

RESOLUTION NO. R-2000-0893

RESOLUTION APPROVING ZONING PETITION PDD77-021(E)  
OFFICIAL ZONING MAP AMENDMENT  
TO A PLANNED DEVELOPMENT DISTRICT(PDD)  
PETITION OF ROYAL PALM POLO  
BY ROBERT BENTZ, AGENT  
(ROYAL PALM POLO)

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 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition PDD77-021(E) was presented to the Board of County Commissioners at a public hearing conducted on June 29, 2000; and,

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

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

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan;
2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment (rezoning) with approved conditions is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
4. This official zoning map amendment (rezoning) with approved conditions does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment (rezoning) with approved conditions will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11, (Adequate Public Facilities) of the Palm Beach County Unified Land Development Code, Ordinance 92-20; and,
7. This official zoning map amendment (rezoning) with approved conditions is consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) 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 PDD77-021 (E), the petition of Royal Palm Polo, by Robert Bentz, agent, for an Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) with an existing arena or stadium on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on June 29, 2000, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Newell moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on June 29, 2000.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY : BY: Joan Hawley  
CODIFIED BY: \_\_\_\_\_

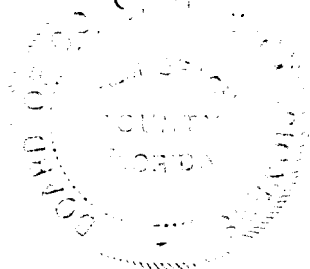


EXHIBIT A

LEGAL DESCRIPTION

PARCEL A: :

THE SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 34, LESS THE EAST 602.54 FEET THEREOF IN TOWNSHIP 46 SOUTH, RANGE 42 EAST, LESS AND EXCEPTING THE WEST 60.00 FEET OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 34, LESS AND EXCEPTING THE WEST 60.00 FEET OF THE SOUTH 1,287.91 FEET OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SECTION 34; AND LESS AND EXCEPT THE FOLLOWING: COMMENCE AT THE SOUTHWEST CORNER OF THE SAID SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 34; THENCE NORTH 01' 03' 59" WEST, ALONG THE WEST LINE OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 34, 1257.67 FEET TO A POINT, THENCE NORTH 88° 56' 01" EAST, 60.00 FEET TO A POINT 60.00 FEET EAST OF AND PARALLEL WITH THE SAID WEST LINE OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 34 AND THE POINT OF BEGINNING; THENCE NORTH 01' 30' 59" WEST, ALONG SAID PARALLEL LINE 79.30 FEET; THENCE SOUTH 46' 38' 53" EAST, 35.00 FEET; THENCE SOUTH 13' 23' 59" EAST, 56.10 FEET; THENCE SOUTH 01' 03' 59" EAST, 10.12 FEET; THENCE SOUTH 43° 56' 01" WEST, 35.36 FEET; THENCE SOUTH 01' 03' 59" EAST 236.88 FEET, THENCE SOUTH 12' 26' 41" WEST, 51.36 FEET TO THE SAID PARALLEL LINE 60.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE WEST LINE OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 34; THENCE NORTH 01' 03' 59" WEST, ALONG SAID PARALLEL LINE, 321.94 FEET TO THE SAID POINT OF BEGINNING.

PARCEL B:

A PORTION OF OLD CLINT MOORE ROAD RIGHT-OF-WAY, ABANDONED IN OFFICIAL RECORD BOOK 6593, PAGES 16 THROUGH 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

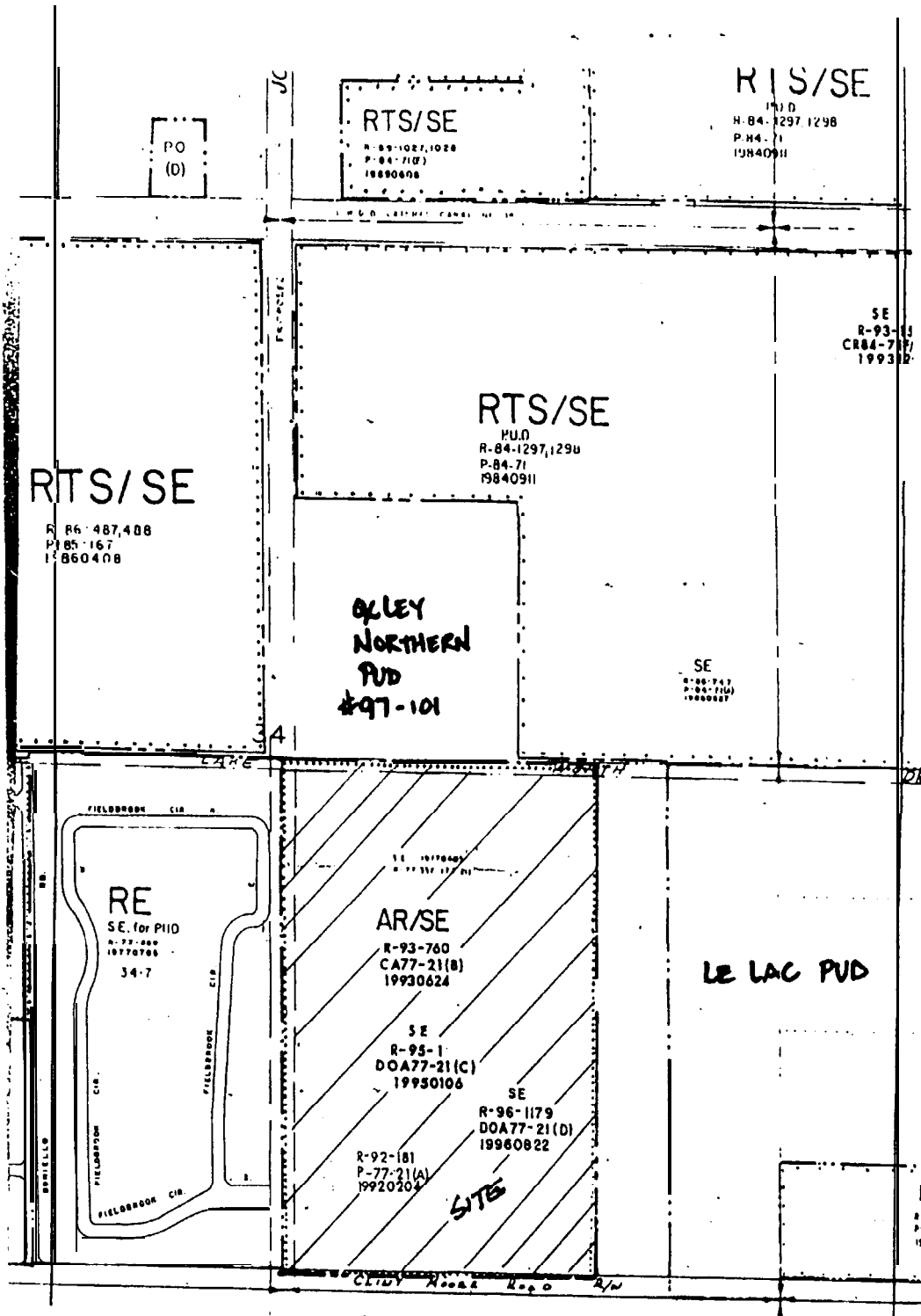
THAT PORTION OF OLD CLINT MOORE ROAD LYING IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 42 EAST AND SECTION 3, TOWNSHIP 47 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF SAID SECTION 34; THENCE NORTH 89° 13' 13" EAST, ALONG THE SOUTH LINE OF SAID SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 34 (THE SOUTH LINE OF SAID SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 34 IS ASSUMED TO BEAR NORTH 09° 13' 13" EAST AND ALL OTHER BEARINGS ARE RELATIVE THERETO), A DISTANCE OF 60.00 FEET TO THE EAST LINE OF THE WEST 60.00 FEET OF SAID SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 34, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 01' 03' 59" WEST, ALONG THE EAST LINE OF THE WEST 60.00 FEET OF SAID SOUTHEAST ONE QUARTER (SE 1/4) OF SECTION 34, A DISTANCE OF 44.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF A 66.00 FOOT WIDE POSTED AND VIEWED RIGHT-OF-WAY BEING RECORDED IN PALM BEACH COUNTY COMMISSIONER'S MINUTE BOOK 24, PAGES 104 THROUGH 186; THENCE NORTH 89° 13' 13" EAST, ALONG THE NORTH LINE OF SAID POSTED AND VIEWED RIGHT-OF-WAY OF OLD CLINT MOORE ROAD, SAID NORTH RIGHT-OF-WAY LINE ALSO BEING THE NORTH LINE OF THE SOUTH 44.00 FEET OF THE SOUTHEAST ONE QUARTER (SE 1/4) OF SAID SECTION 34, A DISTANCE OF 2022.11 FEET TO A POINT OF INTERSECTION WITH THE SOUTHERLY EXTENSION OF THE WEST BOUNDARY LINE OF LE LAC, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 39, PAGES 145 AND 146, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 01' 01' 59" EAST, ALONG THE SOUTHERLY EXTENSION OF SAID WEST BOUNDARY LINE AND DEPARTING THE NORTH LINE OF SAID POSTED AND VIEWED RIGHT-OF-WAY OF OLD CLINT MOORE ROAD, A DISTANCE OF 66.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF OLD CLINT MOORE ROAD, SAID RIGHT-OF-WAY LINE BEING THE SOUTH LINE OF THE SAID POSTED AND VIEWED RIGHT-OF-WAY, SAID RIGHT-OF-WAY LINE ALSO BEING DESCRIBED AS THE CENTERLINE OF THE LAKE WORTH DRAINAGE DISTRICT CANAL L-40 IN SAID POSTED AND VIEWED DESCRIPTION; THENCE SOUTH 89° 13' 13" WEST, ALONG THE SOUTH LINE OF SAID POSTED AND VIEWED RIGHT-OF-WAY, AND ALONG THE CENTERLINE OF SAID L-40 CANAL, SAID SOUTH RIGHT-OF-WAY LINE ALSO BEING THE SOUTH LINE OF THE NORTH 22.00 FEET OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SAID SECTION 3, A DISTANCE OF 2022.12 FEET TO THE EAST LINE OF THE WEST 60.00 FEET OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SAID SECTION 3; THENCE NORTH 00° 57' 42" WEST, ALONG THE EAST LINE OF THE WEST 60.00 FEET OF THE NORTHEAST ONE QUARTER (NE 1/4) OF SAID SECTION 3 AND DEPARTING THE SOUTH LINE OF SAID POSTED AND VIEWED RIGHT-OF-WAY AND THE CENTERLINE OF SAID L-40 CANAL, A DISTANCE OF 22.00 FEET TO THE POINT OF BEGINNING.  
LESS AND EXCEPT PARCEL D (AS DESCRIBED BELOW)

PARCEL D:

THE NORTH 22 FEET OF THE NORTHEAST ONE QUARTER (1/4) OF SECTION 3, TOWNSHIP 47 SOUTH, RANGE 42 EAST, LESS THE WEST 60 FEET AND LESS THE EAST 602.54 FEET THEREOF.

EXHIBIT B  
VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### A. ALL PETITIONS

1. Resolutions R-96-I 179, granting approval of Petition 77-21 (D), R-95-I granting approval of Petition 77-21(C), R-93-760, granting approval of Petition 77-21(B), R-92-181, granting approval of Petition 77-21 (A), and R-77-332, granting approval of Petition 77-21, are hereby revoked. (MONITORING)
2. Development of the site is limited to the uses and site design approved by the Board of County Commissioners. The approved site plan is dated April 27, 2000. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING)

#### B. ARCHITECTURAL CONTROL

1. All buildings and structures shall be designed and constructed to be compatible with the general architectural character of surrounding residential areas and existing buildings on the site. Compatibility shall be defined as having a minimum of three (3) of the following:
  - a. Similar exterior colors;
  - b. Similar building materials;
  - c. Similar roof lines or treatment (i.e. dormers, cupola, pitched roof, etc.);
  - d. Similar architectural decorative details and trims (i.e. columns, pilasters, quoins, banding, louvers, etc.); and,
  - e. Similar entry features. (BLDG PERMIT: BLDG - Zoning)
2. Exterior colors shall be neutral (whites and grays), pastel, or earth tone colors. Building colors shall be varied by providing contrasting, but complimentary, colors for the building trims (i.e. stucco banding, door and window frames, etc.). Roof and trim colors shall be coordinated and complimentary with base colors. (DRC/BLDG PERMIT: ZONING/BLDG/ZONING)
3. All roofs shall be either a hip-on-deck or full pitched roof design. The roof design shall have a minimum of three (3) roof breaks with varying roof heights or varying roof planes on the same building to add visual interest and provide a vertical transition between the height of the building and the pedestrian environment. Roof material shall be barrel tile, cement tile, or stand seams on all four (4) sides. (BLDG PERMIT: ZONING/BLDG - Zoning)
4. All rear facade, dumpster, loading or service areas of each new building shall be oriented to the north or south side of the building, completely screened from all adjacent properties and right-of-way, and shall not be internally oriented to the common courtyard. (DRC/BLDG PERMIT: ZONING/BLDG)
5. Similar architectural character and treatment, including but not limited to color, roof pitch and treatment, material, fenestration, and horizontal and vertical architectural details shall be provided on all sides of the buildings within the MUPD. More detailed architectural design elements shall be located on the facades oriented to Jog Road and the common courtyard. (DRC/BLDG PERMIT: ZONING/BLDG)

6. All building entrances shall be restricted to the east facade of the building and/or the facades which are inwardly oriented to the common courtyard. Doorways on the west facade of the new buildings shall be restricted to exit only. (DRC/BLDG PERMIT: ZONING/BLDG)
7. Prior to issuance of the first building permit within Phase 1, colored architectural elevations for the applicable building shall be submitted for approval by the Architectural Review Section of the Zoning Division. The elevations shall incorporate the requirements of all the architectural conditions above. All new buildings shall be constructed in accordance with these elevations. Minor modifications may be permitted provided the new architectural treatments are equal to or an upgrade of the original architectural treatment and are approved by the Architectural Review Section of the Zoning Division. (BLDG PERMIT: ZONING)

C. BUILDING AND SITE DESIGN

1. All new or renovated air conditioning and mechanical equipment and satellite dishes shall be screened from view on all sides by a visually opaque barrier consistent with the color and character of the principle structure or equivalent landscape material. (BLDG PERMIT: BLDG)
2. The maximum height for all new structures, including all air conditioning and mechanical equipment and satellite dishes, measured from the finished grade to highest point, shall not exceed twenty-five (25) feet and be limited to one-story. (BLDG PERMIT: BLDG - Zoning)
3. To ensure consistency with the site plan dated April 27, 2000 presented to the Board of County Commissioners, all structures or accessory outdoor dining areas within Phase 1 shall be setback a minimum of 180 feet from the west property line (Jog Road frontage). (DRC/BDLG PERMIT: ZONING/BLDG - Zoning)

D. LAKE WORTH DRAINAGE DISTRICT

1. The property owner shall convey to the Lake Worth Drainage District the north 95 feet of the southeast one quarter of Section 34, Township 46 South, Range 42 East less the east 970 feet and also less the west 60 feet thereof for the required right-of-way for Lateral Canal No. 39, by Quit Claim Deed or an Easement Deed in the form provided by said District prior to January 15, 1992. (DATE: ENG / MONITORING) [Note: This condition is complete.]

E. ENGINEERING

1. Prior to January 1, 1996, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed additional right of way for the construction of a right turn lane on Jog Road at the project's entrance road. This right-of-way shall be a minimum of 280 feet in storage length, twelve feet in width and a taper length of 50 feet. This additional right of way shall be free of all encumbrances and encroachments and shall include "Safe Sight Corners" where appropriate as determined by the County Engineer. 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. (DATE: MONITORING - Eng) [Note: This condition is complete.]

2. The Property owner shall fund the construction of a right turn lane, south approach on Jog Road at the project's entrance road. Any and all construction costs associated with the construction of this right turn lane in the amount of \$5,000.00 shall be paid available to Palm Beach County prior to January 1, 1996. Construction of this right turn lane shall be completed by Palm Beach County concurrent with the six lane construction of Jog Road. (DATE: MONITORING - Eng) [Note: This condition is complete.]
  
3. **LANDSCAPE WITHIN MEDIAN**
  - a) Prior to January 1, 1998, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape the adjacent median of Jog Road right-of-way adjacent to the lease parcel for the School Site. 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. (DATE: 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 March 1, 1998. (DATE: MONITORING - Eng)
  
  - c) Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to March 1, 1998 to reflect this obligation. (DATE: MONITORING - Eng)
  
  - d) If, prior to January 1, 1998, the All Star Academy and Sports Camp ceases operation, the property owner shall not be required to provide the median landscaping as enumerated in Conditions E.3.a) - c) above until such time as another development proposal is approved by the Board of County Commissioners or another school occupies the site. In the event that another development order is approved by the Board of County Commissioners for a new commercial or residential project, the developer shall be required to install the median landscaping as enumerated in Conditions E.3.a), E.3.b), and E.3.c).

F. LANDSCAPING - GENERAL

1. All canopy trees required to be planted on site by this approval, Petition 77-021 (E), 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; and,
  - d. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)
2. All palms required to be planted on site by this approval, Petition 77-021 (E), shall meet the following minimum standards at installation:
- a. Palm heights: Twelve (12) feet clear trunk;
  - b. Clusters: Staggered heights twelve (12) to eighteen (18) feet; and,
  - c. Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)
3. A group of three or more palm or pine trees may not supersede the requirement for a perimeter canopy tree in that location, unless specified herein. (CO: LANDSCAPE - Zoning)

G. LANDSCAPING - INTERIOR (WITHIN NEW PORTIONS OF PHASE 1)

- 1. A minimum of one (1) landscape island shall be provided for every ten (10) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred (100) linear feet. (DRC: ZONING)
- 2. 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, inclusive of curbing. 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. (DRC: ZONING)
- 3. Foundation plantings or grade level planters shall be upgraded along all sides of each structure as follow:
  - a. A minimum width of eight (8) feet;
  - b. One (1) medium canopy tree every twenty (20) linear feet of building facade with a maximum spacing of forty (40) feet between trees;
  - c. One (1) additional palm every thirty (30) linear feet of building facade. These may be grouped and located at architectural focal points of the building; and,
  - d. Appropriate groundcover. (DRC/CO: ZONING/LANDSCAPE)

H. LANDSCAPING ALONG THE NORTH AND WEST PERIMETERS OF PHASE 1

- 1. Existing landscaping and buffering along the south side of the northernmost entrance and west property line within Phase 1 (along Jog Road) shall be supplemented with the following upgraded materials:
  - a. A minimum twenty (20) foot wide landscape buffer strip with a maximum five (5) foot easement encroachment;



- b. A minimum one (1) to three (3) foot high undulating berm with an average height of two (2) feet, measured from top of curb. Where there are existing trees, the berm will not be required.
- c. One (1) medium to large canopy tree every thirty (30) feet on center setback from the existing overhead powerlines pursuant to FPL requirements. A group of three (3) or more palms may supersede the requirement for a large canopy tree in that location. A maximum **twenty-five (25)** percent of the required canopy trees within the buffer may be replaced by the palm clusters;
- d. One (1) additional palm for each twenty-five (25) linearfeet of property line with a maximum spacing of ninety (90) feet between clusters;
- e. One (1) minimum six (6) foot high ornamental or accent tree for every thirty (30) linearfeet of property line to be clustered with the palms; and,
- f. Thirty (30) inch high shrub or hedge material spaced no more than twenty-four (24) inches on center at installation and maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE)

I. PERIMETER BUFFERS WITHIN PHASE 2

- 1. All remaining perimeter buffers within Phase 2 shall be determined by the BCC at time of redevelopment of the site for uses other than the existing polo facilities. (ONGOING: ZONING)

J. LIGHTING

- 1. All outdoor lighting used to illuminate the subject property and identification signs shall be of low intensity, minimum necessary to satisfy Palm Beach County Building Security Code, shielded and directed down and away from adjacent properties and streets. (CO/ONGOING: BLDG/CODE ENF -Zoning)
- 2. All outdoor lighting fixtures shall not exceed twenty (20) feet in height, measured from finished grade to highest point. (CO: BLDG - Zoning)
- 3. All outdoor lighting shall be extinguished no later than 1 1:30 p.m., excluding security lighting only. (ONGOING: CODE ENF)
- 4. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF)
- 5. Lighting shall be provided to mark all perimeter driveways or accessways and shall comply with Condition J.I above. (CO/ONGOING: BLDG/CODE ENF - Zoning)

K. MASS TRANSIT

- 1. 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 the County Engineer. (DRC: ZONING)
- 2. 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 the issuance of the first certificate of occupancy (CO) within Phase 1. 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: BLDG - Eng)

3. 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)
4. Commercial locations which are open to the public shall not restrict public mass transit access. (ONGOING: PALM TRAN)

L. MUPD

1. 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, **signage** and project identification. Consistency shall include, at a minimum, an overall unified image and character created by the use of common elements such as building materials, roof lines, muted colors, fenestration, architectural features, and architectural elements. The covenant shall be recorded in a form and manner acceptable to the County Attorney and the Zoning Division . The covenant shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRC: ZONING - Co Att)
2. 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 and the Zoning Division. The covenant shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRC: ZONING - Co Att)
3. All architectural treatment, focal points, pedestrian amenities (i.e. fountains, trellises, etc.) and common areas, decorative pavers and/or accent landscaping shall be provided in the general areas as indicated on the site plan dated April 27, 2000. These design elements shall be constructed or installed in accordance with the Focal Point/Pedestrian Amenities Phasing Plan. Modification to these shall be permitted provided the changes are an equivalent or betterment to the project and are subject to approval by the Public Hearing Section of the Zoning Division. (DRC/CO: ZONING/BLDG - Zoning)
4. Prior to final site plan certification by the Development Review Committee (DRC), a Focal Point/Pedestrian Amenities Phasing Plan shall be approved by the Zoning Division. This phasing plan shall indicate a unified treatment for all design elements indicated in Condition L.3, applicable details, and installation schedule for these elements in relation to the issuance of the Certificate of Occupancy for the adjacent buildings. (DRC/CO: ZONING/BLDG - Zoning)

5. To ensure consistency with the site plan dated April 27, 2000 presented to the Board of County Commissioners, no more than twenty-five (25) percent of the total approved square footage of each use or building indicated as being covered by structures shall be relocated to portions of the site not previously covered. (DRC: ZONING)

M. PARKING

1. Prior to final site plan approval by the Development Review Committee, the site plan shall be revised to indicate equal distribution of required parking spaces for each restaurant within Phase 1. (DRC: ZONING)

N. PLANNING

1. Future structures within the CL portion of the site shall be subject to BCC approval. (DRC/BLDG: PLANNING/BLDG - Zoning/Planning)

O. SIGNS

1. Any new or replacement signs fronting on Jog Road shall be limited as follows:
  - a. Maximum sign height - Eight (8) feet;
  - b. Maximum total sign face area - 60 square foot per side;
  - c. Maximum number of signs - Two (2) (inclusive of one existing median sign); and,
  - d. Style - Monument with copy limited to project identification only. (BLDG PERMIT: BLDG - Zoning)
2. Prior to DRC approval of the final site plan, the petitioner shall submit a Master Sign Program to the Zoning Division which specifies sign location, sign dimensions, architectural details, unified color, unified graphics, typical base planting details, and conformance to all sign related conditions of approval. (DRC: ZONING)
3. Additional signs shall not be permitted on Old Clint Moore Road, excluding directional signs with a maximum height of four (4) feet and sign area of eight (8) square feet per face . The two signs that are existing on this road shall be removed prior to the issuance of the first Certificate of Occupancy for any new buildings on the site. (CO/BLDG PERMIT: BLDG - Zoning)
4. Wall signs mounted on the new buildings shall be limited to the following:
  - a. Location - west building facade and interior courtyard area;
  - b. Maximum total sign face area - twenty (20) square feet per sign per facade of each building.
  - c. Sign copy - tenant name and/or logo only; and,
  - d. Number of signs - two (2) per building. (BLDG PERMIT/CO: BLDG - Zoning)

P. USE LIMITATIONS

1. Use of the site shall be limited to the following uses and in the locations as indicated on the site plan dated April 27, 2000:
  - a. Polo facilities (Existing) - 124,529 sq. ft. maximum (includes stables, groom's quarters, announcement and refreshment stands);
  - b. Clubhouse/Stadium (Existing) - 28,680 sq. ft. maximum; and,

- c. Quality restaurant (Proposed) - 19,125 total square feet. (DRC/ONGOING: ZONING/HEALTH/CODE ENF)

Expansion may be permitted for the polo facilities only subject to Development Review Committee (DRC) approval and shall be limited to 1,000 square feet for the project or 5% of the square footage for each building, whichever is less.

2. All uses within the existing Clubhouse/Stadium shall be subject to the use regulations of a MUPD with a CR future land use designation. (ONGOING: ZONING/CODE ENF)
3. New uses and structures within Phase 2, which are not accessory to the polo facilities, shall be subject to BCC approval. (DRC: ZONING)
4. Hours of operation for all uses shall be limited to 6:00 a.m. - 11:00 p.m. daily. (ONGOING: CODE ENF - Zoning)
5. The 19,125 square foot of high quality restaurant use approved by petition 77-021(E) shall not have outdoor music or entertainment such as bands or Djs. (ONGOING: CODE ENF)

Q. 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 majority vote of the Code Enforcement Board to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

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