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RESOLUTION APPROVING ZONING PETITION EAC96-07(A)
DEVELOPMENT ORDER AMENDMENT
PETITION OF PETSMART, INC.
BY KIERAN KILDAY, AGENT
(MISSION BAY CORPORATE PARK)

13/07

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 **EAC96-07(A)** was presented to the Board of County Commissioners at a public hearing conducted on January **6, 1997**; 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 EAC96-07(A), the petition of PETSMART, Inc., by Kieran Kilday, agent, for a Development Order Amendment/Expedited Application Consideration for a Veterinary clinic (requested use) 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 6, 1997, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marcus moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on January 6, 1997.

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

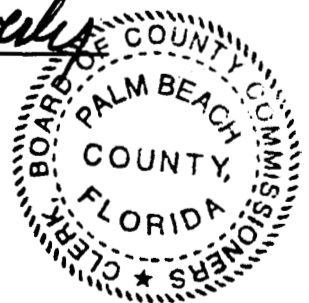


EXHIBIT A
LEGAL DESCRIPTION

DESCRIPTION:

BEING ALL OF PARCEL NO. 1 AND PARCEL NO. 2 ACCORDING TO THE PLAT OF MISSION BAY TRACT "O" AS RECORDED IN PLAT BOOK 59, PAGES 196 AND 197, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

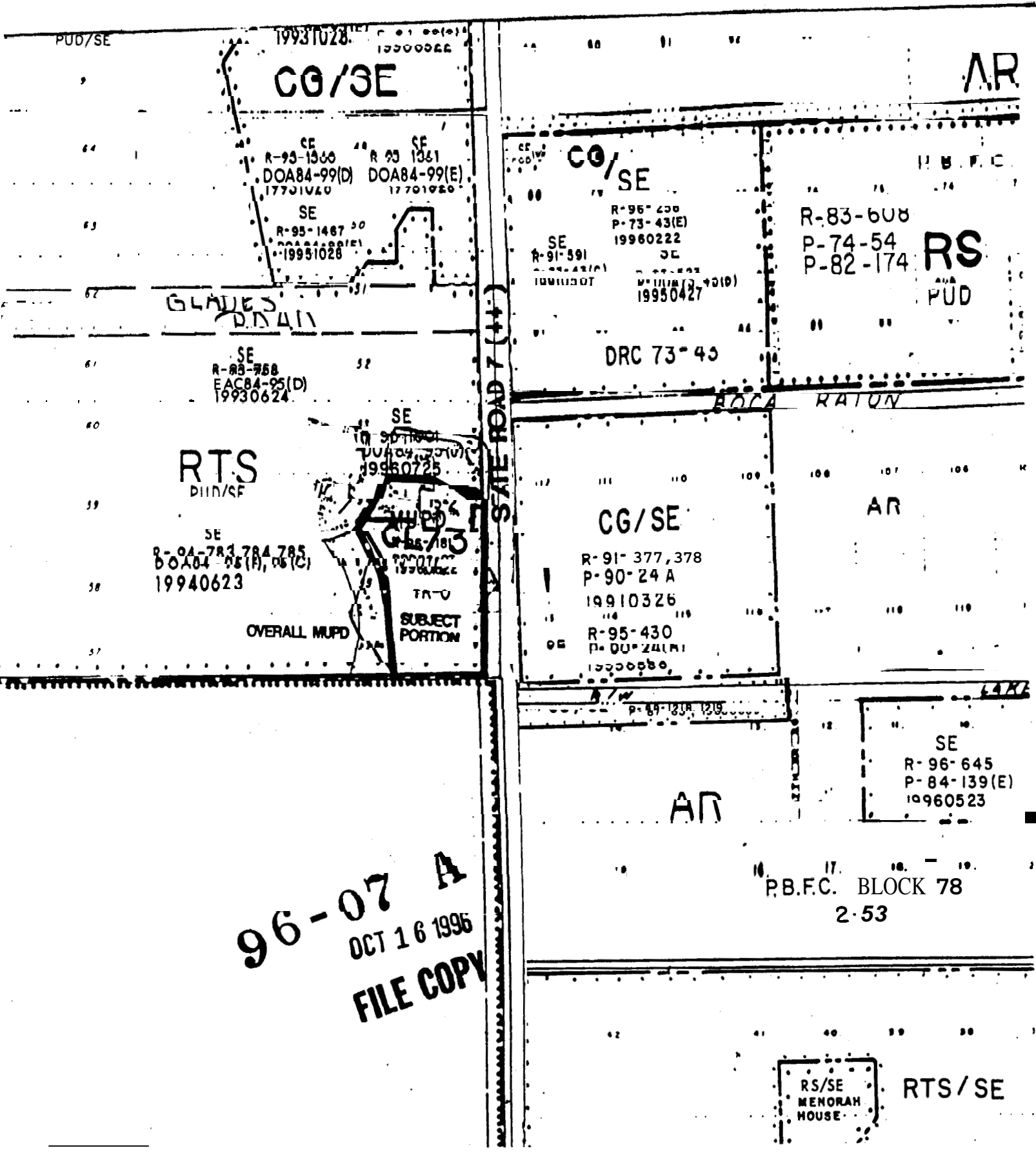
TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

BEING A PORTION OF THE LANDSCAPE BUFFER (TRACT "P") ACCORDING TO THE PLAT OF MISSION BAY AS RECORDED IN PLAT BOOK 53, PAGES 112 THROUGH 120 INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHEAST CORNER OF THE PREVIOUSLY DESCRIBED PARCEL NO. 2; THENCE SOUTH $70^{\circ}25'37''$ EAST, A DISTANCE OF 27.39 FEET; THENCE SOUTH $04^{\circ}33'42''$ EAST, A DISTANCE OF 873.93 FEET; THENCE SOUTH $85^{\circ}47'34''$ WEST; A DISTANCE OF 433.17 FEET (THE LAST TWO DESCRIBED COURSES BEING COINCIDENT WITH THE BOUNDARY OF SAID LANDSCAPE BUFFER); THENCE NORTH $15'29'07''$ WEST, A DISTANCE OF 25.49 FEET; THENCE NORTH $85^{\circ}47'34''$ EAST ALONG THE SOUTH LINE OF THE PREVIOUSLY DESCRIBED PARCEL NO. 1; A DISTANCE OF 413.00 FEET; THENCE NORTH $04'33'42''$ WEST ALONG THE EAST LINE OF THE PREVIOUSLY DESCRIBED PARCEL NO. 1 AND PARCEL NO. 2, A DISTANCE OF 859.98 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 11.22 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH



96-07 A
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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 Resolutions R-96-1181 (Petition ~~96-07~~), **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 **approved by** the Board of County Commissioners (Exhibit dated ~~July 12, 1996~~ **October 16, 1996**). 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**. (Previously Condition A.1 of Resolution R-96-1181, Petition 96-07) (ONGOING: ZONING)

B. ACCESS

1. **No** truck deliveries shall be permitted from the Calle Comercio **access**. (Previously Condition D.1 of Resolution R-96-1181, Petition 96-07) (ONGOING: CODE ENF)

C. BUILDING AND SITE DESIGN

1. Open storage or placement of any material, refuse, equipment or ~~debris~~ shall not be permitted in the rear of the shopping center. (Previously Condition **A2** of Resolution R-96-1181, Petition 96-07) (ONGOING: CODE ENF)
2. The funeral home shall be limited to chapel services and viewing **only**. **No** cremation, embalming or body preparation shall be done **on** site. (Previously Condition A.3 of Resolution R-96-1181, Petition 96-07) (ONGOING: ZONING/CODE ENF)
3. **Hours** of operation for the shopping center shall be limited from ~~7~~ **7** am. to **11 pm**, with the exception ~~of~~ Thanksgiving to New Year's, annually, and special events as permitted pursuant to the ULDC. (Previously Condition **A.4** of Resolution R-96-1181, Petition 96-07) (ONGOING: ZONING/CODE ENF)
4. **Garbage/trash** shall not be picked up between the hours ~~of~~ **11 p.m.** and **8 a.m.**. (Previously Condition A.5 of Resolution R-96-1181, Petition 96-07) (ONGOING: ZONING/CODE ENF)

D. HEALTH

1. Generation and disposal of any hazardous effluent into sanitary **sewage** system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection and agency responsible for sewage **works** are constructed and **used** by project tenant **or** owner generating such effluent. (**Previously** Condition B.1 of Resolution R-96-1181, Petition **96-07**) (ONGOING: HEALTH/CODE ENF)
2. Any **biomedical waste** ~~which~~ may be generated at this site shall be properly **handled** and disposed of in accordance with Chapter 10D-104FAC. (ONGOING: HEALTH/CODE ENF)

E. ENGINEERING

1. The Property owner shall construct **a** right turn lane on SR **7** ~~a:~~the projects entrance road on SR **7**. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to utility relocations. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (**Previously** Condition E.1 of Resolution R-96-1181, Petition 96-07) (BLDG PERMIT/CO: MONITORING - Eng)
2. Prior to Development Review Committee approval the property owner shall:
 - a) incorporate into the master signage program for the site, **t**raffic directional signs for northbound vehicles on SR **7** entering the site. Location and type of these signs shall be approved **by** the Florida Department of Transportation and the County Engineer. Placement of these signs shall be completed concurrent **with** the construction of the right turn lane on SR **7** required above,
 - b) the property owner shall revise the site plan to provide for a minimum of **100** foot clear area for vehicles entering and exiting the site from the southerly entrance from Calle **Comercio**. (**Previously** Condition E.2 of Resolution R-96-1181, Petition E6-07) (DRC: ENG).

3. LANDSCAPE WITHIN MEDIAN

- A.** Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public **Works** Department for a permit to upgrade all the landscaping of the adjacent median of SR **7**. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and **Public Works** Department March **1994** Streetscape Standards and shall be consistent with the landscaping theme adopted for this roadway. **All** landscape material, installation, and **maintenance** requirements shall be subject to the standards 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. **(Previously Condition E.3.a of Resolution R-96-1181, Petition 96-07) (BLDG PERMIT: MONITORING - Eng)**

B. All required median landscaping, including **an irrigation system if required** shall be installed at the property owners expense. All 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 on or before the issuance of a Certificate of Occupancy. **(Previously Condition E.3.b of Resolution R-96-1181, Petition 96-07) (CO: MONITORING - Eng)**

C. Declaration **of** Covenants and Restriction Documents shall be established or amended as required, prior to issuance of a certificate of occupancy to reflect this obligation. **(Previously Condition E.3.c of Resolution R-96-1181, Petition 96-07) (CO: Monitoring - Eng)**

4. **No** building permits shall be issued without a new traffic study addressing the County Traffic Performance Standards (TPS and traffic conditions existing at the time of permit application, if the ownership of Mission Bay Corporate Park is not the same **as** the Mission Bay PUD (currently shown as Mission Bay Community Associates, Inc.). (Note: The traffic study approved with Petition **96-07** assumes that the Corporate Park is still one "project" with the Mission Bay PUD because of the same ownership and shared infrastructure. Consequently, all trips between the Corporate Park and PUD are considered "**internal**" trips for purposes of TPS and impact fee calculation). **(Previously Condition E.4 of Resolution R-96-1181, Petition 96-07) (BLDG PERMIT: MONITORING - Eng)**

5. Existing impact fee credits from Mission Bay PUD shall be made available to the commercial tract (Petition **No. PDD96-07**) and for the additional multi-family units for Tract "F" (Petition **No. DOA84-95(I)**), **(Previously Condition E.5 of Resolution R-96-1181, Petition 96-07) (BLDG PERMIT: IMPACT FEE COORDINATOR)**

F. **LANDSCAPING - STANDARD**

1. All canopy trees required to be planted on site by this approval, except on individual residential lots, shall meet the following minimum standards at installation:

- a. Tree height: fourteen **(14)** feet.
- b. Trunk diameter: **3.5** inches measured **4.5** feet above grade.
- c. Canopy diameter: seven **(7)** feet. Diameter shall be determined by the average canopy radius at **3** points measured from the trunk to the outermost branch tip. Each radius shall measure at least **3.5** feet in length. **(Previously Condition J.1 of Resolution R-96-1181, Petition 96-07) (CO: LANDSCAPE - Zoning)**

G. LANDSCAPING - INTERIOR

1. Prior to final **DRC** certification, the site plan shall be amended to reflect the following:
 - a. Ten **(10)** foot wide landscape divider medians between all rows of abutting parking with one **(1)** tree and appropriate **ground cover** planted for each thirty **(30)** linear feet of the divider median.
 - b. Interior grade-level tree planters shall be required within all rows of abutting parking not having ten **(10)** foot wide landscape divider medians, in accordance with Section **7.3.E.2.a(2)(b)** of the **ULDC**.
 - c. The five **(5)** foot wide landscape divider medians depicted on the July **12, 1996** site plan may be maintained provided that at final **DRC** it is determined by **DRC** that the medians are in excess of the required interior landscape requirements. Such determination by the **DRC** shall be based on calculations and plans submitted by the petitioner.
 - d. Landscape dividers adjacent to the **SR 7/US 441** shall be required to reflect a ten **(10)** foot wide minimum width, exclusive of sidewalks.
 - e. Landscaped divider medians with at grade bicycle and pedestrian cuts shall be provided in the center of all driveways over thirty **(30)** feet in width providing ingress or egress to the site. The minimum width of this median shall be six **(6)** feet. The minimum length of this median shall be twenty five **(25)** feet. A minimum width of five **(5)** feet of landscaped area shall be provided. One tree and appropriate ground cover shall be planted for each twenty **(20)** linear feet of the divider median.
 - f. Landscape islands shall be provided along the front and side facades of all structures. The minimum width of the required landscape islands shall be five **(5)** feet. The combined length of the required landscape islands shall be no less than **40%** of the total length of the applicable side of the structure. All required landscape islands shall be planted with a minimum of **one (1)** tree every 20 feet on center and appropriate ground cover.
 - g. One landscape island shall be provided for every ten **(10)** parking spaces. The maximum spacing between landscape islands shall not exceed one hundred five **(105)** linear feet. (Previously Condition K.I of Resolution R-96-1181, Petition 96-07) (**DRC: ZONING**)

H. LANDSCAPING ALONG SOUTH PROPERTY LINE (ABUTTING RESIDENTIAL)

1. Landscaping and buffering along the south property line shall be upgraded to include:

- a. **A six (6) foot high concrete wall on top of a continuous two (2) foot high berm. The exterior side of the wall shall be given a finished architectural treatment which is compatible and harmonious with abutting development. (Previously Condition L.1 of Resolution R-96-1181, Petition 96-07) (CO: LANDSCAPE)**
2. The following landscaping requirements shall be installed on the exterior side of the required wall:
 - a. One **(1)** canopy tree planted every twenty **(20)** feet on center;
 - b. One **(1)** palm or pine tree for each twenty **(20)** linear feet, with a minimum spacing of sixty **(60)** feet on center. A group of three or more palm or pine trees may supersede the requirement for a canopy tree in that location; and
 - c. Thirty **(30)** inch high shrub 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. (Previously Condition L.2 of Resolution R-96-1181, Petition 96-07) (DRC / CO: ZONING / LANDSCAPE)
 3. Along the interior side of the required wall, the property owner shall install twenty-four **(24)** inch high shrub 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. (Previously Condition L.3 of Resolution R-96-1181, Petition 96-07) (DRC / CO: ZONING / LANDSCAPE)

I. LANDSCAPING ALONG EAST PROPERTY LINE (ABUTTING R-O-W)

1. Landscaping and buffering along the east property line shall be upgraded to include:
 - a. One canopy tree thirty **(30)** feet on center planted in a staggered form on the interior and exterior side of a thirty-six **(36)** inch high shrub or hedge material spaced no more than twenty-four **(24)** inches on center at time of installation.
 - b. One **(1)** palm or pine tree for each twenty **(20)** linear feet, with a minimum spacing of sixty **(60)** feet on center. A group of three or more palm or pine trees may supersede the requirement for a canopy tree in that location. (Previously Condition N.11 of Resolution R-96-1181, Petition 96-07) (DRC/CO: ZONING/ LANDSCAPE)

J. LANDSCAPING ALONG WEST PROPERTY LINE (ABUTTING RESIDENTIAL)

1. Landscaping and buffering along the west property line **shall** be upgraded to include:
 - a. **A six (6) foot high green vinyl chain link fence. (Previously Condition N.1 of Resolution R-96-1181, Petition 96-07) (DRC / CO: ZONING / LANDSCAPE)**
2. The following landscaping requirements shall be installed on the exterior side of the required fence:

- a. One **(1)** canopy tree planted every twenty **(20)** feet on center;
- b. One **(1)** palm or pine tree for each twenty **(20)** linear feet, with a minimum spacing of sixty **(60)** feet on center. A group of three or more palm or pine trees may supersede the requirement for a canopy tree in that location; and
- c. Thirty **(30)** inch high shrub 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. (Previously Condition **N.2** of Resolution R-96-1181, Petition 96-07) (DRC / CO: ZONING / LANDSCAPE)

K. LIGHTING

- 1. All outdoor lighting used to illuminate the subject property and identification signs shall be of low intensity, shielded and directed down and away from adjacent properties and streets. (Previously Condition G.1 of Resolution R-96-1181, Petition 96-07) (CO/ ONGC ING: BLDG / CODE ENF -Zoning)
- 2. All outdoor lighting fixtures shall not exceed twenty-five **(25)** feet in height, measured from finished grade to highest point. (Previously Condition G.2 of Resolution R-96-1181, Petition 96-07) (CO: BLDG - Zoning)

L. MASS TRANSIT

- 1. Condition F.1 of Resolution R-96-1181, Petition 96-07 which currently states:

Prior to final certification of the master plan or site plan by the Development Review Committee, whichever occurs first, the petitioner shall amend the plan to indicate bus access and/or a bus stop(s) on or adjacent to the subject property. Bus access and/or bus stops shall be located and constructed by the petitioner in a manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer. The petitioner shall dedicate additional right-of-way to accommodate this requirement, if requested by the County Engineer. Bus stops, if required, shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject property or use, and bicycle rack.

Is hereby amended to read:

A Prior to final certification of the preliminary development plan or site plan by the Development Review Committee, whichever occurs first, the petitioner shall amend the plan to indicate one or more of the following: mass transit access, mass transit shelter(s) and/or a bus stop(s) on or adjacent to the subject property, if required by the Palm Beach County School Board and/or Palm Tran. (DRC: ZONING)

B. Mass transit access, shelters and/or bus stops, if required, shall be constructed by the petitioner in a location and manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer prior to issuance of the next certificate of occupancy (CO). The petitioner shall accommodate the requirement for mass transit access, bus shelters and/or bus stops by dedicating additional right-of-way, if requested by the County Engineer. Provisions for mass transit shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject property or use to the shelter, appropriate lighting, waste container, and bicycle rack. Bus shelters or bus stops located on private property or in common areas shall be the maintenance responsibility of the property owner. (CO: MONITORING - Eng)

2. All printed and electronic advertising for the project, when practical, shall contain information that mass transit service to the site is available. This condition shall apply to advertising for the entire project only, not to individual stores or tenants. (ONGOING: PALM TRAN)
3. Commercial locations which are open to the public shall not restrict public mass transit access. (ONGOING: PALM TRAN)

M. MUPD

1. **Total** retail gross floor area for Phase II shall be limited to a **maximum** of **112,000** square feet. (Previously Condition C.1 of Resolution R-96-1181, Petition 96-07) (ONGOING: ZONING)
2. The shopping center shall be limited to **123,255** square feet. Expansions shall be limited to five per cent (**5%**) or **1,000** square feet, whichever is less. (Previously Condition C.2 of Resolution R-96-1181, Petition 96-07) (DRC: ZONING)
3. To ensure consistency with the site plan dated July **12, 1996** presented to the Board of County Commissioners, no more than **twenty-five (25)** percent of the total approved square footage or other area indicated as being covered by structures shall be relocated to portions of the site not previously covered. (Previously Condition C.3 of Resolution R-96-1181, Petition 96-07) (DRC: ZONING)
4. **No** single retail user/space shall exceed **55,000** square feet. (Previously Condition C.4 of Resolution R-96-1181, Petition 96-07) (DRC: ZONING)
5. Prior to certification of the preliminary development plan by the Development Review Committee, the property owner shall record in the public record a covenant requiring architectural consistency between all buildings and signage. The covenant shall be recorded in a form and manner acceptable to the County Attorney. The covenant shall not be removed, altered, changed or amended without written approval from the Zoning Director. (Previously Condition C.5 of Resolution R-96-1181, Petition 96-07) (DRC: ZONING - Co Att)

6. Prior to certification of the preliminary development plan by the Development Review Committee, the property owner shall record a covenant in the public record indicating that all structures, uses and parking areas within the project are part of a single unified planned development, regardless of ownership. The covenant shall be recorded in the public record in a manner and form acceptable to the County Attorney. The covenant shall not be removed, altered, changed or amended without written approval from the Zoning Director. **(Previously Condition C.6 of Resolution R-96-1181, Petition 96-07) (DRC: ZONING)**

N. PARKING

1. All delivery and/or loading areas shall be screened from view from the west property line by a twelve **(12)** foot high wing wall, measured from finished grade to highest point. The wing wall shall be constructed in a manner consistent with the color, character and architectural style of the principle structure. **(Previously Condition H.1 of Resolution R-96-1181; Petition 96-07) (CO: BLDG - Zoning)**
2. Overnight storage or parking of delivery vehicles or trucks shall not be permitted on site, except within designated loading and delivery areas. **(Previously Condition H.2 of Resolution R-96-1181, Petition 96-07)(ONGOING: CODE ENF)**
3. Prior to final site plan certification by the Development Review Committee (DRC), the site plan shall be amended to include shopping cart storage and retrieval corrals in all retail parking areas. **(Previously Condition H.3 of Resolution R-96-1181, Petition 96-07) (DRC: ZONING)**
4. All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and trash compactors, shall not be located within thirty **(30)** feet of the west property line and shall be confined to the areas designated on the site plan. **(Previously Condition H.4 of Resolution R-96-1181, Petition 96-07) (DRC / ONGOING: ZONING / CODE ENF)**
5. Prior to final site plan certification by the Development Review Committee (DRC), the site plan shall be amended to reflect the relocation of the existing dumpster so as to coincide with the service vehicle traffic flow of the proposed shopping center. **(Previously Condition H.5 of Resolution R-96-1181, Petition 96-07) (DRC: ZONING)**

O. SIGNS

1. Point of purchase and/or freestanding signs fronting on State Road 7 shall be limited as follows:
 - a. Maximum number of signs • two **(2)**;
 - b. Maximum sign height, measured from finished grade to highest point • for one sign, twenty **(20)** feet, for second sign ten (10) feet;
 - c. Maximum sign face area per side • for one sign, 180 square feet, for second sign 100 square feet;
 - d. Style • monument style only, for both signs. **(Previously Condition 1.1 of Resolution R-96-1181, Petition 96-07) (CO: BLDG)**

2. Point of purchase and/or freestanding signs fronting on Calle Comercio Road shall be limited as follows:
 - a. Maximum number of signs - one **(1)**;
 - b. Maximum sign height, measured from finished grade to **highest** point - ten **(10)** feet;
 - c. Maximum sign face area per side - **100** square feet;
 - d. Style - monument style only. (Previously Condition **1.2** of Resolution R-96-1181, Petition 96-07) (CO: 'BLDG)

3. Off-premises directional signs along Calle Comercio Road shall **have** approval from the Mission Bay Community Association and **shall be** limited to the following:
 - a. Maximum number of signs - one **(1)**;
 - b. Maximum sign height, measured from finished grade to **highest** point - eight **(8)** feet;
 - c. Maximum sign face area per side - **24** square feet
 - d. Style - monument style only. (Previously Condition **1.3** of Resolution R-96-1181, Petition 96-07) (CO: BLDG)

4. Prior to the issuance of a building permit for signs, the petitioner shall submit documentation from the Mission Bay Community Association approving the architectural design of all proposed signs. (Previously Condition **1.4** of Resolution R-96-1181, Petition 96-07) (BLDG PERMIT: ZONING)

P. VETERINARY CLINIC

1. One veterinary clinic shall be permitted on site, limited to a maximum of 1,925 square feet of floor area. (BLDG PERMIT: BLDG - Zoning)
2. No overnight boarding, outdoor dog runs or confinement areas shall be permitted. All uses shall be conducted indoors. (ONGOING - CODE **ENF**)

Q. COMPLIANCE

1. 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; 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.

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. (Previously Condition 0.1 **of** Resolution **R-96-1181**, Petition **96-07**) (MONITORING)