

RESOLUTION NO. R-97- 1289

**RESOLUTION APPROVING ZONING PETITION PDD90-17(A)
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT (PDD)
PETITION OF GEORGE T. KELLY IV
BY ROBERT BASEHART, AGENT
(BOYNTON SELF STORAGE)**

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 PDD90-17(A) was presented to the Board of County Commissioners at a public hearing conducted on June 23, 1997; 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) 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) 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) 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) 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 PDD90-17(A), the petition of George T. Kelly IV by Robert Basehart, agent, for an Official Zoning Map Amendment from Agricultural Residential (AR) and Community Commercial (CC) to a Multiple Use Planned Development (MUPD) Zoning District with self-service storage facility (requested use) 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 23, 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 Foster 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	--	Absent
Warren Newell	--	Aye
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on September 25, 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

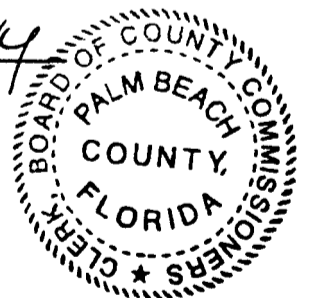


EXHIBIT A

LEGAL DESCRIPTION

THE EAST 3/4 OF TRACT 6 LESS ROAD R/W AND CANAL R/W OF BLOCK 55, OF PALM BEACH FARMS NO.3 AS RECORDED IN PLAT BOOK 2 PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND

PARCEL A:

THE EAST 1/2 OF TRACT 7 AND THE WEST 1/4 OF TRACT 6, BLOCK 55, PALM BEACH FARMS PUT #3, (SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST), ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 45, LESS AND EXCEPT THOSE PARTS THEREOF MORE PARTICULARLY DESCRIBED AS:

PARCEL 1:

COMMENCING AT A POINT AT THE SOUTHWEST CORNER OF THE FOLLOWING DESCRIBED PARCEL, TO WIT: THE EAST 1/2 OF TRACT 7 AND THE WEST 1/4 OF TRACT 6, BLOCK 55, PALM BEACH FARMS COMPANY PLAT NO. 3, (SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST), AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR A POINT OF BEGINNING, THENCE RUN NORTHERLY, ALONG THE WEST BOUNDARY OF THE ABOVE-DESCRIBED PARCEL A DISTANCE 275 FEET TO A POINT, THENCE EASTERLY, PARALLEL TO THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF 100 FEET TO A POINT, THENCE SOUTHERLY, PARALLEL TO THE FIRST DESCRIBED COURSE A DISTANCE OF 275 FEET TO A POINT, THENCE WESTERLY ALONG THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS THERETO; AND

PARCEL 2:

COMMENCING AT A POINT AT THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PARCEL, TO WIT: THE EAST 1/2 OF TRACT 7 AND THE WEST 1/4 OF TRACT 6, BLOCK 55, PALM BEACH FARMS COMPANY PLAT NO. 3, (SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST), AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE RUN NORTHERLY ALONG THE EAST BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF SEVENTY-FIVE (75) FEET TO THE POINT OF BEGINNING; THENCE CONTINUE WESTERLY PARALLEL TO THE SOUTH BOUNDARY FIFTY (50) FEET TO A POINT; THENCE SOUTHERLY PARALLEL TO THE FIRST DESCRIBED COURSE, A DISTANCE OF SEVENTY FIVE (75) FEET TO A POINT; THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL, A DISTANCE OF FIFTY FEET TO A POINT; THENCE NORTHERLY A DISTANCE OF SEVENTY FIVE (75) FEET TO THE POINT OF BEGINNING. TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS THERETO; AND

PARCEL 3:

COMMENCING AT A POINT AT THE SOUTHEAST CORNER OF THE FOLLOWING PARCEL, TO WIT: THE EAST 1/2 OF TRACT 7 AND THE WEST 1/4 OF TRACT 6, BLOCK 55, PALM BEACH FARMS COMPANY PLAT NO. 3, (SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST), AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR A POINT OF BEGINNING, THENCE RUN NORTHERLY, ALONG THE EAST BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR

EXHIBIT A

LEGAL DESCRIPTION

A DISTANCE OF SEVENTY FIVE (75) FEET TO A POINT THENCE WESTERLY, PARALLEL TO THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF SEVENTY FIVE FEET TO A POINT, THENCE SOUTHERLY, PARALLEL TO THE FIRST DESCRIBED COURSE A DISTANCE OF SEVENTY FIVE (75) FEET TO A POINT, THENCE EASTERLY ALONG THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL, A DISTANCE OF SEVENTY FIVE (75) FEET TO THE POINT OF BEGINNING, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS THERE TO; AND

PARCEL 4:

COMMENCING AT A POINT AT THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PARCEL, TO WIT: THE EAST 1/2 OF TRACT 7 AND THE WEST 1/4 OF TRACT 6, BLOCK 55, PALM BEACH FARMS COMPANY PLAT NO. 3, (SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST), AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE RUN NORTHERLY ALONG THE EAST BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF SEVENTY FIVE FEET TO A POINT OF BEGINNING; THENCE CONTINUE NORTHERLY ALONG THE SAID EASTERLY BOUNDARY FOR A DISTANCE OF TWO HUNDRED (200) FEET TO A POINT; THENCE WESTERLY PARALLEL WITH THE SOUTH BOUNDARY OF THE ABOVE DESCRIBED PARCEL FOR A DISTANCE OF ONE HUNDRED (100) FEET TO A POINT; THENCE SOUTHERLY PARALLEL WITH THE FIRST DESCRIBED COURSE A DISTANCE OF TWO HUNDRED (200) FEET TO A POINT; THENCE EASTERLY ALONG A LINE WHICH IS SEVENTY FIVE (75) FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF TRACTS SIX (6) AND SEVEN (7), A DISTANCE OF ONE HUNDRED (100) FEET TO THE POINT OF BEGINNING; AND

PARCEL 5:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 7, BLOCK 55, PALM BEACH FARMS COMPANY PLAT NO. 3, (SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST), AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE RUN EASTERLY ALONG THE SOUTH LINE OF PALM BEACH OF TRACT 7, A DISTANCE OF 265 FEET TO THE POINT OF BEGINNING, THENCE RUN NORTHERLY PARALLEL WITH THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 275.0 FEET TO A POINT, THENCE RUN EASTERLY ALONG A LINE PARALLEL WITH THE SOUTH LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 47.5 FEET TO A POINT, THENCE RUN SOUTHERLY ALONG A LINE PARALLEL WITH THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 200.0 FEET TO A POINT, THENCE RUN WESTERLY ALONG A LINE PARALLEL TO THE SOUTH LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 25.0 FEET TO A POINT, THENCE RUN SOUTHERLY ALONG A LINE PARALLEL WITH THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 75.0 FEET TO A POINT IN THE SOUTH LINE OF TRACT 7, BLOCK 55, THENCE RUN WESTERLY ALONG THE SOUTH LINE OF TRACT 7, A DISTANCE OF 22.5 FEET TO THE POINT OF BEGINNING; AND

PARCEL 6:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 7, BLOCK 55, THE PALM BEACH FARMS COMPANY PLAT NO. 3, (SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST), AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE RUN EASTERLY ALONG THE SOUTH LINE OF TRACT 7, A DISTANCE OF 165 FEET THENCE RUN NORTHERLY PARALLEL TO THE WEST LINE OF TRACT 7, BLOCK 55, A DISTANCE OF 275 FEET TO THE POINT OF BEGINNING, THENCE CONTINUE NORTHERLY 90 FEET AND PARALLEL TO THE WEST LINE OF TRACT 7, THENCE RUN EASTERLY AND PARALLEL TO THE SOUTH LINE OF TRACT 7, A DISTANCE OF 100 FEET, THENCE RUN SOUTHERLY AND PARALLEL TO THE WEST LINE OF TRACT 7, A DISTANCE OF 90 FEET; THENCE RUN WESTERLY AND PARALLEL TO THE SOUTH LINE OF TRACT 7, A DISTANCE OF 100 FEET, THENCE RUN SOUTHERLY AND PARALLEL TO THE WEST LINE OF TRACT 7, A DISTANCE OF 90 FEET, THENCE RUN WESTERLY AND PARALLEL TO THE SOUTH LINE OF TRACT 7, A DISTANCE OF 100 FEET TO THE POINT OF BEGINNING.

EXHIBIT B
VICINITY SKETCH

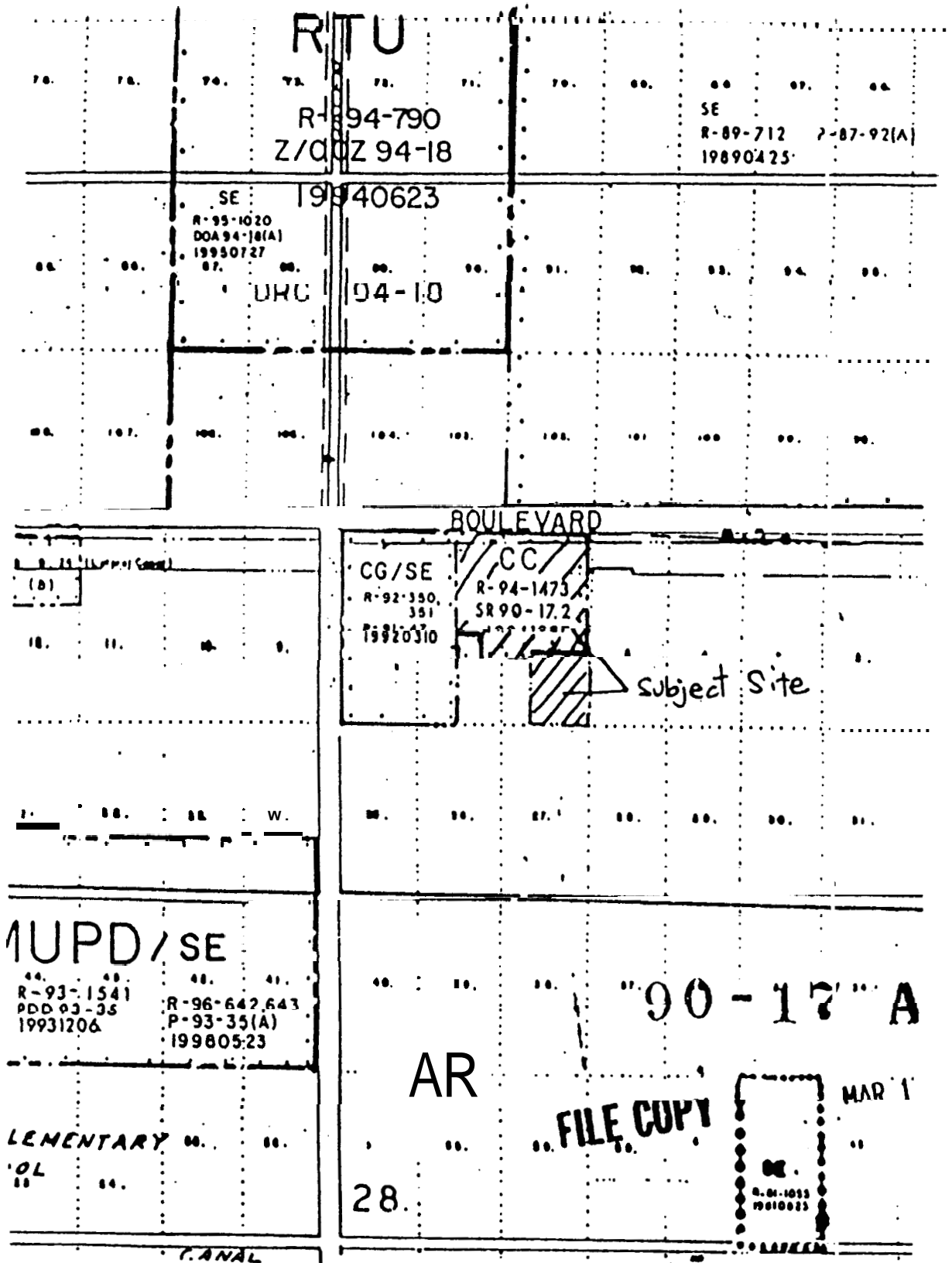


EXHIBIT C

CONDITIONS OF APPROVAL

A. ALL PETITIONS

1. To ensure compliance with the requirements of this approval, **Resolution No. R-90-1446** approving previous petition P-90-17 is hereby revoked. (ZONING)
2. Development of **the** site is limited to **the uses and site design as approved by the** Board of County Commissioners. The **approved** revised site plan is dated May 21, 1997. 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. ABANDONED STRUCTURES

1. All **abandoned**, dilapidated, unsafe, or structures causing a nuisance on the **subject** property shall be removed prior to issuance of first Building Permit. (BLG: MONITORING - Bldg)

C. BUILDING AND SITE DESIGN

1. **Total gross floor** area shall be limited to a maximum of 95,750 square feet. (DRC: ZONING)
2. The maximum height for all structures, measured from finished **grade** to highest point, shall not exceed **thirty five (35)** feet. (BLDG PERMIT: BLDG - Zoning)
3. Openings shall not be permitted on the exterior facades of the one *story*, **multiaccess** self-storage building, except required emergency exits. (BLDG PERMIT: BLDG - Zoning)
4. All air conditioning and mechanical equipment shall **be** screened from view on all sides by a visually opaque barrier consistent with the **color, character and** architectural style of the principle structure or equivalent landscape material. (CO: BLDG - Zoning)
5. The property owner shall participate in a recycling program when available in the area. The program shall include paper, plastic, metal and glass products as programs are available.
6. **All buildings and structures shall be designed and constructed in accordance with Section 4 - "Architectural Design Guidelines" of the Boynton Beach Turnpike Interchange Corridor - Design Guidelines and Standards Manual, dated November 12, 1996** (BLDG PERMIT: BLDG - Planning)
7. **Prior to the issuance of a Building permit, the property owner shall include in the landscape median permit application, landscaping details/specifications meeting the standards as set forth in Section 2B (1) (2) of the Boynton Beach Turnpike Interchange Corridor - Design Guidelines and Standards Manual, dated November 12, 1996** (BLDG PERMIT : MONITORING - Planning)

D. CROSS ACCESS

1. Prior to ~~site plan certification~~ by the Development Review Committee (DRC), the petitioner ~~shall~~ record a **cross** access agreement from the subject property to the adjacent southwest property in a form acceptable to the County Attorney. (DRC: ZONING - Co Att)

E. ENGINEERING

1. **The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project to be paid at the time of issuance of the Building Permit presently is \$86,515 (1,573 trips X \$55.00 per trip). (ONGOING: FAIR SHARE FEE COORD)**

2. LANDSCAPE WITHIN MEDIAN

At the option of the County Engineer the Property Owner shall either complete ~~A or B~~ of the following condition:

- a. Provide for ~~an~~ irrigation system with the existing median ~~of~~ Boynton Beach Boulevard as follows:

1. The property **owner** shall install an irrigation system with in the ~~medi~~ of Boynton Beach Boulevard from Hagen Ranch Road to ~~the~~ entrance to Palm Isles PUD. This inigation system shall **be in accordance** with plans provided to the property owner by the County Engineer. **for the Boynton Beach Boulevard landscape program.** The property **owner shall** provide ~~as~~ part ~~of~~ this irrigation system; all appropriate governmental permits, **an** appropriate number of water **sources**, well **pumps**, electrical hookups, and installation of all pipes and material. This system ~~shall~~ be completed ~~within~~ 90 days notice by the County Engineer to proceed with the installation. **A final inspection will be held where** upon this irrigation system being accepted, it will be turned over to the Palm Isles PUD Homeowners Association for operation, maintenance, **and** ownership. This is in conjunction with this Property **Owners Association's** program to install enhanced landscaping in this median including the irrigation system. (DRAINAGE PERMIT: IING)

- b. Landscape ~~the~~ existing median of Boynton Beach Boulevard

1. **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 landscape all adjacent median(s) of all abutting rights of way. When permitted by the **Palm Beach County 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 adapted 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 **utili**, 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 the approval of the County Engineer. (BLDG PERMIT: MONITORING-Eng)

2. All required **medi** 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. The maintenance responsibility of any existing trees within the median **shall also become the** responsibility of this property owner. All landscape material **shall be** installed on or before the issuance of a Certificate of Occupancy. (CO: MONITORING-Eng)
3. 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. (CO: MONITORING-Eng)
3. The Property owner shall fund the construction of a right turn lane west approach and a left turn lane, east approach on Boynton Beach Boulevard and the project's entrance road prior to issuance of first building permit. Funding shall be based on a certified cost estimate by the developers engineer and approved by the County Engineer. (BLDG PERMIT: ENG)
4. In order to comply with the mandatory traffic performance standards the Developer shall be restricted to the following phasing schedule:
 - a) No Building Permits shall be issued for the subject site after July 1, 1998. A time extension for this condition may be approved by the County Engineer only if based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Section 5.8 of the United Land Development Code (DATE : MONITORING - Eng)

F. INGRESS/EGRESS EASEMENT

1. Prior to final certification of the site plan by the Development Review Committee, the twenty (20) foot wide ingress/egress easement along the west property line of the site shall be relocated or provide the required landscape buffer outside of this existing ingress/egress easement. (DRC: ZONING)

G. LAKE WORTH DRAINAGE DISTRICT EASEMENT

1. Prior to final certification of the site plan by the Development Review Committee, the petitioner shall obtain approval from the Lake Worth Drainage District (LWDD) for the installation of landscaping, median and sign within the LWDD L-24 Canal easement. (DRC: ZONING)

H. HOURS OF OPERATION

1. **No commercial use shall commence business activities (including delivery and stocking operations) prior to 6:00 a.m. nor continue activities later than 11:00 p.m. (ONGOING: CODE ENF)**

I. LANDSCAPING - STANDARD

1. **All canopy trees required to be planted on site by this approval 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.
 - 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, except on individual residential lots, shall meet the following minimum standards at installation:**
 - a. **Palm heights:** twelve (12) feet clear trunk or grey wood, whichever is greater;
 - 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)**

J. LANDSCAPING ALONG NORTH PROPERTY LINE (ABUTTING R.O.W.)

1. **Landscaping and buffering along the north property line shall be upgraded to include the following:**
 - a. **A minimum twenty (20) foot wide landscape buffer strip;**
 - b. **A continuous minimum three (3) foot high berm with 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 thirty six (36) inches;**
 - c. **One (1) Live Oak tree spaced no more than thirty (30) feet on center planted in two (2) staggered rows within the rear fifteen (15) feet of the buffer;**
 - d. **One (1) Royal Palm for each twenty-five (25) linear feet of property line with a maximum spacing of forty (40) feet on center between clusters. A group of three (3) palms shall not be substituted for a perimeter canopy tree. The palms shall be planted within the front five (5) feet of the buffer and ;**
 - e. **Ixora "Nora Grant" shall be planted in a bed at the base of each Royal Palm. (CO: LANDSCAPE- Planning)**

K. LANDSCAPING ALONG THE SOUTH 45, SOUTHWEST 90, SOUTH 147, SOUTHWEST 275, AND THE SOUTH 247 FOOT PROPERTY LINES (ACROSS FROM RESIDENTIAL)

1. Landscaping and buffering shall run continuously along the south 45, southwest 90, south 147, southwest 275, and the south 247 feet of the subject property line shall be upgraded to include the following:
 - a. A minimum fifteen (15) foot wide Landscape Buffer strip;
 - b. An six (6) foot high opaque concrete wall. The wall shall connect the limited-access storage building to the multi-access storage facility, and shall run continuously along the south 45, southwest 90, south 195 feet;
 - b. One (1) canopy tree spaced no more than thirty (30) feet on center;
 - c. One (1) palm for each twenty-five (25) linear feet of property line with a maximum spacing of sixty (60) feet on center between clusters. A group of three (3) palms shall not be substituted for a perimeter canopy tree and;
 - d. Thirty six (36) 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 seventy two (72) inches. (CO: LANDSCAPE)

L. LANDSCAPING ALONG EAST PROPERTY LINE (ABUTTING RESIDENTIAL)

1. Landscaping and buffering along the above property line shall be upgraded to include:
 - a. A minimum fifteen (15) foot wide Landscape Buffer strip;
 - b. A six (6) foot high, black or green colored, vinyl coated chain link fence along the north 230 feet of the east property line;
 - c. A continuous minimum two (2) foot high berm with 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 thirty six (36) inches;
 - d. One (1) canopy tree spaced no more than thirty (30) feet on center and;
 - e. One (1) palm for each twenty-five (25) linear feet of property line with a maximum spacing of sixty (60) feet on center between clusters. A group of three (3) palms shall not be substituted for a perimeter canopy tree. (CO: LANDSCAPE)

M. LANDSCAPING ALONG THE WEST 354 FEET PROPERTY LINE (ABUTTING COMMERCIAL)

1. Landscaping and buffering along the west property line shall be upgraded to include the following:
 - a. A minimum twenty (20) foot wide landscape buffer strip;
 - b. One (1) canopy tree spaced no more than thirty (30) feet on center;
 - c. One (1) palm for each twenty-five (25) linear feet of property line with a maximum spacing of sixty (60) feet on center between clusters. A group of three (3) palms shall not be substituted for a perimeter canopy tree and;
 - d. 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 thirty six (36) inches canopy tree. (CO: LANDSCAPE)

N. LANDSCAPING - INTERIOR

1. **Landscape planting areas shall be provided along the front and side facades of the bank, restaurant and the front facade of the self-storage building.** The minimum width of ~~the~~ required ~~landscape~~ planting areas shall be five (5) feet with a combined length of no less than 40% of the total length of the applicable side of the structure. A minimum of one (1) tree or palm for every twenty (20) linear feet and appropriate ground cover shall be installed in the planting areas. (CO: LANDSCAPE)
2. **One 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)
3. **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. (DRC: ZONING)

O. SIGNS

1. a. Maximum sign height, measured from finished grade to highest point - ten (10) feet;
b. Maximum sign face area per side - 150 square feet;
c. Maximum number of signs - one (1); and
d. Style - monument style only. (CO: BLDG)
2. All signs shall be of uniform design and color. A master signage program shall be submitted prior to Site Plan Review Committee approval demonstrating conformance to these condition. (CO: BLDG)
3. No roof mounted signs shall be permitted on site. (CO: BLDG)
4. Wall signs shall be excluded from the above height and area restrictions. Wall signs shall only be permitted on the interior facades and the north facades facing Boynton Beach Boulevard. (CO: BLDG)

P. UNITY

1. **Prior to site plan certification by the Development Review Committee (DRC), the petitioner shall record in the public record a unity of control for the entire subject property.** The unity shall be recorded in a form and manner acceptable to the County Attorney. The unity shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRC: ZONING - Co Att)

Q. DUMPSTER

1. **All garbage dumpsters shall be screened from view on three (3) sides by an enclosure made of the same material as the principal structure.** The open end of the enclosure shall have an obscuring gate. (DRC: BLDG)

2. 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 twenty five (25) feet of the residential property lines and shall be confined to the areas designated on the site plan. (DRC / ONGOING: ZONING / CODE ENF)

R. MUPD

1. The requested use(s) shall remain in the location indicated on the preliminary development plan approved by the Board of County Commissioners dated May 21, 1997. (DRC: ZONING).

S. 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. (CO / ONGOING: 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. (CO: BLDG - Zoning)
3. All outdoor lighting shall be extinguished no later than 12:00 p.m., excluding security lighting only. (ONGOING: CODE ENF)

T. 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)

U. 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.

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)**