

RESOLUTION APPROVING ZONING PETITION **DOA95-22(A)**
DEVELOPMENT ORDER AMENDMENT
PETITION OF AUTO NATION USA CORP.
BY **KIERAN KILDAY**, AGENT
(AUTO NATION)

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 **DOA95-22(A)** was presented to the Board of County Commissioners at a public hearing conducted on February 26, 1998; 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 DOA95-22(A), the petition of Auto Nation USA Corp., by Kieran Kilday, agent, for a Development Order Amendment (DOA) to Reconfigure the site plan and add vehicle sales and rental (requested use) on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as ~~shown~~ on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on February 26, 1998, 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 Lee 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		Absent
Mary McCarty	--	Aye
Warren Newell		Aye
Carol A. Roberts	--	Absent

The Chair thereupon declared that the resolution was duly passed and adopted on March 26, 1998.

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

Petition DOA95-22(A)
Project No. 5000-273



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EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

THE WEST ½ OF TRACT 28, BLOCK 1, THE PALM BEACH FARMS CO. PLAT NO. 9, 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 5, PAGE 58.

PARCEL 2:

THE WEST ½ OF THE EAST ½ OF TRACT 1, BLOCK 4, THE PALM BEACH FARMS CO. PLAT NO. 3, 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, PAGES 45 THROUGH 54.

LESS, HOWEVER, THE FOLLOWING DESCRIBED PARCELS "A" AND "B":

PARCEL "A":

THAT PARCEL CONVEYED TO THE STATE TURNPIKE AUTHORITY BY INSTRUMENT RECORDED IN OFFICIAL RECORD BOOK 11 18, PAGE 62, MOR13 PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTH LINE OF TRACT 1, BLOCK 4, THE PALM FARMS CO. PLAT NO. 3, IN PLAT BOOK 2, PAGES 45 THROUGH 54, PALM BEACH COUNTY, FLORIDA, SAID POINT LYING SOUTH 89°26'14" WEST, A DISTANCE OF 408.83 FEET FROM THE SOUTHEAST CORNER OF SAID TRACT 1;

THENCE CONTINUING SOUTH 89°26'14" WEST, ALONG THE SOUTH LINE OF SAID TRACT 1, A DISTANCE OF 118.34 FEET TO A POINT, THENCE, NORTH 41°02'16" EAST, A DISTANCE OF 184.64 FEET; THENCE, SOUTH 01°12'16" WEST, A DISTANCE OF 138.15 FEET TO THE POINT OF BEGINNING.

PARCEL "B":

THAT PARCEL OF LAND CONVEYED TO THE LAKE WORTH DRAINAGE DISTRICT BY INSTRUMENT RECORDED IN OFFICIAL RECORD BOOK 2279, PAGE 1407, MOR 3 PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH 75 FEET OF THE WEST ½ OF TRACT 28, BLOCK 1, THE PALM BEACH FARMS CO. PLAT NO. 9, 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 5, PAGE 58.

PARCEL 3:

THE FOLLOWING DESCRIBED PARCEL OF LAND WHICH HAS BEEN ABANDONED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA BY RESOLUTION NO. B-74-352, RECORDED IN OFFICIAL RECORD BOOK 2308, PAGE 478, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

"BEGIN AT THE NORTHWEST CORNER OF THE WEST ½ OF THE EAST ½ OF TRACT 1, BLOCK 4, THE PALM BEACH COUNTY FARMS CO. PLAT NO. 3 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 46; THENCE NORTH 15 FEET, THENCE WAS 68.87 FEET; THENCE NORTH 15 FEET TO THE SOUTHWEST CORNER OF THE WEST ½ OF TRACT 28, BLOCK 1, THE PALM BEACH FARMS CO. PLAT NO. 9, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 58; THENCE, ALONG THE SOUTHERN

EXHIBIT A

LEGAL DESCRIPTION

BOUNDARY OF SAID TRACT TO THE SOUTHEAST CORNER OF SAID TRACT, THENCE SOUTH 15 FEET, THENCE WEST 87.01 FEET, THENCE SOUTH 15 FEET, TO THE NORTHEAST CORNER OF THE WEST ½ OF THE EAST ½ OF TRACT 1, BLOCK 4, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 46; THENCE ALONG THE NORTHERN BOUNDARY OF SAID TRACT TO THE NORTHWEST CORNER AND POINT OF BEGINNING.”

PARCEL 4:

THAT PART OF THE EAST ½ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, LYING NORTH AND WEST OF THE FLORIDA STATE TURNPIKE AND SUBJECT TO RIGHTS-OF-WAY OF OKEECHOBEE ROAD (SR 704) AND LAKE WORTH DRAINAGE DISTRICT LATERAL CANAL NO. 1.

PARCEL 5:

THAT PART OF THE EAST ½ OF TRACT 28, BLOCK 1, PALM BEACH FARMS CO. PLAT NO. 9, A SUBDIVISION IN PALM BEACH COUNTY, FLORIDA, 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 5, PAGE 58, LYING NORTHWEST OF THE RIGHT-OF-WAY OF THE SUNSHINE PARKWAY.

THAT PART OF THE EAST 1/4 OF TRACT 1, BLOCK 4, PALM BEACH FARMS CO. PLAT NO. 3, A SUBDIVISION IN PALM BEACH COUNTY, FLORIDA, 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, PAGES 45 THROUGH 54, LYING NORTHWEST OF THE RIGHT-OF-WAY OF THE SUNSHINE PARKWAY.

TOGETHER WITH ROADS ADJACENT TO SAID EAST ½ OF LOT 28 AND SAID EAST 1/4 OF TRACT 1, AND

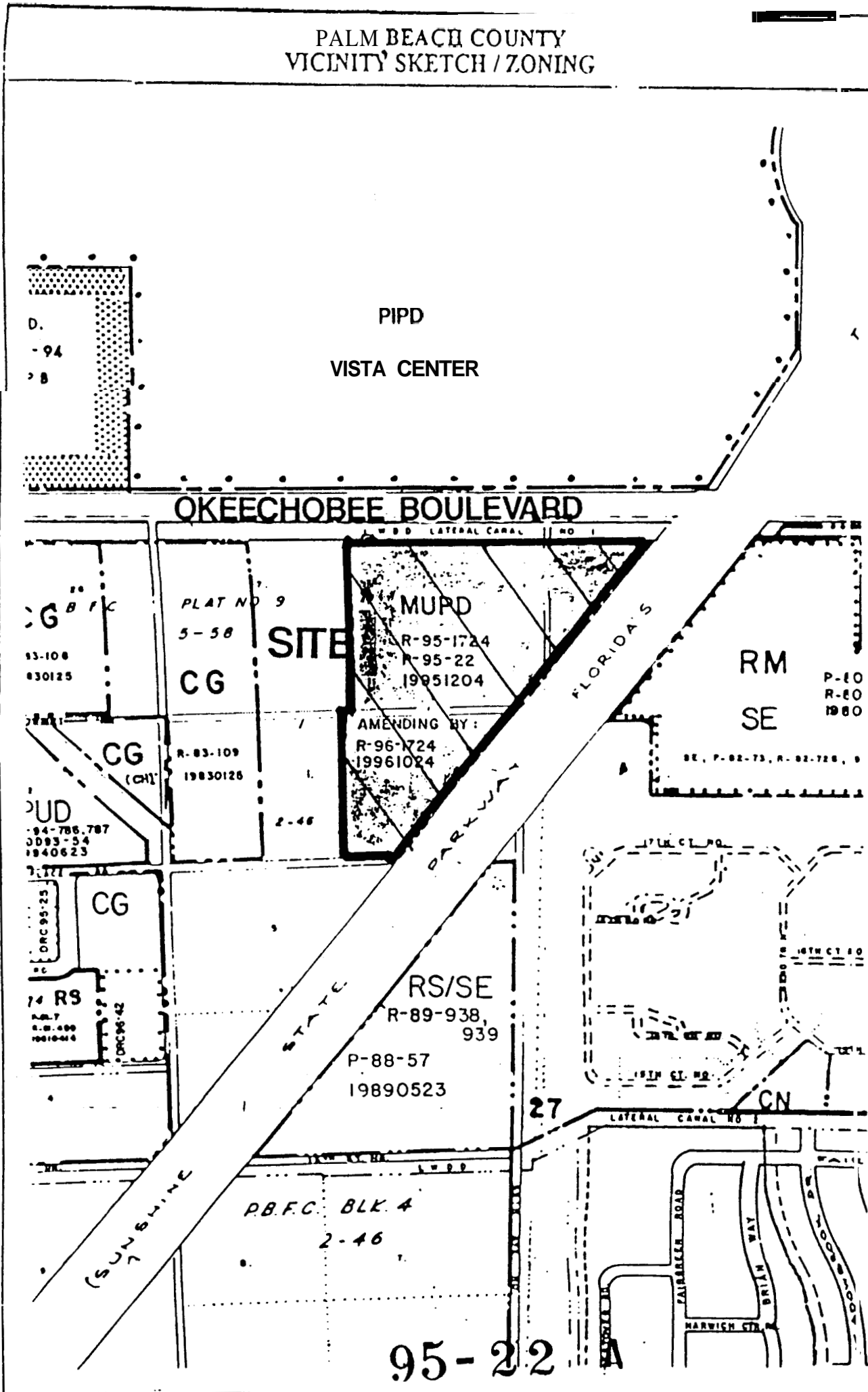
TOGETHER WITH THE HIATUS LYING BETWEEN THE WEST LINE OF THE EAST ½ OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, AND THE EAST LINE OF THE PLATS OF PALM BEACH FARMS CO. PLAT NO. 9 AND PALM BEACH FARMS CO. PLAT NO. 3, LYING NORTH OF THE FLORIDA STATE TURNPIKE.

AREA SUMMARY

PARCEL 1	7.69 ACRES
PARCEL 2	6.03 ACRES
PARCEL 3	0.20 ACRES
PARCEL 4	4.00 ACRES
PARCEL 5	11.0X ACRES
TOTAL	29.09 ACRES

EXHIBIT B

PALM BEACH COUNTY
VICINITY SKETCH / ZONING



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EXHIBIT C

CONDITIONS OF APPROVAL

A. ALL PETITIONS

1. All previous conditions of approval applicable to the subject property, as contained in Resolution R-95-1724 (Petition 95-22), are hereby repealed. (ONGOING: MONITORING-Zoning)
2. 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 December 22, 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. BUILDING AND SITE DESIGN

1. Prior to site plan certification by the Development Review Committee (DRC), the petitioner shall record in the public records a covenant ensuring architectural compatibility between all buildings and signage for the entire subject property. The covenant shall be in a form acceptable to the County Attorney. (DRC: COUNTY ATTORNEY)
2. All air conditioning and mechanical equipment for the showroom shall be roof mounted and screened from view with a parapet wall or other acceptable materials on all sides in a manner consistent with the color, character and architectural style of the principal structure. Screening shall be in accordance with Section 6.6.C. Compatibility Standards of the ULDC. (CO: BUILDING-Zoning)
3. The service building may have ground mounted mechanical equipment facing the southwest property line which is screened on all sides in a manner consistent with the color, character and architectural style of the principal structure. (CO: BUILDING-Zoning)
4. All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and trash compactors, shall be screened from view on all sides in a manner consistent with the color, character and architectural style of the principal structure and shall be confined to areas designated on the site plan. (CO: BUILDING-Zoning)

C. ENVIRONMENTAL RESOURCES MANAGEMENT

1. A Wellfield Affidavit of Notification shall be submitted to the Department of Environmental Resources Management prior to DRC Site Plan certification. (ERM)

D. HEALTH

1. Generation and disposal of any hazardous effluent into sanitary sewage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection and the agency for sewage works are constructed and used by project tenants or owners generating such effluent. (ONGOING: HEALTH/CODE ENF)

2. The owner, occupant ~~or~~ tenant of the facility shall participate in an oil recycling program ~~which ensures~~ proper re-use of disposal of any waste oil. (ONGOING: HEALTH/CODE ENF)
3. Any toxic or hazardous waste which may generated at this site shall be properly ~~handled~~ and disposed of in accordance with Chapter 62-730 ~~FAC~~. (ONGOING: HEALTH/CODE ENF)

E. ENGINEERING

1. ~~The property owner shall modify~~ the existing left turn lane east approach on ~~Okeechobee~~ Boulevard at ~~the~~ projects entrance road to either ~~lengthen~~ or ~~reconstruct~~ as a dual left turn lane with signalization as required by either ~~the~~ Florida Department of Transportation ~~or~~ by ~~the~~ County Engineer. If dual left turn lanes are constructed then 2 receiving lanes on the driveway shall ~~be~~ constructed.

- a. This construction shall be concurrent with the paving and drainage improvements for Phase II of the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations.
- b. Permits required by Florida DOT for this construction shall be ~~obtained~~ prior to the issuance of the first Building Permit Phase II of the site. (BLDG PERMIT: MONITORING-Eng)
- c. Construction shall ~~be~~ completed prior to the issuance of ~~the~~ first Certificate of Occupancy in Phase II. (CO: MONITORING-Eng)

2. LANDSCAPE WITHIN MEDIAN OF STATE ROADS

- a. Prior to issuance of a building permit, the property owner shall apply to ~~the~~ Palm Beach County Engineering and Public Works Department for a permit to landscape the adjacent median of ~~Okeechobee~~ Boulevard. This ~~permit~~, to ~~be~~ completed by the property owner, shall name Palm Beach County as the applicant. As part of this ~~permit~~ process, the property owner shall enter into a Right of Way, Landscape Maintenance, Removal, and Indemnification Agreement. When landscaping is permitted by the Florida Department of Transportation, 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. The property owner shall also be responsible to supplement any existing landscape material previously planted in this median and all new landscape material 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. (BLDG PERMIT: MONITORING - Eng)

- b. All required median **landscaping**, including an irrigation system if required, shall **be** installed at the property owners expense. All existing 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 prior to the issuance of a certificate of occupancy. (CO: MONITORING-Eng)
 - c. Declaration **of** Covenants and Restriction Documents shall be established **or** amended as required and shall **be** approved and recorded **prior** to the issuance of a building permit. (BLDG PERMIT: MONITORING-Eng)
3. Prior to site plan approval by the Development Review Committee the developer shall:
- a. Receive approval from the Land Development Division for a **revised** drainage study demonstrating that the project will **be** in accordance with **South** Florida Water Managements Districts C-51 Drainage Basin requirements.
 - b. Obtain conceptual approval from the Florida Department of Transportation for the proposed **geometrics** and location of the proposed access drive onto Okeechobee Boulevard. Any modifications **to** the 2.99 acre outparcel shall be accommodated for on the revised Site Plan. (DRC: ENG)
4. The property **owner shall** fund a pro rata share of the cost of signalization if warranted by **the** County Engineer and the Florida Department of Transportation at **the intersection** of Okeechobee Boulevard and the projects entrance road. Signalization shall also include any required warning flashers on Okeechobee Boulevard in advance of the Florida Turnpike Overpass. Should signalization not **be** required after five years after the final Certificate **of** Occupancy **then** this property owner shall be relieved from this obligation. (ONGOING: ENG)

F. LANDSCAPING - GENERAL

1. All 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. (CO: BLDG)
2. **All** palms required to be planted on site by this approval 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)

G. LANDSCAPING - INTERIOR

1. Landscape planting areas shall **be** provided along **the** front and side facades of all structures. The minimum width of required landscape planting areas shall be five **(5)** feet. The combined length of the required planting areas shall be no less than **40%** of the total length of the applicable side of the structure. **All** required **landscape** planting areas shall **be** planted with a minimum of one **(1)** tree every **20** feet on center and appropriate groundcover. (BLDG PERMIT: BLDG-Zoning)
2. Landscaped divider medians shall **be** provided between all rows of abutting parking designated as **customer/service**, display and employee parking spaces. The minimum width of **the** median shall be five (5) feet with one **tree** and appropriate ground cover installed a maximum spacing of thirty (30) feet on center. (CO: LANDSCAPE)
3. **Prior to** site plan certification by the DRC, the auto storage area on the northeast portion of the site shall be amended to indicate one landscape island for any row of parking with more than twenty (20) parking spaces. The maximum spacing between landscape islands shall not exceed two hundred **(200)** linear feet in the northeast auto storage area. (DRC: ZONING)
4. Prior to site plan certification by the DRC, the auto storage area on the northwest portion of the site shall be amended to indicate one landscape island for any row of parking with more than twenty-seven **(27)** parking spaces. The maximum **spacing between** landscape islands shall not exceed two hundred and seventy (270) linear feet in the northwest auto storage area. (DRC: ZONING)

H. LANDSCAPING ALONG THE NORTH PROPERTY LINE (ABUTTING OKEECHOBEE BOULEVARD)

1. Landscaping and buffering along **the** north property line shall **be** upgraded to include:
 - a. a minimum twenty (20) foot wide landscape buffer strip;
 - b. a minimum one to three foot high undulating berm with an average height of two (2) feet measured from **the** top of curb;
 - c. one **(1)** canopy tree for each twenty (20) linear feet of frontage with a maximum spacing of twenty-five **(25)** feet on center;
 - d. **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,
 - e. twenty four **(24)** inch high shrub or hedge material spaced no more than twenty four **(24)** inches on center and maintained at a minimum height of thirty **six** (36) inches planted on the toe of the berm, (facing the right of way). (CO: LANDSCAPE)

I. LANDSCAPING ALONG THE EAST PROPERTY LINE (ABUTTING FLORIDA TURNPIKE)

1. Landscaping and **buffering** along **the east** property line shall **be** upgraded to include:
 - a. a minimum twenty (20) foot wide landscape buffer strip;
 - b. a minimum one to three foot high undulating berm with an average height of two **(2)** feet measured from the top of curb;

- c. **one (1)** canopy tree for each twenty (20) linear feet of frontage with a maximum spacing of twenty-five **(25)** feet on center;
- d. **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,
- e. twenty four **(24) inch** high shrub or **hedge** material spaced no more than twenty four **(24)** inches on center and maintained at a minimum **height** of thirty six (36) **inches** planted **on the** toe, of the berm, (facing **the** right of way). (CO: LANDSCAPE)

J. LANDSCAPING ALONG THE WEST PROPERTY LINE AND SOUTH 286 FEET

- 1. Landscaping and buffering along the west and **286** feet of the south property line shall **be** upgraded to include:
 - a. A minimum twenty **(20)** foot wide landscape buffer strip;
 - b. One **(1)** canopy tree planted every thirty (30) feet on center;
 - c. One **(1)** palm or pine tree for each thirty (30) linear feet of front age. A group of three or more palm or pine trees may supersede the requirement for a canopy tree in that location; 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. (CO: LANDSCAPE)

K. LIGHTING

- 1. All *outdoor* lighting used to illuminate the subject property and identification signs shall **be** of low intensity, shielded and directed down and away from adjacent properties and streets. (CO / ONGOING: BLDG / CODE ENF - Zoning)
- 2. **All** outdoor lighting fixtures shall not exceed the following requirements:
 - a. Height: Maximum twenty five (25) feet measured from finished grade to highest point;
 - b. Spacing: Minimum sixty feet (60) apart; and,
 - c. Intensity: Along Okeechobee Blvd & Florida Turnpike: Maximum average of **45** footcandle levels. (CO:BLDG - Zoning)
- 3. **All outdoor** lighting shall **be** extinguished no later than **11:00** 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)

L. MUPD

- 1. Total gross floor area shall **be** limited to a maximum of **123,112** square feet. Expansion shall **be** limited to five per cent **(5%)** or **1,000** square feet, whichever is less. (BLDG. PERMIT: BUILDING-Zoning)

M. SIGNS

- 1. Freestanding point of purchase signs fronting on Okeechobee Boulevard, excluding **out** parcels, shall **be** limited as follows:
 - a. Freestanding point of purchase sign:

- 1) Maximum **sign** height, measured from finished grade to highest point - twenty-five **(25)** feet;
 - 2) Maximum sign face area per side - 150 square feet;
 - 3) Maximum number of signs - one (1); and
 - 4) Style - monument style only. (CO: BLDG-Zoning)
- b. Freestanding primary identification sign:
- 1) **Maximum sign** height, measured from finished grade to highest point - six **(6)** feet;
 - 2) Maximum sign face area per side - **60** square feet;
 - 3) Maximum number of signs - one (1); and,
 - 4) Style - monument style only. (CO: BLDG-Zoning)
2. Freestanding point of purchase signs fronting on Okeechobee Boulevard for the outparcel shall **be** limited as follows:
- a. Maximum sign height, measured **from** finished grade to highest point - ten **(10)** feet;
 - b. Maximum sign face area per side - 100 square feet;
 - c. Maximum number of signs - one (1); and
 - d. Style - monument style only. (CO: BLDG-Zoning)
3. Freestanding point of purchase signs fronting on the Florida Turnpike shall be limited as follows:
- a. Freestanding point of purchase sign:
 - 1) Maximum sign height, measured *from* finished grade to highest point - twenty (20) feet;
 - 2) Maximum sign face area per side - 150 square feet;
 - 3) Maximum number of signs - one (1); and
 - 4) Style - monument style only. (CO: BLDG-Zoning)
4. All billboards adjacent to the Florida Turnpike shall be removed prior to final Certificate of Occupancy and shall not be relocated. (CO: BLDG-Zoning)

N. VEHICLE SALES OR RENTAL

1. Vehicles shall not **be** parked or on display with hoods or trunks open. (ONGOING: CODE ENF - Zoning)
2. Vehicles shall not **be** elevated ~~off~~ the ground in any way. (ONGOING: CODE ENF - Zoning)
3. Vehicles **shall be** parked only in the areas designated on the certified site plan for customer, employee, service, display and inventory/storage spaces and shall maintain minimum backup distance and maneuverability. (ONGOING: CODE ENF - Zoning)
4. No advertising **flags**, foreign flags, pennants, banners, streamers, balloons, objects, gimmicks **or** similar signs designed **to** attract the attention of the general public **shall be** permitted outdoors **on** any building, vehicle or wall. Except that special event signage shall be permitted with a special permit pursuant to signage regulations in Section 7.14 of the ULDC. (ONGOING: CODE ENF - Zoning)
5. **An** automatic car wash facility, if provided, shall utilize a 100% water recycling system. (CO: BLDG -Health)

6. Outdoor speaker or public address systems ~~which~~ are audible from any property line shall not ~~be~~ permitted on site. (ONGOING: CODE ENF - Zoning)
7. Outdoor storage of disassembled vehicles or parts shall not ~~be~~ permitted on site. (ONGOING: CODE ENF - Zoning)
8. There ~~shall be~~ no outdoor repair of vehicles on site. (ONGOING: CODE ENF - Zoning)
9. When ~~this facility~~ is not open, the parking area shall ~~be~~ locked and gated. (ONGOING: CODE ENF - Zoning)
10. Vehicles shall not ~~be~~ tested off-site on the Vista Center property. (ONGOING: CODE ENF)

O. WATER UTILITIES

1. The developer shall be required to design and construct a sewer lift station per PBC Water Utilities Department specifications and with a capacity and access to serve the area east of Jog Road, west of the Florida Turnpike and south of Okeechobee Boulevard. (PBCWUD)

P. 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)**