

RESOLUTION APPROVING ZONING PETITION **EAC83-56(E)**
DEVELOPMENT ORDER AMENDMENT
PETITION **OF** TENET HEALTH SYSTEM
BY MARK CAMPBELL, AGENT
(WEST BOCA MEDICAL CENTER)

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 **EAC83-56(E)** was presented to the Board of County Commissioners at a public hearing conducted on January 30, 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 EAC83-56(E), the petition of Tenet Health System, by Mark Campbell, agent, for a Development Order Amendment (DOA) to amend Conditions G.1.a, G.1.b and G.2 (signs) of Resolution R-91-1465 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 30, 1997, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner McCarty 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:

Burt Aaronson, Chair	--	Aye
Maude Ford Lee, Vice Chair	--	Aye
Ken Foster	--	Absent
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 30, 1997.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Richard Altman*
COUNTY ATTORNEY

BY: *Joan Hawley*
DEPUTY CLERK

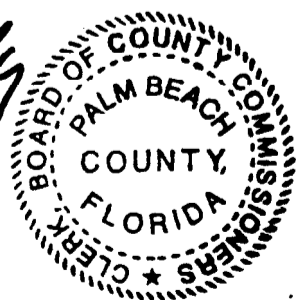


EXHIBIT A

LEGAL DESCRIPTION

EXHIBIT "A"

A parcel of land situate in Section 19, Township 47 South, Range 42 East, Palm Beach County, Florida, being a portion of Block 78 of the Palm Beach Farms Company's Plat No. 3, as recorded in Plat book 2 on Page 45 through 54 of the Public Records of said Palm Beach County, being more particularly described as follows: Commencing at the Northwest corner of Tract 71 of said Block 78, thence N 89°37'02"E along the North line of said Tract 71 a distance of 744.84 feet to a line 229.30 feet West of the East line of Tract 70 of said Block 78 and the point of beginning. From the Point of beginning, thence N 00°22'58"W along said parallel line a distance of 650.72 feet; thence N 28°52'42"W, a distance of 313.91 feet; thence N 61°07'18"E a distance of 198.25 feet to the beginning of a curve, having a radius of 393.81 feet; from which a radial line bears S28°52'42"E; thence Easterly along the arc of said curve, subtending a central angle of 28°29'44", a distance of 195.86 feet to the end of said curve; thence N89°37'02"E a distance of 223.09 feet to the beginning of a curve, having a radius of 350.00 feet, from which a radial line bears S00°22'58"E; thence Southeasterly along the arc of said curve, subtending a central angle of 90°00'00", a distance of 549.78 feet to the end of said curve; thence S00°22'58"E a distance of 355.92 feet to the beginning of a curve, having a radius of 362.13 feet, from which a radial line bears S89°37'02"W; thence Southwesterly along the arc of said curve, subtending a central angle of 45°00'00", a distance of 286.42 feet to the end of said curve; thence S44°37'02"W a distance of 178.00 feet to the beginning of a curve, having a radius of 362.13 feet, from which a radial line bears N45°22'58"W; thence Southwesterly, along the arc of said curve, subtending a central angle of 45°00'00", a distance of 284.42 feet to a line 125.02 feet South of and parallel with the North line of Tracts 71 and 72 of said Block 78 and the end of said curve; thence S89°37'02"W along said parallel line a distance of 16.34 feet to a line 51.80 feet East of the West line of said Tract 72; thence N00°22'58"W along said parallel line a distance of 125.02 feet to the said North line of said Tracts 71 and 72; thence S89°37'02"W along said North line a distance of 281.10 feet to the Point of Beginning;

EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT "A"
LEGAL DESCRIPTION
(DOC. NO. 3908 - LWDD TO NME HOSPITALS, INC.)

LEGAL DESCRIPTION: RELEASE PARCEL NO. 2-A

A PARCEL OF LAND SITUATE IN SECTION 19, TOWNSHIP 47 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF BLOCK 78 OF THE PALM BEACH FARMS COMPANY'S PLAT NO. 3, AS RECORDED IN PLAT BOOK 2 ON PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT 71 OF SAID BLOCK 78, THENCE N89°37'02"E ALONG THE NORTH LINE OF SAID TRACT 71 A DISTANCE OF 744.84 FEET TO A LINE 229.30 FEET WEST OF THE EAST LINE OF TRACT 70 OF SAID BLOCK 78 AND THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE N00°22'58"W ALONG SAID PARALLEL LINE A DISTANCE OF 650.78 FEET; THENCE N28°52'42"W A DISTANCE OF 313.91 FEET; THENCE N61°07'18"E A DISTANCE OF 198.25 FEET TO THE BEGINNING OF A CURVE, HAVING A RADIUS OF 390.81 FEET, FROM WHICH A RADIAL LINE BEARS S28°52'42"E; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, SUBTENDING A CENTRAL ANGLE OF 28°29'44", A DISTANCE OF 195.86 FEET TO THE END OF SAID CURVE; THENCE N89°37'02"E A DISTANCE OF 223.09 FEET TO THE BEGINNING OF A CURVE, HAVING A RADIUS OF 350.00 FEET, FROM WHICH A RADIAL LINE BEARS S00°22'58"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, SUBTENDING A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 549.78 FEET TO THE END OF SAID CURVE; THENCE S00°22'58"E A DISTANCE OF 355.98 FEET TO THE BEGINNING OF A CURVE, HAVING A RADIUS OF 362.13 FEET, FROM WHICH A RADIAL LINE BEARS S89°37'02"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, SUBTENDING A CENTRAL ANGLE OF 45°00'00", A DISTANCE OF 284.42 FEET TO THE END OF SAID CURVE; THENCE S44°37'02"W A DISTANCE OF 178.00 FEET TO THE BEGINNING OF A CURVE, HAVING A RADIUS OF 362.13 FEET, FROM WHICH A RADIAL LINE BEARS N45°22'58"W; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, SUBTENDING A CENTRAL ANGLE OF 45°00'00", A DISTANCE OF 284.42 FEET TO A LINE 125.02 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF TRACTS 71 AND 72 OF SAID BLOCK 78 AND THE END OF SAID CURVE; THENCE S89°37'02"W ALONG SAID PARALLEL LINE A DISTANCE OF 16.34 FEET TO A LINE 51.80 FEET EAST OF THE WEST LINE OF SAID TRACT 72; THENCE N00°22'58"W ALONG SAID PARALLEL LINE A DISTANCE OF 125.02 FEET TO THE SAID NORTH LINE OF SAID TRACTS 71 AND 72; THENCE S89°37'02"W ALONG SAID NORTH LINE A DISTANCE OF 281.10 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 19.1932 ACRES, MORE OR LESS.

EXHIBIT A

LEGAL DESCRIPTION

EXHIBIT "A"

A parcel of land situate in Section 19, Township 47 South, Range 42 East, Palm Beach County, Florida, being a portion of Block 78 of the Palm Beach Farms Company's Plat No. 3, as recorded in Plat Book 2 on Pages 45 through 54 of the Public Records of said Palm Beach County, being more particularly described as follows: Commencing at the Northwest corner of Tract 71 of said Block 78, thence N 89°37'02"E along the North line of said Tract 71 a distance of 744.84 feet to a line 229.30 feet West of the East line of Tract 70 of said Block 78 and the point of beginning. From the Point of Beginning, thence N 00°22'58"W along said parallel line a distance of 650.72 feet; thence N 28°52'42"W, a distance of 313.91 feet; thence N 61°07'13"E a distance of 198.25 feet to the beginning of a curve, having a radius of 393.81 feet, from which a radial line bears S28°52'42"E; thence Easterly along the arc of said curve, subtending a central angle of 28°29'44", a distance of 195.86 feet to the end of said curve; thence N89°37'02"E a distance of 223.09 feet to the beginning of a curve, having a radius of 350.00 feet, from which a radial line bears S00°22'58"E; thence Southeasterly along the arc of said curve, subtending a central angle of 90°00'00", a distance of 549.78 feet to the end of said curve; thence S00°22'58"E a distance of 355.92 feet to the beginning of a curve, having a radius of 362.13 feet, from which a radial line bears S89°37'02"W; thence Southwesterly along the arc of said curve, subtending a central angle of 45°00'00", a distance of 284.42 feet to the end of said curve; thence S44°37'02"W a distance of 178.00 feet to the beginning of a curve, having a radius of 362.13 feet, from which a radial line bears N45°22'58"W; thence Southwesterly along the arc of said curve, subtending a central angle of 45°00'00", a distance of 284.62 feet to a line 125.02 feet South of and parallel with the North line of Tracts 71 and 72 of said Block 78 and the end of said curve; thence S89°37'02"W along said parallel line a distance of 16.34 feet to a line 51.80 feet East of the West line of said Tract 72; thence N00°22'58"W along said parallel line a distance of 125.02 feet to the said North line of said Tracts 71 and 72; thence S89°37'02"W along said North line a distance of 281.10 feet to the Point of Beginning.

EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT "A"

LEGAL DESCRIPTION: RELEASE PARCEL NO. 1-B

A PARCEL OF LAND SITUATE IN SECTION 19, TOWNSHIP 47 SOUTH RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF BLOCK 78 OF THE PALM BEACH FARMS COMPANY'S PLAT NO. 3 AS RECORDED IN PLAT BOOK 2 ON PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF SAID PALM BEACH COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

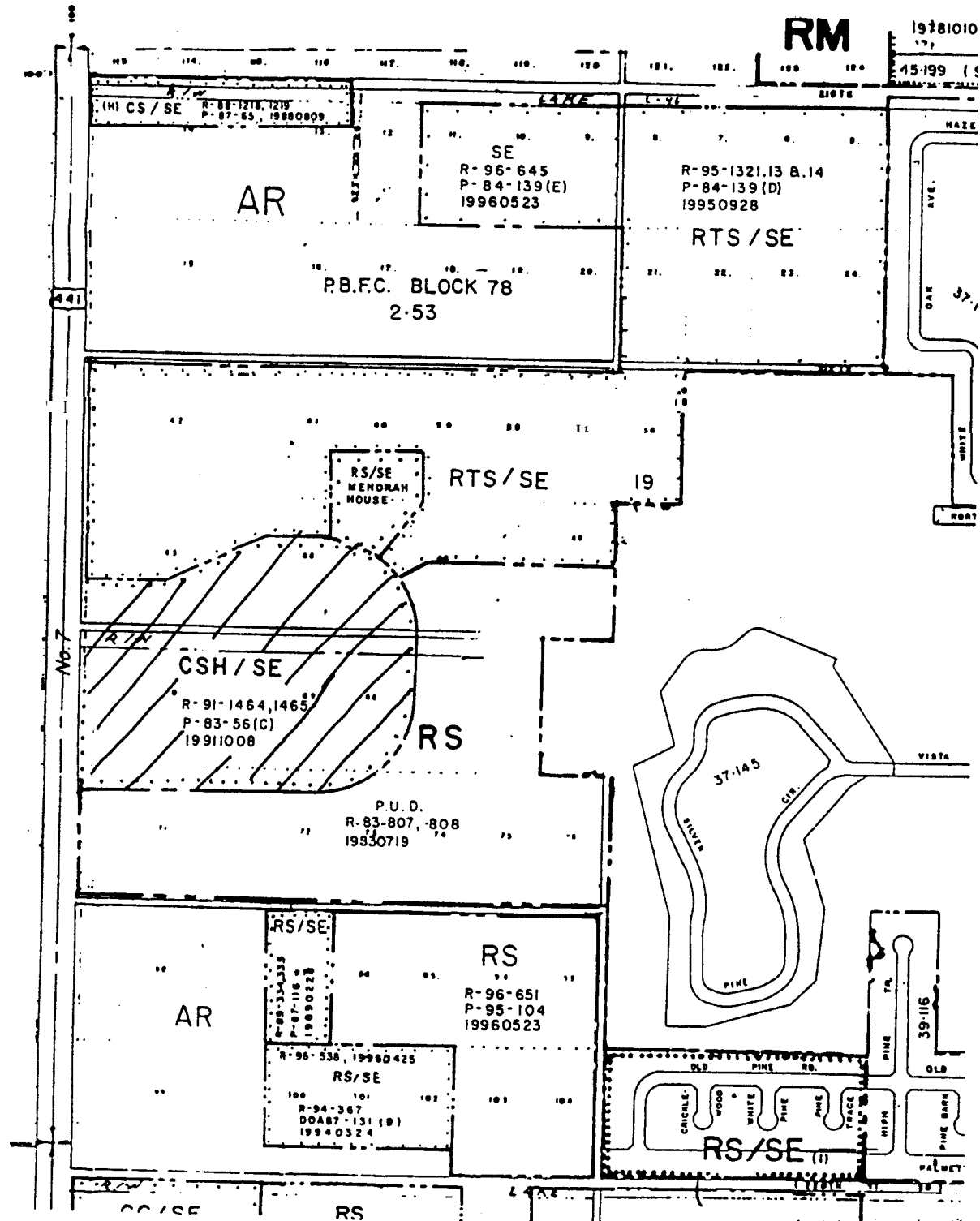
COMMENCING AT THE 'NORTHWEST CORNER OF TRACT 71 OF SAID BLOCK 78; THENCE W89'37'02"E ALONG THE NORTH LINE OF SAID TRACT 71 A DISTANCE OF 744.84 FEET TO A LINE 229.30 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACT 71 AND THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING, THENCE 500'22'58"E ALONG SAID PARALLEL LINE A DISTANCE OF 125.02 FEET TO A LINE 125.02 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE; THENCE W89'37'02"E ALONG SAID PARALLEL LINE A DISTANCE OF 281.10 FEET TO A LINE 51.80 FEET EAST OF THE WEST LINE OF TRACT 72 OF SAID BLOCK 78; THENCE W00'22'58"W ALONG SAID PARALLEL LINE A DISTANCE OF 125.02 FEET TO SAID NORTH LINE OF TRACT 72; THENCE S89'37'02"W ALONG THE NORTH LINE OF TRACTS 72 & 71 A DISTANCE OF 281.10 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 0.8068 ACRES, MORE OR LESS.

EXHIBIT B

PALM BEACH COUNTY
VICINITY SKETCH/ZONING



Petition Number: EAC 83-56(E)

Zoning Quad Page 54

Date: 1/17/97



NORTH

EXHIBIT C

CONDITIONS OF APPROVAL

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

A. ALL PETITIONS

1. Condition **A 1** of Resolution R-96-1357.1, Petition **83-56(D)** ~~which~~ currently states:

The developer shall comply with all previously imposed conditions of Petition **No. 83-56**.

~~Is~~ hereby deleted. [REASON: superseded by new condition]

2. Condition **A2** of Resolution R-96-1357.1, Petition **83-56(D)** which currently states:

All previous conditions of approval applicable to the subject property, **as** contained in Resolutions **R-91-1465** (Petition **83-56(C)**, **R-15-277 (Petition 83-56(B))** and **R-83-1098** (Petition **83-56(A)**), have been consolidated as contained herein. The petitioner shall comply ~~with~~ all previous conditions of approval and deadlines previously established by Section **5.8** of the ULDC and the **Board of County Commissioners**, unless expressly modified.

~~Is~~ hereby amended to read:

~~All~~ previous conditions of approval applicable to the subject property, **as** contained in Resolutions R-96-1357.1 (Petition **83-56(D)**), ~~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)

3. Condition **A 3** of **Resolution** R-96-1357.1, Petition **83-56(D)**, ~~which~~ currently states:

Development **of** the site ~~is~~ limited to the uses and site design **approved** by the **Board of County Commissioners** (site plan dated September **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.

~~Is~~ hereby amended to state:

Development of the site is limited ~~to the~~ uses and site design **as approved** by **the Board of County Commissioners**. The approved site **plan is** dated **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. (ONGOING: ZONING)

4. Condition A.4 of Resolution R-96-1357.1, Petition 83-56(D) which **states:**

The site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements. (DRC: ZONING)

~~Is~~ hereby deleted. [REASON: Code Requirement/ site developed]

B. CANAL BANK MAINTENANCE

1. Prior to site plan certification, the petitioner shall obtain permission, if possible, from the Lake **Worth** Drainage **District** to sod, irrigate, landscape and perpetually maintain both banks of all **abutting canals.**(Previously Condition B.1 of Resolution R-96-1357.1, Petition 83-56(D). (DRC: ZONING/ENG)

C. HEALTH

1. Condition deleted by Resolution R-96-1357.1, Petition 83-56(D).

2. Condition deleted by Resolution R-96-1357.1, Petition 83-56(D).

3. Condition C.3 of Resolution R-96-1357.1, Petition 83-56(D) ~~with~~ states:

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

~~Is~~ hereby deleted. [REASON: Code Requirement & Site is developed]

4. Condition C.4 of Resolution R-96-1357.1, Petition 83-56(D) ~~with~~ states:

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

~~Is~~ hereby deleted. [REASON: Code Requirement & Site is Developed]

5. Generation and disposal of hazardous effluents 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 effluents. (Previously Condition C.5 of Resolution R-96-1357.1, Petition 83-56(D). (ONGOING: HEALTH)
6. Sewer service is available to the property. Therefore, no septic tank shall **be** permitted on the site. (Previously Condition C.6 of Resolution R-96-1357.1, Petition 83-56(D). (ONGOING: HEALTH)
7. Water service is available **to** the property. Therefore, no well shall be permitted ~~on the~~ site to provide potable water. (Previously condition C.7 of Resolution R-96-1357.1, Petition 83-56(D). (ONGOING: HEALTH)

D. **LANDSCAPE**

1. **If** acceptable to the Lake Worth Drainage District, landscaping along State Road 7 shall be upgraded to include:
 - a. One **(1)** twelve **(12)** foot ~~tal~~ native canopy tree for each thirty **(30)** linear feet of frontage.
 - b. One **(1)** twelve **(12)** foot tall native palm tree for each ~~thirty~~ **(30)** linear feet of frontage. A group of three **(3)** or more palm trees may replace one **(1)** canopy tree requirement of this condition.
 - c. Twenty-four **(24)** inch high hedge or shrub material spaced twenty-four **(24)** inches on center, to be maintained at a minimum height of thirty-six **(36)** inches.

If landscaping is not permitted by the Lake Worth Drainage District along State Road 7, landscaping meeting the requirement of this condition **shall** be placed elsewhere on the site, subject to approval by the Zoning Division. (Previously Condition **D. 1** of Resolution R-96-1357.1, Petition 83-56(D) (DRC/CO: ZONING/LANDSCAPE)

2. Landscaping along the perimeter **of** the site abutting Central Park Boulevard **North** shall be upgraded to include:
 - a. One **(1)** twelve **(12)** foot tall native canopy tree for each thirty **(30)** linear feet of frontage.
 - b. One **(1)** twelve **(12)** foot tall native palm tree for each **thirty** **(30)** linear feet of frontage. A group of three **(3)** or more ~~palm~~ trees may replace one **(1)** canopy tree requirement of this condition.
 - c. Twenty-four **(24)** inch high hedge or shrub material spaced twenty-four **(24)** inches on center, to be maintained at a minimum height of thirty-six **(36)** inches.

Existing vegetation abutting Central Park Boulevard and the lake may **be** counted as credit towards this requirement, subject to the approval **by** the Zoning Division. (Previously Condition **D.2** of Resolution R-96-1357.1, Petition 83-56(D) (DRC/CO: ZONING/LANDSCAPE)

3. One **(1)** punch-out or a landscape island with a native canopy tree a minimum of ten **(10)** feet tall shall be provided for every ten **(10)** parking stalls in the undeveloped portions of the site. The ~~petitioner~~ may submit a preservation plan meeting the intent **of** this requirement as an alternative, subject to approval by ~~the~~ Zoning Division. (Previously Condition **D.3** of Resolution R-96-1357.1, Petition 83-56(D) (DRC: ZONING)

E. **ENGINEERING**

1. This development must retain **onsite** the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance **73-4**, as amended. (Previously Condition E.1 of Resolution R-96-1357.1, Petition 83-56(D) (DRC: ENG)

2. **Petitioner** shall provide the construction plans for **SR 7** as a **four-lane** median divided Section, compatible with the **Department** of Transportation typical section from north of Glades Road through Palmetto Park Road to include the appropriate tapers, per the County Engineer's approval. These plans shall be completed within **6** months of Special Exception approval or prior to the issuance of a Certificate of Occupancy whichever first occurs. (Previously Condition **E.2** of Resolution **R-96-1357.1**, Petition **83-56(D)** (Completed)
3. The Developer shall acquire **200** feet of right-of-way for **SR 7**, West of the West right-of-way line for Lake Worth Drainage District **E-1** Canal, from **North** of Glades Road through Palmetto Park Road, **including** the additional tapers which will **be required** for the road construction of **SR 7** as outlined in Condition **2** above. This right-of-way shall be **acquired** within **12** months of Special Exception approval, or prior **to** the issuance of a Certificate of Occupancy, whichever first occurs. (Previously Condition **E.3** of Resolution **R-96-1357.1**, Petition **83-56(D)** (Completed)
4. Developer ~~shall~~ construct **SR 7** as a **4-lane** median divided section from north of Glades Road through Palmetto Park Road to **include** the appropriate tapers, per the County Engineer's approval. **This** road construction shall be complete within **two (2)** years of Special Exception approval **or** prior to the acceptance by Palm Beach County of the improvements within the residential PUD, pod, **whichever** first occurs. The construction shall include **an** asphalt overlay of **the two** existing lanes on **SR 7**, **if** required by the County Engineer. (Previously Condition **E.4** of Resolution **R-96-1357.1**, Petition **83-56(D)**. (Construction Complete)
5. Developer shall construct at the project's north and south entrance onto **SR 7**, concurrent with the **4-laning of SR 7**,
 - a) left turn lane, north approach
 - b) right turn lane, south approach (Previously Condition **E.5** of Resolution **R-96-1357.1**, Petition **83-56(D)** (Construction Complete)
6. Developer shall install signalization at the intersection of **SR 7** at both **the** north and south entrance when warranted **as determined** by the County Engineer, but shall be no later than five **(5)** years after the issuance of the **final** Certificate of Occupancy. (Previously Condition **E.6** of Resolution **R-96-1357.1**, Petition **83-56(D)** (**North has been signaled**) (**ENG**)
7. This property owner shall convey to the Lake Worth Drainage District within **six** months of the approval, the West 45 feet of that **portion of Tracts 43, 70 and 71**, Block **78**, according to the Plat of the **Palm Beach Farms Co.**, Plat **No. 3**, as recorded in Plat Book **2**, Pages **45 to 54** inclusive for the right-of-way for **Equalizing Canal No. 1** and we will require **the South 25** feet of the portion of Tracts **43, 44, and 45** of said Block **78** and **the North 25** of ~~that~~ portion of Tracts **68, 69 and 70** of said Block **78** for the right-of-way for **Lateral Canal No. 47** by **either** a Quit Claim Deed or **an** Easement (on **our form**), whichever the **owner prefers**. (Previously Condition **E.7** of Resolution **R-96-1357.1**, Petition **E3-56(D)** (**PLAT: LWDD**)

8. Condition deleted by Resolution R-96-1357.1, Petition 83-56(D).
9. The Developer 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. Presently, the Fair Share Fee for this project is **\$11,663.00**.

If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share Fee, this additional amount shall be credited toward the increased Fair Share Fee. (Previously Condition E.9 of Resolution R-96-1357.1, Petition 83-56(D) (ONGOING: IMPACT FEE COORDINATOR))
10. The petitioner shall expend **\$55,000.00** on the landscaping of the median of State Road 7, from Glades Road to the Hillsboro Canal, The landscaping shall include a six-inch non-mountable curb, and be subject to approval of the Department of Transportation. (Previously Condition E.10 of Resolution R-96-1357.1, Petition 83-56(D) (ONGOING: ENG))
11. Condition deleted by Resolution R-96-1357.1, Petition 83-56(D).
12. Prior to Master/Site Plan approval the property owner shall amend the master plan, if necessary, to reflect compliance with the Subdivision and Required Improvements Regulations including but not limited to internal right-of-way widths or receive a variance from the Board of Adjustment. (Previously Condition E.12 of Resolution R-96-1357.1, Petition 83-56(D) (DRC: ENG))
13. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Roadway Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project at the time of the Building Permit presently is **\$64,515.00 (1,173 additional trips X \$55.00 per trip)**. (Previously Con. E.13 of Reso. R-96-1357.1, Petition 83-56(D) (BLDG PERMIT: ACCOUNTING - Fair Share Fee Coordinator))
14. In order to comply with the mandatory traffic performance standards the Developer shall be restricted to the following phasing schedule:
 - a) Building permits which will increase traffic above the current vested number of trips, as determined by the Engineering Department, shall not be issued until construction has begun for State Road 7 as a 6 lane section from Glades Road to Palmetto Park Road plus the appropriate paved tapers. (Previously Condition E.14 of Resolution R-96-1357.1, Petition 83-56(D) (Completed))
15. If and when warranted by the County Engineer and the Florida Department of Transportation that the project's entrance at State Road 7 requires signalization, the property owner shall fund any required signal modifications in conjunction with roadway improvements. Funding shall include design and construction of the signal modifications as required by the Palm Beach County Traffic Division and Florida Department of Transportation. (Previously Condition E.15 of Resolution R-96-1357.1, Petition 83-56(D) (ONGOING: ENG))

16. The Developer shall plat the subject property, if necessary, in accordance with provisions of Palm Beach County's Subdivision and Required Improvements Regulations **90-8** as amended. The platting of this property may be phased in accordance with a **phasing** plan acceptable to the office of the County Engineer. A phase should not be larger than what would reasonably be expected to be completed **within** the time frame of the posted surety. (Previously Condition **E.16** of Resolution R-96-1357.1, Petition **83-56(D)** (ONGOING: ENG))

F. SQUARE FOOTAGE LIMITATIONS

1. Condition deleted by Resolution R-91-1465, Petition **83-56(C)**.
2. Additional beds shall not be permitted within the hospital and no additional building permits for **the** hospital shall be issued until the petitioner demonstrates to the Zoning Division that the site plan meets **the** minimum off-street parking requirements of the Zoning Code. This requirement may be satisfied by the approval of a shared **parking** permit or variance relief. (Previously Condition **F.2** of Resolution R-96-1357.1, Petition **83-56(D)** (ONGOING: ZONING))
3. This project is limited to a total of **402,900** square feet and **120** bed nursing home as follows:
 - o **185,115** square feet Ancillary Uses
 - o **217,785** square feet Hospital (**350** Beds)
 - o Nursing Home (**120** Beds)
 (Previously Condition F.3 of Resolution R-96-1357.1, Petition **83-56(D)** (DRC: ZONING))
4. Building C shall be limited to accessory commercial uses **servi**ng the hospital and medical office uses only and shall be internal **to** the project. (Previously Condition F.4 of Resolution R-96-1357.1, Petition **83-56(D)** (DRC: ZONING))

G. SIGNS

1. Condition **G.1** of Resolution R-96-1357.1, Petition **83-56(D)** which currently states:

The number of signs on State Road **7** shall be limited to **two (2)**. Any new signs on this road shall be limited as follows:

- a. Maximum sign height - **10** feet.
- b. Maximum total sign face area - **100** square feet.
- c. Sign shall be a monument type.

~~It~~ hereby amended **to** read:

New freestanding signs fronting on SR7/US441 shall be limited as **fo**llows:

- a. **Maximum** sign height, measured from finished grade to highest **point** - eighteen (18) feet;
- b. Maximum sign face area per side - 180 square feet;
- c. **Maximum** number of signs - **two (2)**; and
- d. **Style** - monument style **only**. (CO: BLDG)

- 2 Condition G.2 of Resolution R-96-1357.1, Petition 83-56(D) which currently states:

The number of signs on Central Park Boulevard shall be limited to four (4). Any new signs on this road shall be limited as follows:

- a. Maximum sign height - 8 feet.
- b. Maximum total sign face area - 80 square feet.
- c. Sign shall be monument type.

It hereby amended to read:

New freestanding signs fronting on Central Park Boulevard shall be limited as follows:

- a. Maximum sign height, measured from finished grade to highest point - eight (8) feet;
- b. Maximum sign face area per side - 40 square feet;
- c. Maximum number of signs - six (6); and
- d. Style - monument style only. (CO: BLDG)

3. New identification signs internal to the medical complex shall be limited as follows:

- a. **Maximum** sign height, measured from finished grade to highest point - eight (8) feet;
- b. **Maximum** sign face area per side - 50 square feet;
- c. Maximum number of signs - one (1); and
- d. Style - monument style only. (CO: BLDG)

ti. SPECIFIC CONDITIONS

1. The petitioner shall revise the site plan prior to site plan certification to include:

- a. Number of employees for the hospital for the parking calculation.
- b. **All** square footages and heights of structures.
- c. Number of beds for the hospital. (Previously Condition H.1 of Resolution R-96-1357.1, Petition 83-56(D) (DRC: ZONING)

2. The proposed site plan shall be amended to clarify the tabular information as required by the Zoning Code and specifically to separate all phase 1 and 2 references. (Previously Condition H.2 of Resolution R-96-1357.1, Petition 83-56(D). (DRC: ZONING)

3. The petitioner shall execute and deliver to the Lake Worth Drainage District, a property drafted and recorded legal document, creating the permanent eighty (80) foot right-of-way for relocated Lateral Canal No. 47. (Previously Condition H.3 of Resolution R-96-1357.1, Petition 83-56(D). (DRC: ZONING)

I. VEGETATION PRESERVATION

1. The developer shall preserve existing significant vegetation **wherever** possible and shall incorporate said vegetation into the project **design**. Appropriate measures shall also be taken to protect these **preservation** areas during site clearing and construction. (Previously Condition 1.1 of Resolution R-96-1357.1, Petition 83-56(D). (DRC: ERM)
2. The developer shall preserve existing significant vegetation **wherever** possible and shall incorporate said vegetation into the project **design**. Appropriate measures shall **also** be taken to protect these **preservation areas** during site clearing and construction. (Previously Condition 12 of Resolution R-96-1357.1, Petition 83-56(D) (DRC: ERM)
3. Native vegetation not located **within** preservation/ relocation areas; and deemed relocatable by the Zoning Division shall be **relocated** to perimeter buffers or other open space areas on site. (Previously Condition 13 of Resolution R-96-1357.1, Petition 83-56(D) (DRC: ERM/ZONING)
4. Prior **to** removal of any vegetation, the petitioner shall schedule a **pre-**clearing inspection with the Zoning Division and the Department of Environmental Resources Management. In addition, the petitioner shall:
 - a. **Clearly** identify and mark trees to be preserved, **relocated** or removed.
 - b. Install appropriate protection barrier around individual and groups **of** trees to be preserved.
 - c. No clearing shall commence until all protective devices are installed by the petitioner and inspected and approved **by** the Zoning Division. (Previously Condition 14 of Resolution R-96-1357.1, Petition 83-56(D) (DRC: ZONING/ERM)

J. 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, **and** 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 **J.1 of** Resolution R-96-1357.1, Petition **83-56(D)** **(MONITORING)**)