

RESOLUTION NO. R-94- 501

RESOLUTION APPROVING ZONING PETITION **DOA84-54 (D)**
DEVELOPMENT ORDER AMENDMENT
PETITION OF PALMS WEST HOSPITAL, INC.

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, 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 Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition **DOA84-54 (D)** was presented to the Board of County Commissioners at a public hearing conducted on April 28, 1994; 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 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 relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach county 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 standards imposed on it by applicable provisions of the Palm Beach County 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 reservation and therefore complies with Art. 11 (Adequate Public Facility Standards) of the Palm Beach County 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 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 **DOA84-54 (D)**, the petition of Palms West Hospital, Inc., for a DEVELOPMENT ORDER AMENDMENT in the Commercial High Intensity Office (CHO) Zoning District, to amend Conditions B.1 (limit square footage), F.1 (littoral shelves), M.1 (median landscaping, 0.2 & T.1 (use limitation) of Resolution R-91-1178 & allow 125 bed **ACLF-** Type III (requested use), previously approved on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located on a vicinity sketch as shown on EXHIBIT B, attached hereto and made a part hereof, was approved on April 28, 1994, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Aaronson moved for the approval of the Resolution.

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

Mary McCarty, Chair	--	Absent
Burt Aaronson	--	Aye
Ken Foster	--	Absent
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Absent

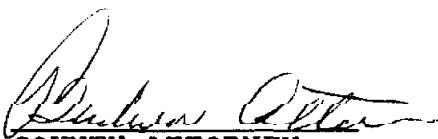
The Chair thereupon declared that the resolution was duly passed and adopted this 28th day of April, 1994.

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

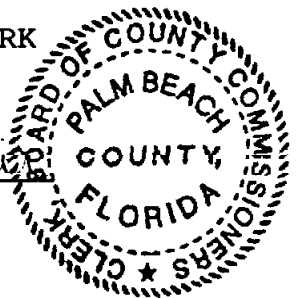


EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT - "A"

LEGAL DESCRIPTION

PALMS WEST MEDICAL CENTER, according to the plat thereof as recorded in P1 at Book 54 pages 155-156 of the Public Records of Palm Beach County, Florida; together with PALMS WEST MEDICAL OFFICE COMPLEX: (being a replat 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

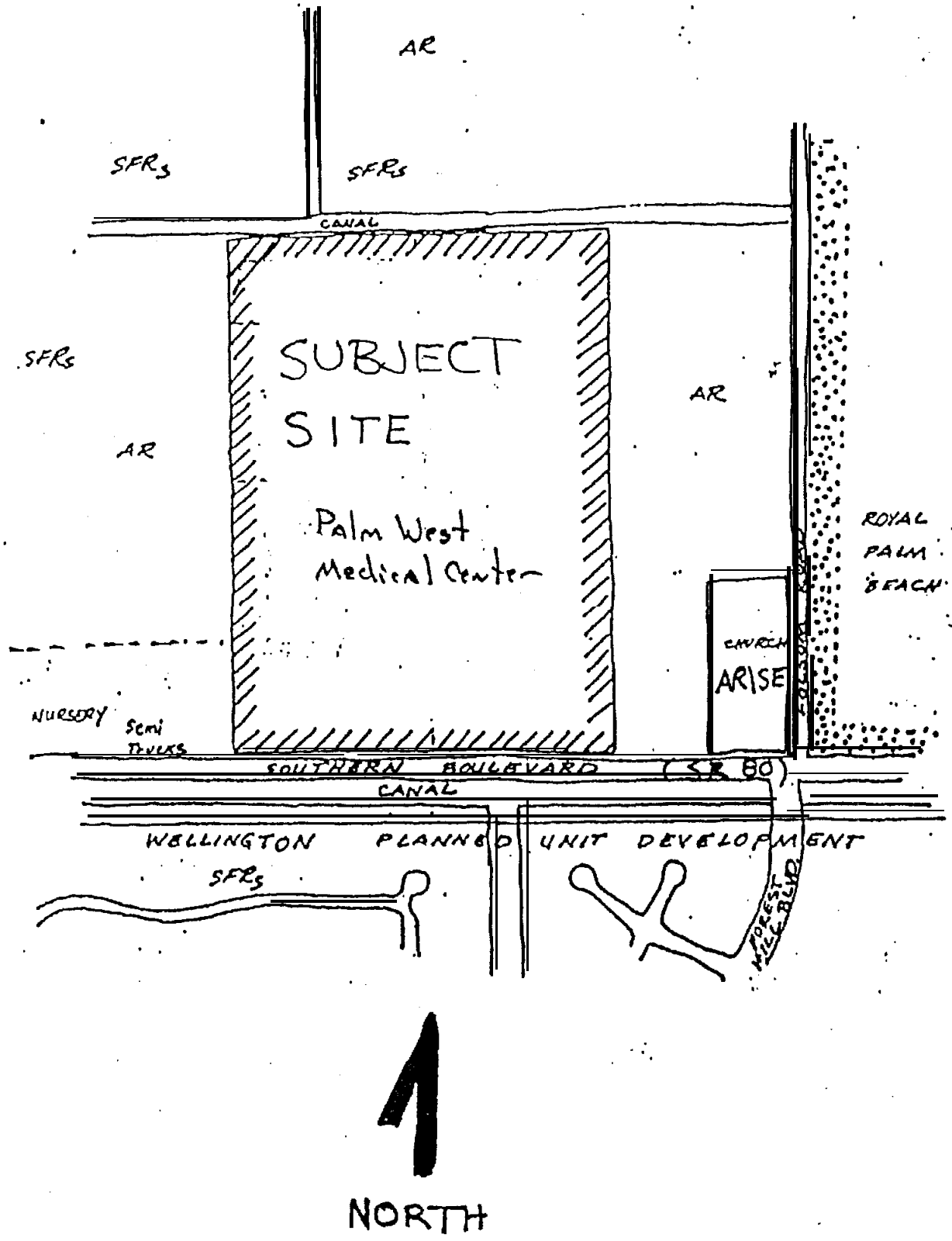


EXHIBIT C

CONDITIONS OF APPROVAL

A. STANDARD CONDITIONS

1. Condition A.1 of Resolution R-91-1179, Petition No. 84-54(C), which states:

The petitioner shall comply with all previous **conditions** of approval, including original deadlines for Bonding Code Section 402.9 compliance, unless expressly **modified** herein.

Is hereby amended to state:

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)

2. 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. (Previously Condition No. **A.2** of Resolution R-91-1179, Petition No. 84-54(C) (ZONING))

3. Condition A.3 of Resolution R-91-1179, Petition No. 84-54(C), which states:

This Special Exception is granted concurrent **with** a rezoning. Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners (Exhibit No. 91). Any modifications must be approved by the Board of County Commissioners unless the proposed use or design changes are permitted pursuant to Zoning Code Section **402.7(E)2 (b)** (Site Plan Review Committee **Powers** and **Standards** of Review) or required by the conditions of approval contained herein.

Is hereby deleted Reason: Code Requirement

4. Condition A.4 of Resolution R-91-1179, Petition No. **84-**54(C), which states:

The petitioner shall submit an application to the site Plan Review Committee for the certification of the site plan approved by the Board of County Commissioners, sitting as the Zoning Authority, for this site within ninety (90) days of approval.

Is hereby deleted. Reason: Code Requirement

B. BUILDING AND SITE DESIGN

1. Condition B.1 of Resolution R-91-1179, Petition No. **84-**54(C), which states:

Total gross floor area shall be limited to a maximum of **410,373** square feet.

Is hereby amended to state:

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)

2. 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)
3. 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)
4. Architectural character and treatment which is compatible and harmonious with abutting development shall be provided on all sides of each building. (Previously Condition No. B.3 of Resolution R-91-1179, Petition No. 84-54(C) (BUILDING-zoning)
5. 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. (Previously Condition No. B.3 of Resolution R-91-1179, Petition No. 84-54(C) (BUILDING)
6. 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. (Previously Condition No. 0.1 of Resolution R-91-1179, Petition No. 84-54(C) (BUILDING)

C. DAY CARE

1. The day care center shall be limited to a maximum of 100 students and five thousand (5,000) square feet of usable building area. (Previously Condition No. C.1 of Resolution R-91-1179, Petition No. 84-54(C) (ZONING/BUILDING)
2. 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. (Previously Condition No. C.2 of Resolution R-91-1179, Petition No. 84-54(C) (BUILDING/ZONING)
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. (Previously Condition No. C.3 of Resolution R-91-11.79, Petition No. 84-54(C) (BUILDING/ZONING)
4. Condition C.4 of Resolution R-91-1179, Petition No. 84-54(C), which states:

The site plan shall be amended to reflect five (5) drop-off stalls a minimum of twelve (12) feet wide by twenty (20) feet in length.

Is hereby amended to state:

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)

5. Condition C.5 of Resolution R-91-1179, Petition No. 84-54(C), which states:

The site plan shall be amended to reflect a four (4) foot wide walkway running **in** front of the **drop-off** spaces and connecting to the day care entrance.

Is here amended to state:

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)

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. (Previously **Condition** No. D.1 of Resolution R-91-1179, Petition No. 84-54(C) (ZONING/BUILDING)

E. ENGINEERING

1. 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. (Previously Condition No. E.1 of **Resolution** R-91-1179, Petition No. 84-54(C) (ENGINEERING)
2. Previous Condition No. E.2 of Resolution R-91-1179, Petition No. 84-54(C), which 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 impact fee **for** Phase I is **\$57,255.00**. The impact fee for Phase II is **\$3,300.00** (60 trips X **\$55.00**)

trips/day).

Is hereby amended to state:

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)

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. (Previously Condition No. E.3 of Resolution R-91-1179, Petition No. 84-54(C) (ENGINEERING))
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. (Previously Condition No. E.4 of Resolution R-91-1179, Petition No. **84-54(C)** (ENGINEERING) (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. (Previously Condition No. E.5 of Resolution R-91-1179, Petition No. **84-54(C)** (ENGINEERING) (Note: Completed))

F. ENVIRONMENTAL

1. Condition F.1 of Resolution R-91-1179, Petition No. 84-54(C), which states:

All new excavated lakes shall possess a littoral **shelf** area. A littoral shelf shall be an area with a slope not greater six (6) feet horizontal to one (1) foot **vertical**, ranging in depth from ordinary high water (**OHW**) or the controlled water level (**CWL**) to four feet below **OHW** or **CWL**. A minimum of 30% of the surface area of **all lakes** shall be planted with native aquatic vegetation on a minimum of three foot centers. A littoral shelf **planting** plan and maintenance plan shall be submitted to the Department of Environmental Resources Management (**ERM**)

concurrent with Site Plan Review application and approved **by** ERR prior to Site Plan certification or **any** alternative acceptable to ERM.

Is hereby amended to state:

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)

2. 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. (Previously Condition No. F.2 of Resolution R-91-1179, Petition No. **84-54 (C)**) (ERM)
3. 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)
4. A proposed time schedule for the management **activities** including the phased removal of exotic vegetation, proposed relocation of native vegetation (see condition L.1.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)

5. Prior to submittal of the site plan to the Site Plan Review Committee, the petitioner shall:
 - a. Submit a ~~tree survey tree inventory~~, pursuant to Section 500.35.b.25, drawn to the same scale as the site plan. This ~~survey 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 survey 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. (Previously Condition No. U.1 of Resolution R-91-1179, Petition No. 84-54(C) (Completed: see exhibit 103) (ERM))
6. 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. (Previously Condition No. U.2 of Resolution R-91-1179, Petition No. 84-54(C) (Completed: see exhibit 104) (ERM))
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)
8. Condition U.3 of Resolution R-91-1179, Petition No. 84-54(C) which states:

A fifty (50) foot wide native buffer shall be provided along the eastern property line. This requirement shall be waived with the submission to and approval of by the Zoning Division a Landscape Betterment Plan showing a forty-two foot native enhancement area along the eastern side of the water management lake. This Betterment Plan should provide the Zoning Division with a planting plan and a list of all material being used in its development. The applicant must demonstrate a native plant community of equal or better value than provided by the fifty foot buffer. This condition must be met prior to site plan review approval. No development activity such as trenching, grade changes or grubbing that may cause injury to vegetation within the preserve areas shall be permitted.

Is hereby amended to state:

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)

9. 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)
10. The petitioner shall install all supplemental **planting** requirements for the existing lake concurrent with the first expansion to the existing lake system. (ZONING/ERM)
11. The petitioner shall maintain the native enhancement **area** free of all exotic vegetation in perpetuity. (ZONING/ERM)
12. **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.** (Previously Condition No. U.4 of Resolution R-91-1179, Petition No. 84-54(C) (ERM)
13. Condition **U.5** of Resolution R-91-1179, Petition No. 84-54(C) which 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, tagged and **numbered** according to the tree survey.

is hereby amended to state:

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)

14. **Trees to be preserved shall receive appropriate protection during site development. Protective devices shall be in place and approved by the Zoning-Division Department of Environmental Resources** prior to **commencing any clearing activity.** (Previously Condition No. U. 6 of Resolution R-91-1179, Petition No. 84-54(C) (ERM)
15. Prior to removal of any vegetation, the petitioner shall schedule a coordinated pre-clearing inspection with the **Zoning-Division and** Environmental Resources Management. (Previously Condition No. U.7 of Resolution R-91-1179, Petition No. 84-54(C) (ERM)
16. 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 **Zoning-Division Department of Environmental Resources** shall be submitted prior to **Site Plan** Review Committee approval. (Previously Condition No. U.8 of Resolution R-91-1179, Petition No. 84-54(C)

(ERM)

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**. (Previously Condition No. G.1 of Resolution R-91-1179, Petition No. 84-54(C) (HEALTH)
2. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. (Previously Condition No. G.2 of Resolution R-91-1179, Petition No. 84-54(C) (HEALTH)
3. Water service is available to the property. Therefore, no well shall be permitted on the site to provide **potable** water. (Previously Condition No. G.3 of Resolution R-91-1179, Petition No. 84-54(C) (HEALTH)

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. (Previously Condition No. H.1 of Resolution R-91-1179, Petition No. 84-54(C) (HEALTH)

I. LANDSCAPING - GENERAL

1. Condition I.1 of Resolution R-91-1179, Petition No. 84-54(C) , which states:

Prior to site plan certification, the petitioner shall submit a Landscape Betterment Plan for **review** and approval by the Zoning Division. The Landscape Betterment Plan shall demonstrate conformance to or exceed all Landscape **Code** requirements, landscape conditions of approval and vegetation preservation conditions of approval. A Landscape Betterment Plan approved by the Zoning Division shall supersede the perimeter landscape buffer requirements below.

Is hereby amended to state:

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)

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. (Previously Condition No. I.2 of Resolution R-91-1179, Petition No. 84-54(C) (ZONING)

3. Existing or relocated native vegetation and **understory** may be counted toward meeting landscape **requirements**. (Previously Condition No. I.3 of Resolution R-91-3179, Petition No. 84-54(C) (BUILDING/ZONING/ERR)

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. (Previously Condition No. J.1 of Resolution R-91-1179, Petition No. 84-54(C) (BUILDING/ZONING)
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. (Previously Condition No. J.2 of Resolution R-91-1179, Petition No. **84-54(C)** (BUILDING/ZONING)
3. All trees within the interior parking area shall **be** a minimum of twelve (12) feet in height. (**Previously** Condition No. J.3 of Resolution R-91-1179, Petition No. 84-54(C) (BUILDING/ZONING)
4. Condition 5.4 of Resolution R-91-1179, Petition No. 84-54(C), which states:

Prior to site plan certification, the site plan shall be amended to indicate typical landscape island and **divider** median planting details, subject to approval by the Zoning Division.

Is hereby amended to state:

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)

K. LANDSCAPING ALONG THE SOUTH PROPERTY LINE

1. Condition K.1 of Resolution R-91-1179, Petition No. 84-54(C), which states:

Landscaping within the required buffer along the **scuth** 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. Thirty-six (36) inch tall hedge or shrub material planted twenty-four (24) inches on center.

Is hereby amended to state:

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,)
2. 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, whichever ever occurs first. (MONITORING-ZONING/BUILDING)

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)
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, term 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. Condition L.1 of Resolution R-91-1179, Petition No. 84-54 (C). [NOTE: Superseded by Alternative Betterment plan Exhibit **102**] (BUILDING/ZONING)

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. Condition L.2 of Resolution R-91-1179, Petition No. 84-54 (C). [NOTE: superseded by Alternative Betterment plan Exhibit 102] (BUILDING/ZONING)**

M. LANDSCAPE WITHIN MEDIAN

1. Condition M.1 of Resolution R-91-1179, Petition 84-54(C) , which states:

If permitted by the Florida **State** Department of Transportation (**FDOT**) or the County Engineer, the petitioner shall landscape **the median of all abutting** rights-of-way. This landscaping shall consist of one twelve (12) foot tall native canopy tree for **each thirty (30) linear feet of the adjacent median, appropriate** ground cover and irrigation. **Trees** may be **planted singly** or in clusters, with a maximum spacing of sixty (60) **feet** on center. All landscape material shall be **selected, maintained and installed according to xeriscape principles.** This landscaping shall be **the maintenance obligation of the property owner until November 1, 1995,** and shall be installed prior to the issuance of the **first certificate of occupancy (C.O.) for the site.** The petitioner shall obtain written permission from **the FDOT or the County Engineer prior to site plan certification.**

Is hereby amended to state:

Prior to issuance of a Building Permit, the **petiticner** 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:

Wedilia
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)

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)
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)

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. (Previously Condition No. N.1 of Resolution R-91-1179, Petition No. 84-54(C) (BUILDING))
2. Pole mounted lighting fixtures shall not exceed twenty-four (24) feet in height. (Previously Condition No. N.2 of Resolution R-91-1179, Petition No. 84-54(C) (BUILDING))

P. 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. (Previously Condition No. P.1 of Resolution R-91-1179, Petition No. 84-54(C) (CODE ENFORCEMENT))
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. (Previously Condition No. P.2 of Resolution R-91-1179, Petition No. 84-54(C) (CODE ENFORCEMENT))

Q. PLATTING

1. Prior to site plan approval, property owner shall record a Unity of Title on the existing platted lots. (Previously Condition No. Q.1 of Resolution R-91-1179, Petition No. 84-54(C) (ZONING/COUNTY ATTORNEY)
[Status: Completed/Satisfied]

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. (Previously Condition No. R.1 of Resolution R-91-1179, Petition No. 84-54(C) (SWA))

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. (**Previously** Condition No. S.2 of Resolution R-91-1179, Petition No. 84-54(C) (BUILDING))
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. (Previously Condition No. 5.2 of Resolution **R-91-1179**, Petition No. 84-54(C) (ZONING))
 3. No signs shall encroach into the vegetation **preservation** areas. (Previously Condition No. S.3 of Resolution **R-91-1179**, Petition No. 84-54(C) (BUILDING))
 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. (Previously Condition No. S.4 of Resolution R-91-1179, Petition No. 84-54(C) (CODE ENFORCEMENT))
 5. 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. (Previously Condition No. S.5 of Resolution R-91-1179, Petition No. 84-54(C) (BUILDING))

T. USE LIMITATION

1. Condition **T.I** Resolution R-91-1179, Petition No. 84-54(C) which states:

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

Is hereby amended to state:

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)

2. No outdoor loudspeaker system audible off site shall be permitted. (Previously Condition No. T.2 of Resolution R-91-1179, Petition No. 84-54(C) (CODE ENFORCEMENT))
3. Condition 0.2 of Resolution R-91-1179, Petition No. **84-54 (C)** which states:

This approval is specifically limited to Phase I, which includes all uses as shown, including a 140 bed hospital facility. Expansion of the hospital beyond the 140 hospital beds shall require reconsideration from the Board of county Commissioners.

Is hereby deleted Reason: Duplicated by Condition P.1

4. 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)

5. 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)

V. COMPLIANCE

1. 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**. (Previously Condition No. V.1 of Resolution R-91-1179, Petition No. 84-54(C) (MONITORING)