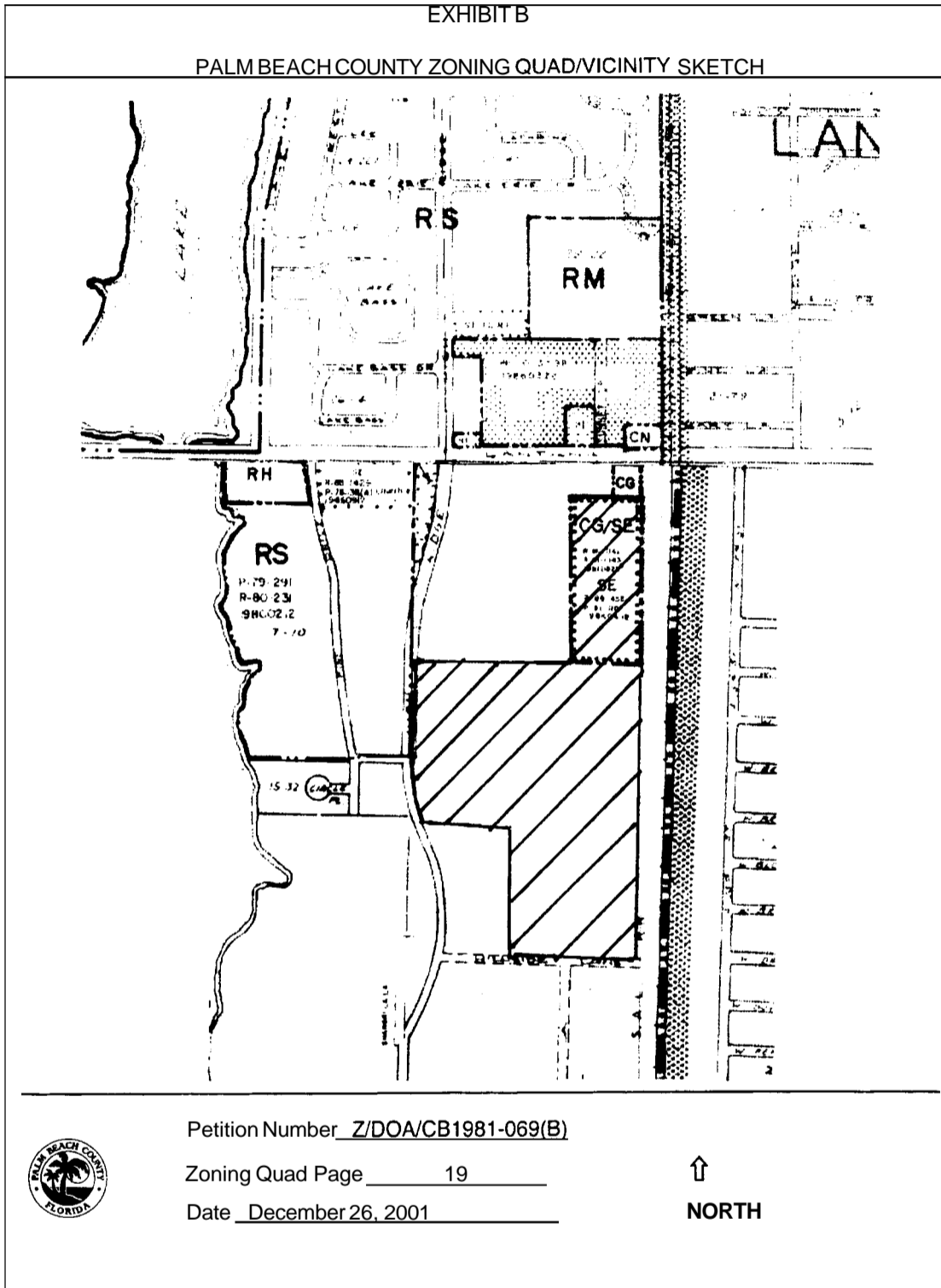


EXHIBIT C

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. All previous conditions of approval applicable to the subject property, as contained in Resolution R-86-458 (Petition 81-96(A)), have been consolidated as contained 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. Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated February 19, 2002. 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. (ONGOING: ZONING)
3. The petitioner shall have three (3) years from adoption of the resolution approving Petition Z/DOA1981-096(B) to commence development on the site. Only one (1) administrative time extension for a maximum of twelve (12) months may be granted. (DATE: MONITORING)
4. Condition 15. of Resolution R-86-458, Petition 81-96(A) which currently states:

The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

Is hereby deleted. [REASON: no longer required]

B. ARCHITECTURAL REVIEW

1. Prior to final DRC certification of the site plan, the petitioner shall revise the drawings to include the following:
 - a. Provide exterior finish schedule;
 - b. Label heights from finished grade to highest point;
 - c. Supplement Visual Impact Analysis to include a written determination of Prevalent Theme and Architectural Compliance Statement (Sec. 6.c. and 6.d.).
(DRC: ZONING-Zoning)
2. The proposed buildings on site shall be designed and constructed to be consistent with the facade elevations by REG Architects, Interiors, Planners Inc., dated October 2001, submitted on October 17, 2001. (BLDG PERMIT: BLDG - Zoning)
3. Prior to DRC certification of the site plan, the elevations shall be submitted simultaneously with the site plan for final architectural review and approval. (DRC: ZONING-Zoning)

C. BUILDING AND SITE DESIGN

1. Condition 1 of Resolution R-86-458, Petition 81-96(A) which currently states:

Prior to site plan certification the site plan will be revised to reflect conformance to the one space per 10,000 square feet of lot area requirement or seek variance relief of this requirement from the Board of Adjustment. (DRC: ZONING)

Is hereby deleted. [REASON: no longer applicable]

2. All areas of internal circulation within the site shall be posted with signage restricting speeds to ten miles per hour or less. In addition, signage shall be posted within the site directing all drivers to avoid excessive acceleration within the site and on the access road to Lantana Road. (ONGOING: Code) (Previously Condition 18 of Resolution R-86-458, Petition 81-96(A))
3. The Solid Waste authority shall annually notify all private waste sanitation firms and public sanitation agencies using this site that vehicles must be maintained in good condition with effective mufflers. (ONGOING:SWA) (Previously Condition 19 of Resolution R-86-458, Petition 81-96(A))
4. Condition 21 of Resolution R-86-458, Petition 81-96(A) which currently states:

The Solid Waste Authority shall collect litter on every day of operation, on this site, the access road from Lantana Road, and the public right-of-way from Lantana Road from 1-95 to High Ridge Road.

Is hereby deleted. [REASON: superceded by new condition J.2]

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. The developer shall preserve existing significant vegetation along the north property line in order to effectively screen the proposed development. In addition, all significant existing landscaping shall be preserved within the open spaces areas, not disturbed by structure, parking on access road. Appropriate measures shall be taken to protect these preservation areas during site clearing and construction. (ONGOING: ERM) (Previously Condition 3 of Resolution R-86-458, Petition 81-96(A))

E. ENGINEERING

1. This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance **73-4**, as amended. (Previously Condition 9 of Resolution R-86-458, Petition 81-96(A))
2. Condition 10 of Resolution R-86-458, Petition 81-96(A) which currently states:

The development shall retain onsite 100% of the stormwater runoff generated by a three (3) year-24 hour storm per requirements of the Permit Section, Land Development Division.

Is hereby deleted. [REASON: Code Requirement]

3. The property owner shall construct a right turn lane, west approach on Lantana Road at project's entrance road prior to issuance of a building permit. This construction shall include acceptable turning **radius**

exiting the site at the project's entrance road and Lantana Road per the County Engineer's approval, as well as construction of a left turn lane, south approach on the project's entrance road at Lantana Road. [COMPLETED](Previously Condition 11 of Resolution R-86-458, Petition 81-96(A))

4. Condition 12 of Resolution R-86-458, Petition 81-96(A) which currently states:

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 Fair Share Fee for this project presently is **\$14,574.00 (544 trips x \$26.79 per trip)**.

Is hereby deleted. [REASON: Code Requirement]

5. Condition 13 of Resolution R-86-458, Petition 81-96(A) which currently states:

Based on the Traffic Performance Standards (Category "B"), the Developer shall contribute an additional **\$3,643.00** toward Palm Beach County's existing Roadway Improvement Program, these total funds of **(\$18,217.00)** to be paid prior to the issuance of a Building Permit or prior to October 1, 1986, whichever shall first occur.

If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share Fee, this additional amount of **\$3,643.00** shall be credited toward the increased Fair Share Fee.

Is hereby deleted. [REASON: Code Requirement]

6. Condition 14 of Resolution R-86-458, Petition 81-96(A) which currently states:

The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a Building Permit.

Is hereby deleted. [REASON: Drainage Permits are now required]

7. Prior to or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for Lantana Road, 55 feet from centerline along the project's entire frontage, free of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Corner Clips" where appropriate at intersections as determined by the County Engineer. (COMPLETED - FLORIDA DEPARTMENT OF TRANSPORTATION OWNS THIS 55 FEET FROM CENTERLINE OF ROW) (DATE/BLDG PERMIT: MONITORING-Eng)

8. LANDSCAPE WITHIN MEDIAN OF COUNTY ROADS

- A. Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department Permit Section for a permit to landscape the adjacent median of the Lantana Road Right-of-Way to provide for: 1) Median Landscaping,

2) Concrete Median Cut-Outs. This permit shall comply with all permit requirements, including but not limited to indemnifying Palm Beach County. When permitted by the Land Development Division of the Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the latest revision to the Palm Beach County Engineering and Public Works Department Streetscape Standards. The property owner shall also be responsible to supplement any existing landscape material previously planted in this median and all new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscaping installation and maintenance requirements shall be subject to the standards as set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (BLDG PERMIT: MONITORING- Eng)

- B. All required median landscaping, including an irrigation system if required, shall be installed at the property owners expense. All landscaping, paver block or similar materials shall be the perpetual maintenance obligation of the petitioner and its successors, or assigns or duly established Property Owner's Association or maintenance may be assumed by the County upon payment equal to the long term maintenance cost, in accordance with the adopted policy approved by the Board of County Commissioners. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed prior to the issuance of the first certificate of occupancy. (CO: MONITORING-Eng)
- C. If the Developer does not enter into an agreement with Palm Beach County to assume the maintenance responsibility, then appropriate property owners documents or other restrictive covenant documents, evidencing the maintenance obligation shall be established or amended as required and shall be approved and recorded prior to the issuance of the Technical Compliance. (TC: ENGINEERING-Eng)

F. HEALTH

- 1. Condition 5 of Resolution R-86-458, Petition 81-96(A) which currently states:

Any fuel or chemical storage tanks shall be installed in accordance with Chapter 17-61, Florida Administrative Code. The design and installation plans will be submitted to the Health Department for approval prior to installation.

Is hereby amended to read:

Any fuel or chemical storage tanks shall be installed in accordance with Chapter 62-761, Florida Administrative Code (F.A.C.). The design and installation plans will be submitted to the Health Department for approval prior to installation. (BLDG PERMIT: HEALTH)

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2. Condition 6 of Resolution R-86-458, Petition 81-96(A) which currently states:

Any toxic or hazardous waste generated at this site shall be properly handled and disposed of in accordance with Chapter 17-30, F.A.C.

Is hereby amended to read:

Any toxic or hazardous waste generated at this site shall be properly handled and disposed of in accordance with Chapter 62-730, F.A.C. The property owner shall not knowingly accept regulated hazardous waste. (ONGOING: HEALTH)

3. Condition 7 of Resolution R-86-458, Petition 81-96(A) which currently states:

Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.

Is hereby amended to read:

Reasonable precautions shall be exercised during site development and operation to insure that unconfined particulates (dust particles) and odor from this property do not become a nuisance to neighboring properties. (ONGOING: HEALTH)

4. Condition 8 of Resolution R-86-458, Petition 81-96(A) which currently states:

Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

Is hereby amended to read:

Reasonable measures shall be employed during site development and operation to insure that no pollutants from this property shall enter adjacent or nearby surface waters. (ONGOING: HEALTH)

5. The SWA shall conduct the following monitoring, and the results of this monitoring shall be reported to the Palm Beach County Health Department, a copy shall be kept at the property for public inspection, and shall be posted on the SWA's internet web site location at www.swa.org. Unless otherwise noted below, all monitoring reports shall be on an annual basis:

A. Discharge structures shall include baffles, skimmers or other mechanisms suitable for preventing oil, grease or other floatable materials and sediment from discharging to the on site retention lakes. The access road and interior roadways within the property shall be cleaned as necessary with the appropriate technology to prevent odors from emanating from the roads.

B. On site retention lakes shall have fountain type aerators appropriately sized for the area and volume of the lakes.

C. The Ground Water Monitoring Plan shall consist of a minimum of eight monitoring wells, which shall be placed based upon the hydraulic gradient beneath the project property. The monitoring wells shall consist of four well clusters, with each cluster containing both shallow and deep zone wells, as shown on the attached site plan. The shallow zone wells shall be screen down to the depth of the surface water bodies. The deep zone wells shall be screened at the

average depth of the private wells immediately surrounding the site. For ambient water quality, one well cluster shall be placed up gradient to potential ground water discharges from the project property. Three well clusters shall be placed down gradient to potential ground water discharges from the project property.

- D. Surface Water monitoring Plan shall consist of two sample points, one in each of the two proposed lakes.
- E. Surface and ground water monitoring shall be conducted both quarterly, and annually for the parameters listed in the table below. The monitoring program shall continue for a period of no less than five (5) years, or until two (2) years after public water supply is made available to properties adjoining the project property, whichever is greater. Based on the results at the end of this time period, the Palm Beach County Health Department may authorize frequency of sampling to be reduced to not less than annually for all parameters:

Ground Water Monitoring Parameters

- I. Quarterly Monitoring Parameters:

Arsenic	Chloride	Alkalinity
Barium	Copper	Ammonia Nitrogen
Cadmium	Color	COD (Chemical Oxygen Demand)
Chromium	Foaming Agents	Conductivity (field)
Lead	Iron	Hydrogen Sulfide
Mercury	pH (field)	TKN (Total Kjeldahl Nitrogen)
Nitrate N	Odor	Temperature (field)
Selenium	Sulfate	Turbidity (field)
Sodium	TDS (Total Dissolved Solids)	TRPH (Total Recoverable Petroleum Hydrocarbons)
- II. Annual Monitoring Parameters:
EPA Method 8021 (Volatile Organic Compounds & Chlorinated Hydrocarbons)

Surface Water Monitoring Parameters

- I. Quarterly Monitoring Parameters:

Arsenic	Chloride	Alkalinity
Barium	Copper	Ammonia Nitrogen
Cadmium	Foaming Agents	COD
Chromium	Iron	Conductivity (field)
Lead	pH (field)	Oil & Grease
Mercury	Sulfate	TKN
Nitrate N	TDS	TRPH
Selenium	Temperature (field)	Turbidity (field)
Sodium		
- II. Annual Monitoring Parameters:
EPA Method 8021 (Volatile Organic Compounds & Chlorinated Hydrocarbons)(ONGOING: MONITORING)

- 6. The SWA shall construct the drainage within the buildings to make certain that no leakage from the tipping floor enters the stormwater system. (BLDG PERMIT: ENG/HEALTH)

7. All monitoring equipment, stormwater control and aerators shall be installed on the subject site prior to the issuance of a Certificate of Occupancy for the new transfer station. (CO: HEALTH)

G. HIGH RIDGE ROAD STREET LIGHTING

1. The SWA shall pay its fair share of the cost of installing a combined bike path and pedestrian walkway on the east side of High Ridge Road, along its street frontage. Should the neighborhood residents and the County agree to the installation of streetlights along High Ridge Road, the SWA agrees to pay its fair share for the same on the east side of its High Ridge Road frontage, at appropriate intervals in conformance to the Palm Beach County requirements regarding streetlights. (ONGOING: ENG)

H. LANDSCAPING

1. Condition 4. of Resolution R-86-458, Petition 81-96(A) which currently states:

Additional landscaping in the form of one **(1)** canopy tree **12-14** feet overall height planted twenty **(20)** feet on center, supplemented with a continuous solid hedge 36" in overall height along the south, east and west property line. Where the preservation area along the north property line does not meet the intent of this requirement of a solid visual screen, supplemented vegetation consisting of **14** foot canopy trees planted **20** feet on center with supplemental hedge shall be installed.

Is hereby amended to read:

All landscaping shall be in accordance with the Conceptual Landscape Plan Design Package prepared by Kilday and Associates dated October 17, 2001 and revised February 11, 2002. (CO: LANDSCAPE-Zoning)

2. Prior to site plan certification a landscape plan shall be submitted. This landscape plan shall:
 - a) graphically depict all of the preservation areas and minimum perimeter buffering requirements.
 - b) show that all areas disturbed by construction, including bermed areas shall be sodded. Sod shall be installed prior to Certificate of Occupancy.
 - c) propose landscape treatment along the foundation of all structures and berms to effectively screen and break up the expanse of facade and loading areas. (DRC: Landscape) (Previously Condition 16. of Resolution R-86-458, Petition 81-96(A))
3. The SWA shall install a five-foot high berm, with landscaping, as shown on the "Conceptual Landscape Plan," prepared by Kilday and Associates, Inc., at the Project's west and south property lines, where the property abuts residential lots and the north side of Hillside Lane. The exact location of the berm may be adjusted to incorporate input by the neighborhood residents' and to preserve native vegetation. (CO: LANDSCAPE)
4. The existing Mango grove shall be protected by the Solid Waste Authority (SWA). The SWA shall prepare a management plan for the existing Mango trees prior to the Final Development Review Committee (FDRC) approval of the site plan for the property. This management plan shall specifically address: how the SWA will maintain the Mango trees; the replacement or

removal of unhealthy Mango trees; the entity the SWA will use to maintain the Mango trees, identification of the pesticides to be used in managing the Mango trees, subject to the approval of the SWA, as well as other requirements necessary to preserve the Mango trees, as determined by the SWA. A copy of the management plan shall be kept at the property for public inspection. (CO: LANDSCAPE)

5. **All existing and proposed landscape materials shall be maintained in good condition according to standard nursery practices, and replaced as necessary.** (ONGOING: Landscape) (Previously Condition 17 of Resolution R-86-458, Petition 81-96(A))
6. Condition 20 of Resolution R-86-458, Petition 81-96(A) which currently states:

Along the entire western property line, there shall be a 6' solid masonry wall, or earth berm and solid masonry wall in combination at least 6' in height. The masonry wall shall have a stucco or finish material surface. This buffer shall be in addition to the landscape treatment required in Condition No. 4.

Is hereby amended to read:

Along the western property line of the existing 8.96 acres transfer facility, there shall be a 6' solid masonry wall, or earth berm and solid masonry wall in combination at least 6' in height. The masonry wall shall have a stucco or finish material surface. (Completed) (CO: LANDSCAPE)

7. Prior to final Development Review Committee certification, the petitioner shall submit an Alternative Landscape Plan for the site. This Plan shall indicate how existing native vegetation has been incorporated into the site and into all perimeter buffers. All newly planted vegetation shall be native vegetation consistent with the vegetation in the area. Credit may be given for existing or relocated trees and native understory provided they meet current ULDC standards pursuant to a Section 7.3.E. In addition, a berm will not be allowed along the property's High Ridge Road frontage. (DRC: LANDSCAPE-Zoning/Planning)
8. In order to further buffer the visual impact of the facility within the Town of Lantana, the SWA shall provide a streetscape tree program in the following areas:
 - a. The swales along the residential streets west of 14th Street, between Ocean Avenue to the north and West Drew Street to the south. The streetscape program shall take into account existing trees already in place and provide infill.
 - b. The slope areas on both the north and south sides of Lantana Road, between the SWA entrance and 1-95, as permitted by Palm Beach County and the Florida Department of Transportation.

The design of the plan will be coordinated with the staff of the Town of Lantana and implemented prior to issuance of a Certificate of Occupancy.

9. The SWA will cooperate with the Town of Lantana in locating public water supply sites, on the subject property, if so requested by the Town of Lantana.

I. LIGHTING

1. Condition 2. of Resolution R-86-458, Petition 81-96(A) which currently states:

Security lighting shall be directed away from any nearby residences.

Is hereby amended to read:

All outdoor lighting used to illuminate the subject property and identification signs shall be of low intensity, shielded and directed down and way from adjacent properties and streets. Low intensity back-lighted or interior lighted signs may be permitted. (ONGOING: CODE ENF)

J. USE LIMITATIONS

1. The SWA shall agree to limit the days and hours, during which it shall accept waste products, to the following times:

Monday through Friday, between 7:00 A.M. and 5:00 P.M., Saturday 7:00 A.M. to Noon; with the option to extend the operation on those same days, during holidays and emergency periods, by one hour in the morning and one hour in the evening, thereby accepting waste deliveries at 6:00 A.M. until 6:00 P.M., Monday through Friday, 6:00 A.M. to 1:00 P.M. Saturday. (ONGOING: CODE ENF)

2. The SWA shall collect litter, on every day of the site's operation, on this site, and in coordination with the existing Adopt-a-Road Program, at the access road from Lantana Road, as well as the Lantana Road public ROW, from I-95 to High Ridge Road. (ONGOING: CODE ENF)
3. The SWA shall contribute its fair share of the street improvements proposed at Hillside Lane, such as paving and curbing, at the south side of the SWA's Hillside Lane frontage. (ONGOING: ENG)
4. The SWA shall not assign more transfer vehicles to this property than can be physically stored inside the enclosed buildings on this site overnight. These vehicles shall be parked in the transfer station overnight except for emergencies or temporary maintenance to the transfer station that would prevent some of the trucks from being parked inside. (ONGOING: CODE ENF)
5. The SWA shall employ reasonable measures to prevent overnight storage of garbage on the tipping floor. Garbage left overnight on the site as a result of cleaning the facility shall be stored in tarp covered transfer vehicles in the enclosed facility. (ONGOING: CODE ENF)
6. The SWA shall post a sign at the project's entrance gate indicating the telephone number for a citizen to call with complaints regarding odor and/or operations. (ONGOING: CODE ENF)

K. UTILITIES

1. All drains inside the transfer station building shall be connected to the central sewer system. (BLDG PERMIT: UTILITIES)
2. The SWA shall pay its fair share of the proposed, future City of Lake Worth water main installation within High Ridge Road. The **SWA** has committed to pay for the High Ridge Road link, between Lantana Road and Hillside Lane. Additionally, the SWA shall pay for the installation of the water main along the SWA's south property line, at its Hillside Lane frontage. (ONGOING: MONITORING/UTILITIES)

3. All sewer and water services needed at the subject property shall be provided by the Town of Lantana and/or the City of Lake Worth. There shall be no septic or other similar waste disposal facilities at the subject property. (ONGOING: MONITORING/UTILITIES)

L. COMPLIANCE

1. 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)
2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:
 - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; 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 Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 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)



**Department of
Planning, Zoning & Building**

100 Australian Avenue

West Palm Beach FL 33406

(561)233-5000

Planning Division 233-5300

Zoning Division 233-5200

Building Division 233-5100

Code Enforcement 233-5500

Contractor s Certification 233-5525

Administration Office 233-5005

Executive Office 233-5003

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**INTER-OFFICE COMMUNICATION
PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING**

TO: Phyllis House, Minutes Manager
FROM: William C. Whiteford, Zoning Director
DATE: March 8, 2002
RE: Amended Conditions from the February 28, 2002
BCC Hearing

*WCW
by
drc*

The conditions of these resolutions are true and correct and reflect the changes approved by the Board of County Commissioners on February 28, 2002.

The following petitions were amended:

PDD/TDR2001-029	Colony Club Apartments PUD
EAC1990-030(F)	Fountains of Boynton
Z/COZ2001-051	Military Purdy Rezoning
Z/DOA1981-096(B)	Lantana Transfer Station

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