

RESOLUTION NO. R-2005-0149

RESOLUTION APPROVING ZONING PETITION R2004-221
(CONTROL NO. 2004201)
REQUESTED USE
PETITION OF STORALL LIMITED
BY MILLER LAND PLANNING CONSULTANTS, INC., AGENT
(GLADES STORALL)

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 Board of County Commissioners, pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067) is authorized and empowered to consider, approve, approve with conditions or deny Requested Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, Zoning Petition R2004-221 was presented to the Board of County Commissioners at a public hearing conducted on January 27, 2005; 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 recommendations of the Zoning Commission; and

WHEREAS, this approval is subject to Article 2.E (Compliance with Time Limitations) of the Palm Beach County Unified Land Development Code (ULDC) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This Requested Use is consistent with the Palm Beach County Comprehensive Plan.
2. This Requested Use complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Unified Land Development Code.
3. This Requested Use is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Requested Use, 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 Requested Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.

6. This Requested Use meets applicable local land development regulations.
7. This Requested Use, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Requested Use has a concurrency determination and complies with Article 2.F, Concurrency of the ULDC.
9. This Requested Use, 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 Requested Use, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 2 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 R2004-221, the petition of StorAll Limited, by Miller Land Planning Consultants, Inc., agent, for a Requested Use to allow self-service storage in the Multiple Use Planned Development Zoning District, 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 as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on January 27, 2005, 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 AARONSON and, upon being put to a vote, the vote was as follows:

Tony Masilotti, Chairman	- AYE
Addie L. Greene, Vice Chairperson	- AYE
Karen T. Marcus	- AYE
Jeff Koons	- AYE
Warren H. Newell	- AYE
Mary McCarty	- AYE
Burt Aaronson	- AYE

The Chair thereupon declared that the resolution was duly passed and adopted on January 27, 2005.

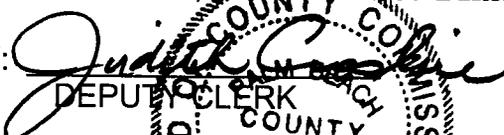
Filed with the Clerk of the Board of County Commissioners on 9TH day of FEBRUARY, 2005.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

SHARON BOCK, CLERK AND COMPTROLLER

BY: 
DEPUTY CLERK

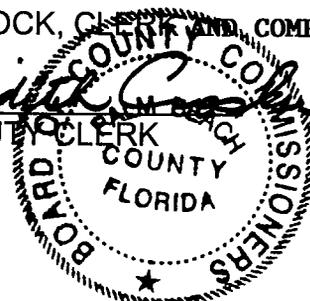


EXHIBIT A

LEGAL DESCRIPTION

PARCEL I:

THE NORTH 25 FEET OF TRACT 64, TOGETHER WITH TRACT 39, BLOCK 76 (LESS THE NORTH 157.00 FEET THEREOF), AS SHOWN ON THE PLAT OF THE "PALM BEACH FARMS COMPANY PLAT NO. 3", RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL II:

EASEMENT FOR THE BENEFIT OF PARCEL I AS CREATED BY EASEMENT DEED RECORDED IN OFFICIAL RECORDS BOOK 8232, PAGE 1220, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FOR INGRESS AND EGRESS OVER, UNDER AND ACROSS THE LAD DESCRIBED AS FOLLOWS:

A. THAT PORTION OF THE FOLLOWING DESCRIBED LAND LESS AND EXCEPT ANY PORTION THEREOF LYING WITHIN PARCEL I DESCRIBED ABOVE:

A PORTION OF TRACTS 39 AND 64, BLOCK 76, "PALM BEACH FARMS COMPANY PLAT NO. 3", IN SECTION 17, TOWNSHIP 47 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT 64; THENCE SOUTH 00 DEGREES 04 MINUTES 21 SECONDS EAST, ALONG THE EAST BOUNDARY OF SAID TRACT, 418.30 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF AN EASEMENT DESCRIBED IN OFFICIAL RECORDS BOOK 3758, AT PAGE 890, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 89 DEGREES 55 MINUTES 24 SECONDS WEST, ALONG SAID NORTHERLY BOUNDARY, 8.39 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 55 MINUTES 24 SECONDS WEST, ALONG SAID NORTHERLY BOUNDARY, 16.61 FEET; THENCE SOUTH 00 DEGREES 04 MINUTES 31 SECONDS EAST, ALONG THE WESTERLY BOUNDARY OF SAID EASEMENT, 15.52 FEET; THENCE NORTH 28 DEGREES 34 MINUTES 31 SECONDS WEST, 10.80 FEET; THENCE NORTHERLY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 139.00 FEET, A DELTA OF 28 DEGREES 30 MINUTES 00 SECONDS, AN ARC DISTANCE OF 69.14 FEET; THENCE TANGENT TO SAID CURVE NORTH 00 DEGREES 04 MINUTES 31 SECONDS WEST, 311.14 FEET; THENCE NORTHERLY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE WEST, HAVING A RADIUS OF 100.00 FEET, A DELTA OF 19 DEGREES 27 MINUTES 09 SECONDS, AN ARC DISTANCE OF 33.95 FEET; THENCE TANGENT TO SAID CURVE NORTH 19 DEGREES 31 MINUTES 40 SECONDS WEST, 30.01 FEET; THENCE NORTHERLY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 122.00 FEET, A DELTA OF 19 DEGREES 27 MINUTES 09 SECONDS, AN ARC DISTANCE OF 41.42 FEET; THENCE TANGENT TO SAID CURVE NORTH 00 DEGREES 04 MINUTES 31 SECONDS WEST, 310.52 FEET; THENCE NORTHERLY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 72.00 FEET, A DELTA OF 29 DEGREES 33 MINUTES 50 SECONDS, AN ARC DISTANCE OF 37.15 FEET; THENCE TANGENT TO SAID CURVE NORTH 29 DEGREES 29 MINUTES 19 SECONDS EAST, 12.21 FEET; THENCE NORTHERLY ALONG

THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE WEST, HAVING A RADIUS OF 50.00 FEET, A DELTA OF 29 DEGREES 27 MINUTES 31 SECONDS, AN ARC DISTANCE OF 25.71 FEET; THENCE TANGENT TO SAID CURVE NORTH 00 DEGREES 01 MINUTES 47 SECONDS EAST, 65.53 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTH 132.00 FEET OF THE NORTH 157.00 FEET OF SAID TRACT 39; THENCE SOUTH 89 DEGREES 58 MINUTES 13 SECONDS EAST, ALONG SAID SOUTH LINE 22.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 47 SECONDS WEST 65.53 FEET; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE WEST, HAVING A RADIUS OF 72.00 FEET, A DELTA OF 29 DEGREES 27 MINUTES 31 SECONDS, AN ARC DISTANCE OF 37.02 FEET; THENCE TANGENT TO SAID CURVE SOUTH 29 DEGREES 29 MINUTES 19 SECONDS WEST, 12.21 FEET; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 50.00 FEET, A DELTA OF 29 DEGREES 33 MINUTES 50 SECONDS, AN ARC DISTANCE OF 25.80 FEET; THENCE TANGENT TO SAID CURVE SOUTH 00 DEGREES 04 MINUTES 31 SECONDS EAST, 310.52 FEET; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 100.00 FEET, A DELTA OF 19 DEGREES 27 MINUTES 09 SECONDS, AN ARC DISTANCE OF 33.95 FEET; THENCE TANGENT TO SAID CURVE SOUTH 19 DEGREES 31 MINUTES 40 SECONDS EAST, 31.01 FEET; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE WEST, HAVING A RADIUS OF 122.00 FEET, A DELTA OF 19 DEGREES 27 MINUTES 09 SECONDS, AN ARC DISTANCE OF 41.42 FEET; THENCE TANGENT TO SAID CURVE SOUTH 00 DEGREES 04 MINUTES 31 SECONDS EAST, 311.14 FEET; THENCE SOUTHERLY ALONG THE ARC OF A TANGENT CURVE BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 117.00 FEET, A DELTA OF 28 DEGREES 30 MINUTES 00 SECONDS, AN ARC DISTANCE OF 58.20 FEET; THENCE TANGENT TO SAID CURVE SOUTH 28 DEGREES 34 MINUTES 31 SECONDS EAST, 5.09 FEET, TO THE POINT OF BEGINNING.

B. THE EAST 50 FEET OF THE SOUTH 314 FEET OF TRACT 64, LESS THE SOUTH 25 FEET THEREOF, BLOCK 76, "PALM BEACH FARMS COMPANY PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45-54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL III:

EASEMENT FOR THE BENEFIT OF PARCEL I AS CREATED BY EASEMENT AGREEMENT DATED MAY 24, 1982, FILED JULY 14, 1982 AND RECORDED IN OFFICIAL RECORDS BOOK 3758, PAGE 890 AND REFILED IN OFFICIAL RECORDS BOOK 3773, AT PAGE 1160, FOR INGRESS AND EGRESS OVER, UNDER AND ACROSS THE LAND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF TRACT 65, BLOCK 76, "PALM BEACH FARMS COMPANY PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45-54; THENCE ON AN ASSUMED BEARING OF SOUTH ALONG THE WEST LINE OF TRACT 65, A DISTANCE OF 595.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF GLADES ROAD (STATE ROAD 808) AS DEEDED TO PALM BEACH COUNTY FOR RIGHT-OF-WAY PURPOSES AND THE POINT OF BEGINNING; THENCE EAST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, 25.00 FEET; THENCE NORTH ALONG A LINE PARALLEL TO THE WEST LINE OF TRACT 65, A DISTANCE OF 103.09 FEET TO A POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST; THENCE NORTHERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, TO THE LEFT, HAVING A CENTRAL ANGLE OF 35 DEGREES 36 MINUTES 20 SECONDS AND A RADIUS OF 120.00 FEET FOR AN ARC DISTANCE OF 74.57 FEET TO A POINT OF REVERSE CURVATURE OF A TANGENT CURVE CONCAVE TO

THE NORTHEAST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, TO THE RIGHT, HAVING A CENTRAL ANGLE OF 02 DEGREES 21 MINUTES 49 SECONDS AND A RADIUS OF 110.00 FEET FOR AN ARC DISTANCE OF 4.54 FEET TO THE INTERSECTION WITH A NON-TANGENT LINE, ALSO BEING THE WEST LINE OF TRACT 65; THENCE SOUTH ALONG SAID WEST LINE OF TRACT 65, A DISTANCE OF 176.70 FEET TO THE POINT OF BEGINNING.

PARCEL IV:

EASEMENT FOR THE BENEFIT OF PARCEL I AS CREATED IN WARRENTY DEEDS RECORDED IN OFFICIAL RECORDS BOOK 2784, PAGES 1577, 1608 AND 1610 AND MORE FULLY DESCRIBED IN INSTRUMENTS ENTITLED CONFIRMATION OF EASEMENTS AND AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 2784, PAGES 1612, 1616 AND 1620 AND PERPETUATED IN WARRENTY DEED RECORDED IN OFFICIAL RECORDS BOOK 11849, PAGE 936 FOR VEHICULAR AND PEDESTRIAN ACCESS OVER, UNDER AND ACROSS THE LAND DESCRIBED AS FOLLOWS:

THE EAST 50 FEET OF THE SOUTH 314 FEET OF TRACT 64, LESS THE SOUTH 25 FEET THEREOF, BLOCK 76, "PALM BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

EXHIBIT C

CONDITIONS OF APPROVAL

A. ALL PETITIONS

1. 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 14, 2004. 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 - Zoning)

B. ARCHITECTURAL REVIEW

1. At time of submittal for final Development Review Officer (DRO) approval, the architectural elevations for the building shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Sections 6.6.C., 6.6.E. and 6.4.D.87 of the ULDC. Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCH REVIEW - Zoning)
2. Design of gutters and downspouts shall be integrated into the architectural design of the building. Painting of the gutters and downspouts shall not constitute architectural integration. (DRO: ARCH REVIEW - Zoning)

C. LANDSCAPING - STANDARD

1. A minimum of fifty (50) percent of all canopy trees required to be planted in the landscape buffers shall be native and meet the following minimum standards at installation:
 - a. Tree height: Fourteen (14) feet;
 - b. Trunk diameter: 3.5 inches measured at 4.5 feet above grade;
 - c. Canopy diameter: Seven (7) feet – diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of 3.5 feet in length; and,
 - d. Credit may be given for existing or relocated trees provided they meet ULDC requirements. (BLDG PERMIT: LANDSCAPE - Zoning)
2. All palms required to be planted on the property by this approval shall meet the following minimum standards at installation, unless otherwise indicate herein:
 - 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. (BLDG PERMIT: LANDSCAPE - Zoning)
3. All shrub or hedge materials shall be planted in continuous masses and in a meandering and naturalistic pattern, consisting of a minimum of two (2) to three (3) varying heights. Shrub materials shall be continuously maintained to achieve the following heights and hierarchical effect:

- a. Eighteen (18) to twenty-four (24) inches – groundcover and small shrub;
 - b. Twenty-four (24) to thirty-six (36) inches – medium shrub;
 - c. Forty-eight (48) to seventy-two (72) inches – large shrub; and,
 - d. This condition does not apply to the five (5) foot wide compatibility buffers or where a single row of hedge is required on either side of a wall. (BLDG PERMIT: LANDSCAPE - Zoning)
- 4. All trees and palms shall be planted in a meandering and naturalistic pattern. (BLDG PERMIT: LANDSCAPE - Zoning)
 - 5. A group of three (3) or more palm trees may not supersede the requirement for a canopy tree in that location, unless specified herein. (BLDG PERMIT: LANDSCAPE - Zoning)
 - 6. All canopy trees to be planted within overhead utilities easement shall be consistent with FP&L's tree list as suggested in the "Plant the Right Tree in the Right Place" guidelines and pursuant to Section 7.3.E.12.a of the ULDC. (BLDG PERMIT: LANDSCAPE - Zoning)
 - 7. Field adjustment of berm, wall and/or plant material location may be permitted to provide pedestrian sidewalks and bike paths, and to accommodate transverse utility or drainage easements crossings and existing vegetation. (BLDG PERMIT: LANDSCAPE - Zoning)
 - 8. Berm height shall be measured from the nearest top of the curb, the crown of the nearest road, or the nearest adjacent finished floor elevation, whichever is higher. Minor height adjustment may be permitted subject to the approval by the Landscape Section prior to the issuance of a building permit. (BLDG PERMIT: LANDSCAPE - Zoning)

D. LANDSCAPING ALONG THE EAST PROPERTY LINE (ABUTTING INGRESS/EGRESS EASEMENT)

- 1. Landscaping and buffering along the east property line shall be upgraded to include:
 - a. a minimum fifteen (15) foot wide landscape buffer strip with a maximum five (5) feet of utility easement encroachment;
 - b. one (1) canopy tree for each twenty-five (25) linear feet of property line;
 - c. one (1) palm or pine tree for each thirty (30) linear feet of property line with a maximum spacing of sixty (60) feet between clusters;
 - d. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation; and,
 - e. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation. (BLDG PERMIT: LANDSCAPE - Zoning)

E. ENGINEERING

- 1. In order to comply with the mandatory Traffic Performance Standards, the property owner shall be restricted to the following phasing schedule:

No Building Permits for the site may be issued after January 10, 2008. A time extension for this condition may be approved by the County Engineer 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 Article 2 Section E of the Unified Land Development Code. (DATE: MONITORING - Eng)

2. The concurrency approval is subject to the project aggregation rule set forth in the Traffic Performance Standards Ordinance. (ONGOING: ENG - Eng)

F. LANDSCAPING ALONG THE NORTH AND SOUTH PROPERTY LINES (ABUTTING COMMERCIAL PROPERTY)

1. Landscaping and buffering along the north and south property lines shall be upgraded to include:
 - a. a minimum five (5) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
 - b. one (1) canopy tree for each twenty-five (25) linear feet of the property line;
 - c. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters; and,
 - d. a continuous row of medium shrub or hedge material between all trees and palms. Shrub shall be a minimum height of twenty-four (24) inches at installation. (BLDG PERMIT: LANDSCAPE - Zoning)

G. LANDSCAPING ALONG THE NORTH 346 FEET WEST PROPERTY LINE (ABUTTING BOCA GLADES PUD)

1. Landscaping and buffering along the north 346 feet of the west property line shall be upgraded to include:
 - a. a minimum twenty (20) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
 - b. a continuous two and one-half (2.5) foot high berm;
 - c. a six (6) foot high opaque concrete panel wall shall be located on the plateau of the berm, and include a continuous east-west section that attaches to the northwest corner of the building. The exterior side of the wall shall be given a finished architectural treatment that is compatible and harmonious with abutting development;
 - d. one (1) native canopy tree for each fifteen (15) linear feet of the property line, to be planted alternating on both sides of the wall with a maximum tree spacing of thirty (30) feet on center per side; and,
 - e. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters, alternating on both sides of the wall. (BLDG PERMIT: LANDSCAPE - Zoning)
2. The following landscaping requirements shall be installed on the exterior side of the required wall:
 - a. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
 - b. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (BLDG PERMIT: LANDSCAPE - Zoning)
3. Along the interior side of the required wall, the property owner shall install thirty (30) inch high shrub or hedge material spaced no more than twenty four (24) inches on center, to be maintained at a minimum height of thirty-six (36) inches at maturity. (BLDG PERMIT: LANDSCAPE - Zoning)

H. LANDSCAPING ALONG THE SOUTH 182 FEET OF THE WEST PROPERTY LINE (ABUTTING BOCA GLADES PUD)

1. Landscaping and buffering along the south 182 feet of the west property line shall be upgraded to include:
 - a. a minimum twenty (20) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
 - b. a continuous two and one-half (2.5) foot high berm;
 - c. one (1) native canopy tree for each fifteen (15) linear feet of the property line, to be planted in two (2) staggered rows to maximize screening. Tree spacing shall not exceed thirty (30) feet center to center per row;
 - d. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters;
 - e. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
 - f. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation; and,
 - g. one (1) large shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of forty-eight (48) inches at installation. (BLDG PERMIT: LANDSCAPE - Zoning)

I. LANDSCAPING - INTERIOR

1. A minimum of one (1) landscape island shall be provided for every ten (10) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred (100) linear feet. (DRO: ZONING - Zoning)
2. Landscaping for terminal and interior landscape islands in the parking areas shall consist of the following:
 - a. a minimum of one (1) canopy tree;
 - b. a continuous hedge between all trees within the islands where applicable. Shrub or hedge materials shall be maintained at a maximum height of thirty-six (36) inches; and;
 - c. appropriate ground cover. (BLDG PERMIT: LANDSCAPE - Zoning)
3. Landscape diamonds with a minimum dimension of five (5) feet by five (5) feet and a minimum planting area of twenty-five (25) square feet shall be provided within all rows of abutting parking. These diamonds shall be located at the common intersection of four (4) parking spaces and spaced a maximum of two (2) parking spaces apart. A minimum of one (1) canopy tree and appropriate ground cover shall be provided within each landscape diamond. (DRO/BLDG PERMIT: ZONING/LANDSCAPE - Zoning)
4. Foundation planting or grade level planters shall be provided along the north, south, east and west facades of the building and consist of the following:
 - a. The minimum width of the required landscape areas shall be eight (8) feet along the south and east façades of the building, and (5) feet along the north and west facades of the building;
 - b. The length of the required landscaped areas shall be no less than seventy-five (75) percent of the total length of the east, south and west facades of the building, and no less than fifty (50) percent of the total length of the north facade of the building;
 - c. Landscape areas shall be planted with a minimum equivalent of one (1) tree or palm for each twenty (20) linear foot of building

façade with a maximum spacing of twenty (20) feet on center and appropriate ground cover; and,

d. Trees and/or palms within the required landscape area along the west facade of the building shall have the following minimum heights at installation:

- 1) twenty-four (24) feet or greater: minimum sixty (60) percent of all required trees and/or palms;
- 2) eighteen (18) feet to twenty-four (24) feet: minimum twenty (20) percent of all required trees and/or palms; and,
- 3) sixteen (16) feet to eighteen (18) feet: minimum twenty (20) percent of all required trees and/or palms. (DRO/BLDG PERMIT: ZONING/LANDSCAPE - Zoning)

J. LIGHTING

1. All outdoor lighting used to illuminate the subject property and identification signs shall be of minimum necessary to satisfy ULDC requirements, low intensity, shielded and directed down and away from adjacent properties and streets. (CO/ONGOING: BLDG/CODE ENF - Zoning)
2. All outdoor, freestanding lighting fixtures shall not exceed twenty (20) feet in height measured from finished grade to highest point. (CO: BLDG - Zoning)
3. All outdoor, freestanding lighting fixtures shall be setback a minimum distance of forty (40) feet from the west property line. (CO: BLDG - Zoning)
4. All outdoor lighting shall be extinguished no later than one half (1/2) hour after operating hours, excluding security lighting only. (ONGOING: CODE ENF - Zoning)
5. 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 - Zoning)

K. MUPD

1. Prior to final approval by the DRO, the property owner shall record a covenant/unity of control in the public record indicating that all structures, uses and parking areas within the project are part of a single unified planned development, regardless of ownership. The covenant/unity of control shall be recorded in the public record in a manner and form acceptable to the County Attorney. The covenant/unity of control shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRO: ZONING - Co Atty)

L. SIGNS

1. No freestanding point of purchase sign shall be permitted on the property. (BLDG PERMIT: BLDG - Zoning)
2. Outparcel identification signage shall be limited as follows:
 - a. maximum sign height, measured from finished grade to highest point - six (6) feet;
 - b. maximum sign face area per side - twenty (20) square feet;
 - c. maximum number of signs - one (1) for the entire site, unless off-site signage is provided, in which case no outparcel identification signage shall be permitted;
 - d. style - monument style only; and,

- e. location - within twenty (20) feet of the west boundary of the ingress/egress easement, and within two hundred (200) feet of the south property line;
 - f. Signs shall be limited to identification of tenants only. (BLDG PERMIT: BLDG - Zoning)
3. Wall signs shall be limited to the south and east facades of the building. Individual lettering size shall be limited to a maximum of thirty-six (36) inches high, subject to compliance with all applicable ULDC regulations. Wall signs shall be limited to identification of tenants only. (BLDG PERMIT: BLDG - Zoning)

M. USE LIMITATION

- 1. Hours of business operation, including deliveries and loading, shall be limited to 7:00 a.m. to 9:00 p.m. Monday through Saturday, and 8:00 a.m. to 6:00 p.m. Sunday. (ONGOING: CODE ENF - Zoning)
- 2. The storage of rental trucks/trailers or outside vendors, including an accessory vehicle rental facility, shall not be permitted on the property. (ONGOING: CODE ENF - Zoning)
- 3. Outdoor retail business activities shall not be allowed on the property, excluding deliveries only. (ONGOING: CODE ENF - Zoning)
- 4. Repair or maintenance of vehicles shall not be permitted on the property, excluding emergency and/or incidental repairs. (ONGOING: CODE ENF - Zoning)
- 5. Storage or placement of any material, refuse, equipment or debris shall not be permitted in the rear of the facility. (ONGOING: CODE ENF - Zoning)
- 6. No outdoor speaker or public address systems shall be permitted on the property. (ONGOING: CODE ENF - Zoning)

N. 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 Code Enforcement Special Master 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 Article 2.E 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. (ONGOING: MONITORING - Zoning)