

RESOLUTION NO. R-95- 859

RESOLUTION APPROVING ZONING PETITION PDD94-16(A)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF INTERDEVCO AND SCHOOL BOARD OF PALM BEACH COUNTY

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 PDD94-16(A) was presented to the Board of County Commissioners at a public hearing conducted on June 22, 1995; 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 **PDD94-16(A)**, the petition of Interdevco and School Board of Palm Beach County, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) and Public Ownership (PO) ZONING DISTRICTS to the Residential Planned Unit Development (PUD) ZONING DISTRICT including the following REQUESTED USE: school, elementary or secondary, 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 22, 1995, 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 Roberts and, upon being put to a vote, the vote was as follows:

Ken Foster, Chair	--	Aye
Burt Aaronson	--	Aye
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Mary McCarty	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted this 22nd day of June, 1995.

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

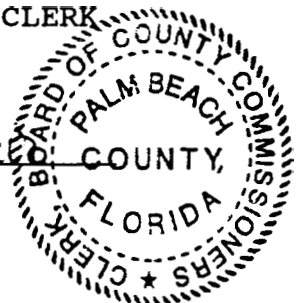


EXHIBIT A

LEGAL DESCRIPTION

OVERALL DESCRIPTION:

THAT PART OF SECTION 10, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER (S.E. 1/4) OF SAID SECTION 10; THENCE S. 88° 22' 12" E., ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER (S.E. 1/4) OF SECTION 10, 46.29 FEET TO THE POINT OF BEGINNING; THENCE S. 69° 11' 56" W., 325.27 FEET; THENCE S. 5° 06' 20" W., ALONG A LINE 40.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHEAST QUARTER (S.E. 1/4) OF SECTION 10 AND ALONG THE EAST RIGHT OF WAY LINE OF JOQ ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 5895, PAGE 10 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, 1138.10 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY WITH A RADIUS OF 2560.00 FEET AND 4 CENTRAL ANGLE OF 24° 50' 44"; THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE AND ALONG THE SAID EAST RIGHT OF WAY LINE OF JOQ ROAD, 1110.11 FEET TO A LINE 25.00 FEET SOUTH OF AND PARALLEL WITH THE SOUTH LINE OF TRACT 71, BLOCK 40, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 49 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S. 88° 32' 03" E., ALONG SAID PARALLEL LINE, 197.34 FEET TO THE WEST LINE OF THE SOUTHEAST QUARTER (S.E. 1/4) OF SECTION 10; THENCE S. 5° 06' 20" W., ALONG SAID WEST LINE, 247.74 FEET TO THE SOUTH LINE OF SAID SECTION 10; THENCE S. 88° 27' 56" E., ALONG SAID SOUTH LINE, 2656.41 FEET TO THE SOUTHEAST CORNER OF SECTION 10; THENCE N. 5° 30' 57" E., ALONG SAID EAST LINE, 2768.20 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (S.E. 1/4) OF SECTION 10; THENCE N. 88° 22' 12" W., ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER (S.E. 1/4) OF SECTION 10, 2629.70 FEET TO THE SAID POINT OF BEGINNING. LESS AND NOT INCLUDING THE SOUTH 327 FEET OF THE NORTH 402 FEET OF THE EAST 400 FEET OF THE WEST 740 FEET OF THE SOUTHEAST QUARTER (S.E. 1/4) OF SECTION 10, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

EXHIBIT B
VICINITY SKETCH

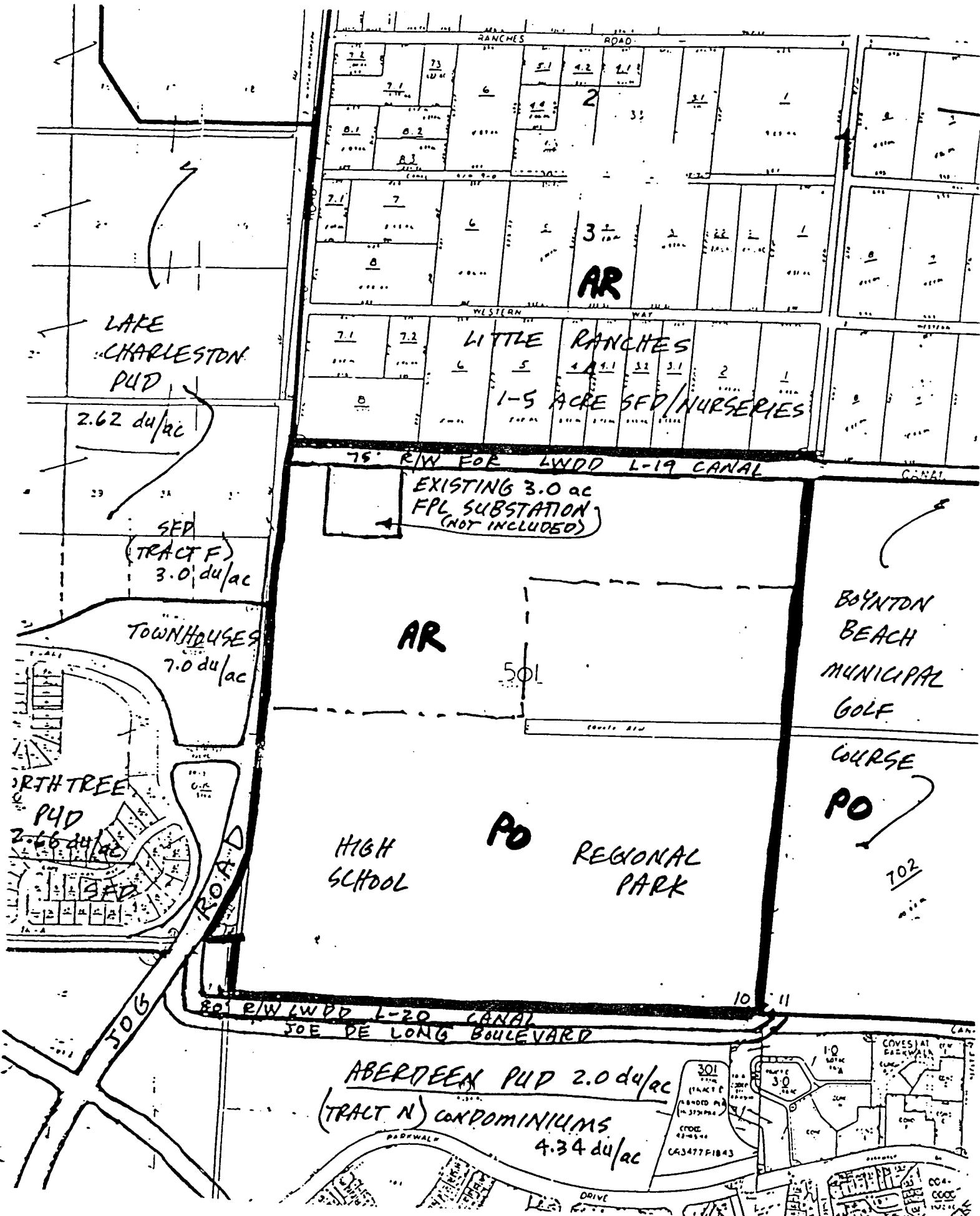


EXHIBIT C

CONDITIONS OF APPROVAL

A. GENERAL

1. Resolution **R-94-789**, approving Zoning Petition **94-16**, is hereby revoked. (ZONING)
2. There shall be no age-restriction on the occupancy of residential units. (PLANNING)
3. Each residential unit and non-residential land use shall have access to the continuous non-vehicular circulation system. (PLANNING)

B. LANDSCAPING

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 a': 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length. (BUILDING/ZONING)
2. Landscape buffer strips along the west and south property lines shall be as follows:
 - a. West, abutting Jog Road, shall be a minimum of twenty **(20)** feet wide; and,
 - b. South, abutting Joe DeLong Road, shall be a minimum of twenty five **(25)** feet wide. (ZONING)
3. Landscaping within the required buffers along the west and south property lines abutting Jog Road and Joe DeLong Boulevard shall be upgraded to include:
 - a. One **(1)** canopy tree for each twenty **(20)** linear feet of frontage; and,
 - b. One **(1)** native palm tree for each thirty **(30)** linear feet of frontage; and,
 - c. Thirty **(30)** inch high shrub or hedge material spaced twenty-four **(24)** inches on center at installation. (ZONING)
4. In addition to the requirements of Conditions **B.1.** , **B.2.** , and **B.3.** above, the landscape buffer of Pod **A** along Jog Road shall consist of the following:
 - a. A continuous three **(3)** to six **(6)** foot high berm ranging from a minimum of twenty **(20)** feet to forty **(40)** feet in width and a maximum 3 to 1 finished slope.
 - b. The required hedge material shall be located on the top of the berm and maintained at a minimum four **(4)** foot height.

- c. One (1) evergreen canopy tree for each fifteen (15) linear feet of frontage; and,
- d. One (1) native palm tree for each twenty (20) linear feet of frontage. (ZONING)

C. **PARKS**

- 1. Prior to site plan certification by the Development Review Committee (DRC), the Parks and Recreation Department shall arrange and meet with representatives from COWBRA and the Master Homeowners Associations of the Aberdeen, Northtree and Lake Charleston Developments to finalize the design for the district park. (PARKS)

D. **SITE DESIGN**

- 1. Prior to site plan certification by the Development Review Committee (DRC), the petitioner shall amend the site plan to indicate sidewalks along Jog Road. (ZONING)
- 2. No access from Joe DeLong Boulevard to the project shall be permitted. (ZONING/ENGINEERING)
- 3. Prior to the issuance of the first building permit, the property owner shall remove any existing billboard signs located in the area in which the permit is being sought (i.e. school, park or residential component). Proof of removal shall be provided to the Department of Planning, Zoning and Building prior to permit issuance. (BUILDING-Zoning)
- 4. Within the multi-family Pod A, any proposed three story building or three story portion thereof shall be setback a minimum of 200 feet from the ultimate right-of-way for Jog Road. (BUILDING-Zoning)
- 5. The site design and layout of Pod A, including but not limited to building orientation, landscaping, parking, circulation and access, shall be developed in accordance with Exhibit as shown to the Board of County Commissioners on ~~May 25~~ June 22, 1995.
- 6. In the residential component of the PUD:
 - a. Street lights shall be provided pursuant to Section **6.8.A.23.d(1)** of the Unified Land Development Code (ULDC).
 - b. Street trees shall be planted pursuant to Section **6.8.A.23.d(3)** of the ULDC.
 - c. All utilities shall be underground pursuant to Section **6.8.A.23.d(5)** of the ULDC. (ZONING/ENGINEERING)

E. **ENGINEERING**

- 1. The residential Property owner shall construct:
 - a) a left turn lane west approach on the ~~100~~ **96** foot right-of-way which serves both this residential POD and the high school at its intersection with this project's north south entrance road.

- b) a left and right turn lane north approach on this project's entrance road at its intersection with the ~~400~~ **96** foot right-of-way which serves this residential POD and the high school.

This construction shall be concurrent with the paving and drainage improvements for the first plat for 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 and acquisition of any additional required right-of-way. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of technical compliance. Construction shall be completed prior to the acknowledgement of completion for any plat of the site. (ENGINEERING).

2. The residential Property owner shall fund the construction of the following off site intersection improvements:
 - a) separate right turn lane on both the east and west approach on Gateway Boulevard at its intersection with Military Trail.
 - b) separate right turn lane on both the east and west approach on Gateway Boulevard at its intersection with Lawrence Road.

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 and acquisition of any additional required right-of-way. The residential property owner shall both design and construct the roadway improvements enumerated above based on the County Engineer's approval of the certified construction costs submitted by the residential developer's engineer. The costs for the improvements shall be credited against required traffic related impact fees. (BUILDING/ENG) .

3. A certified cost estimate from the residential Developer's Engineer for the off site intersection improvements outlined in Condition E2 above shall be approved by the Office of the **Land Development Division** on or before ~~September 28~~ **December 22, 1995.** (MONITORING - Engineering)
4. Acceptable surety required for the off site intersection improvements as outlined in Condition E2 above shall be posted with the Office of the **Land Development Division** on or before ~~November 30~~ **December 22, 1995.** **Surety** in the amount of 110% shall be based upon a Certified Cost Estimate provided by the residential Developer's Engineer. **No administrative time extensions may be granted by staff** as this surety is required to meet Traffic Performance Standards. (MONITORING - Engineering)
5. In order to comply with the mandatory Traffic Performance Standards, the residential Developer shall be restricted to the following phasing schedule:

- a) No Building Permits for the 480 unit residential portion of the PUD shall be issued until construction has begun the award of the contract for construction by the Board of County Commissioners for Jog Road as a 6 lane section from Boynton Beach Boulevard to Hypoluxo Road plus the appropriate paved tapers. (BUILDING - Engineering).
- b) ~~No Building Permits for the 480 unit residential portion of the PUD shall be issued until construction has begun for separate right turn lanes east and west approaches on Gateway Boulevard at its intersection with Lawrence Road plus the appropriate paved tapers.~~ Buildina permits shall not be issued for more than 121 multi-family residential units (or other combination of multi-family and sinale-family residential units approved by the county Enaineer that will not exceed 847 trips per day) until construction beaun for separate riaht turn lanes east and west approaches on Gateway Blvd. at its intersection with Military Trail plus the appropriate paved tapers. (BUILDING - Engineering).
- c) ~~No Building Permits for the 480 unit residential portion of the PUD shall be issued until construction has begun for separate right turn lanes east and west approaches on Gateway Boulevard at its intersection with Military Trail plus the appropriate paved tapers.~~ Buildina permits shall not be issued for more than 159 multi-famu residential units (or other combination of multi-family and sinale-family residential units as approved by the County Enuineer that will exceed 1115 trips per day) until construction ras begun for separate riaht turn lanes east and west approaches on Gateway Blvd. at its intersection with Lawrence Road plus the appropriate paved tapers. (BUILDING-Engineering)
- d) ~~No Building Permits for the site may be issued after December 31, 1997.~~ No building permits for this site may be issued after December 31, 1998.
- e) If all the residential building permits for this PUD have not been issued for this project prior to December 31, 1997, then Buildina permits shall not be issued for more than 352 multi-family units and 126 sinale-family residential units (or other combination of multi-family and sinale-family residential units as approved by the County Enaineer that will not exceed 3724 trips per day) until construction has beaun for Gateway Blvd. as a 6-lane section from Military Trail to Congress Avenue. (BUILDING - Engineering)

- f) If all the residential building permits for this PUD have not been issued for this project prior to December 31, 1997, then Building permits shall not be issued for more than 352 multi-family units and 45 single-family residential units (or other combination of multi-family and single-family residential units as approved by the County Engineer that will not exceed 2922 trips per day) until construction has begun for Lantana Road as a 6-lane section from Military Trail to Lawrence Road. (BUILDING - Engineering)

The number of allowable phased dwelling units and buildout date may be adjusted 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.

6. The ~~Property Owners~~ School District and the County shall install signalization if warranted as determined by the County Engineer on:

- a) Jog Road at project's entrance(s)

Should signalization not be warranted after 24 months of the final Certificate of Occupancy this property owner shall be relieved from this condition.

If the full signalization is not warranted, a temporary flasher shall be installed concurrent with the issuance of the first building permit. (BUILDING/ENGINEERING - Engineering)

7. The residential 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, Zoning Petition Number 94-16(A), to be paid at the time of issuance of the Building Permit presently is:

- a) \$1,650.00 per approved single family dwelling unit (10 trips per approved single family dwelling unit x \$165.00 per trip)
- b) \$1,155.00 per approved multi family dwelling unit (7 trips per approved multi family dwelling unit x \$165.00 per trip). (IMPACT FEE COORDINATOR)

8. a) prior to ~~October 1,~~ August 1, 1995 or prior to the issuance of issuance of a building permit, whichever shall first occur, the property owner shall convey to Palm Beach County **Land Development Division** by road right-of-way warranty deed additional right of way for Jog Road to provide for a 120 foot ultimate right of way section.
- b) Prior to ~~October 1,~~ December 1, 1995 or prior to the issuance of issuance of a building permit, whichever shall first occur, the property owner shall convey to Palm Beach County **Land Development Division** by road right-of-way warranty deed an additional ~~20~~ **16** foot of right of way to provide for a minimum of ~~100~~ **88** foot right of way for the proposed public road right of way which serves both this residential POD and the proposed high school.

This additional right of way shall be free of all encumbrances and encroachments and shall include "Corner Clips" where appropriate as determined by the County Engineer. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. (MONITORING-Engineering)

9. On or before ~~October 1~~ August 1, 1995 the property owner shall convey to Palm Beach County adequate road drainage easement(s) through the project's internal drainage system to provide legal positive outfall for runoff from those segments of both:
- a) Jog Road; and
 - b) the proposed ~~100~~ 88 foot public road right of way which serves both the residential and the high school portions of the PUD.

Limits of road right of way to be served by the easement shall be along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along both Jog Road and the proposed ~~100~~ 96 foot public road right of way which serves both this residential PUD. Said easements shall be no less than 20 feet in width. The easements shall be through the internal right of way which serves both the residential and high school portion of the PUD and through the School District and County property.

The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge and treatment requirements of the applicable Drainage District, as well as the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piling system and appropriate wingwall or other structures. Elevation and location of all construction shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material (MONITORING - Engineering).

10. The School District shall construct:

- a) Left turn lane north approach on Jog Road at project's entrance(s);
- b) Right turn lane south approach on Jog Road at project's entrance(s);

~~This construction shall be concurrent with the paving and drainage improvements for the first plat for 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 relocation and acquisition of any additional required right of way. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of technical compliance. Construction shall be completed prior to the acknowledgement of completion for any plat of the site. (ENGINEERING)~~

This construction shall be concurrent with the paving and drainase improvements for the school site. Construction shall be completed prior to the opening of the school or concurrent with the widening of Jog Road from Boynton Beach Boulevard to Hypoluxo Road whichever shall first occur. (ENGINEERING)

11. Prior to technical compliance, the School District shall convey to Palm Beach County by road right-of-way warranty deed additional right-of-way required for the construction of a right turn lane, south approach on Jog Road at the project's north entrance road. This right-of-way shall be 72 feet from centerline, 280 feet in length, with a taper length of **50** feet. Additional road right of way shall be free of all encumbrances and encroachments. Petitioner shall provide Palm Beach County with sufficient documentation acceptable to the Land Acquisition Division to ensure that the property is **free** of all encumbrances and encroachments. (ENGINEERING)
12. Prior to technical compliance by the Land Development Division, 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 Palm Beach County Department of Engineering and Public **Works**, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards. All landscaping installation and maintenance requirements shall be subject to the standards as 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.

All required median landscaping including an irrigation system, if required, shall be at the property owners expense. All landscape material shall also be the perpetual maintenance obligation of the property owner 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 concurrent **with** the improvements with the first plat.

Declaration of Covenants and Restriction Documents **shall** be established or amended as required, prior to recordation of the first plat to reflect this obligation. (ENGINEERING-County Attorney)

13. A temporary entrance for only residential construction shall be located along the south side of the proposed civic pod. This entrance shall be closed to all traffic no later than June 1, 1998, or upon issuance of the final certificate of occupancy within the residential component **of** the PUD, whichever occurs first. (ENGINEERING-Bldg.)

F. CONCURRENCY

1. Prior to approval **of** the first plat and/or issuance of the first building permit, a Concurrency Reservation shall be required. (BUILDING/ENGINEERING)

G. HEALTH

1. The developer will take reasonable precautions during the development of the project to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties. (HEALTH)

H. PREM

1. Prior to August 1, 1995, the Petitioner shall submit to PREM the necessary documentation to satisfy the following conditions:
 - a. The 1.95 acre Civic site shall be conveyed to Palm Beach County. (MONITORING/ENGINEERING-PREM)
 - b. The Petitioner shall convey to Palm Beach County, in addition to the 1.95 acre site in 1.a, land equivalent to the total of 2% of the gross area of the Planned Unit Development for use as a civic site and shall have satisfied each of the following conditions prior to conveyance of the civic site.
 - (1) The Civic site shall be in a location and form acceptable to PREM and the County Attorney's Office.
 - (2) Developer to provide Palm Beach County Board of County Commissioners with a warranty deed for the civic site. Developer to plat and dedicate the civic site to Palm Beach County prior to conveying the title.
 - (3) All ad valorem real estate taxes and assessments for the year of closing shall be pro-rated at the day of acceptance of the deed for the civic site; acceptance date to be determined by PREM and the County Attorney's Office after receiving Board approval.
 - (4) Civic site to be free and clear of all trash and debris at the time of acceptance of the warranty deed.
 - (5) The residential property owner Developer shall provide all retention, detention and drainage required for any future development of the proposed 1.95 civic site by the County. Developer shall specifically address the following issues:
 - (a) The discharge of surface water from the proposed civic site into the Developer's water retention basins.
 - (b) An easement across Developer's property from the proposed civic site to the retention basins, if required.
 - (6) By acceptance of these conditions, Developer agrees to allow the County to perform any on site inspections deemed appropriate to support the acquisition of the civic site. (PREM)

2. Subject to approval by PREM the Developer may exchange all or a portion of the required on-site dedication of land for cash of equal value or land off-site equal in acreage. In addition, should the off-site land option be chosen, each condition listed in #1 above will **also** apply, and should the land off-site be of less cash value than the on-site dedication, the petitioner shall contribute cash equal to the difference in values. Valuation of the land shall be subject to the County appraisal process and be at the cost **of** the petitioner. If off-site land or cash contribution is accepted by Palm Beach County, the petitioner shall be deemed to have satisfied the intent of Zoning Code Article 6.8.B.6.a 2). (PREM)

I. COMPLIANCE

1. Failure to comply with any of these conditions of approval at any time may result in:
 - a. The denial or revocation of a building permit; the issuance **of** a stop work order; cease and desist order; the denial **of** a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer; owner, commercial-owner, lessee, or user of the subject property; and/or
 - b. The revocation of the Conditional Use and any/or zoning which was approved concurrently with the Conditional Use;
 - c. **A** requirement of the development to conform with updated standards of development, applicable 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;
 - 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 Conditional Use, Rezoning, 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)

J. COUNTY ATTORNEY

1. The PUD shall record in the Public Records of Palm Beach County the Declaration of Covenants and Restrictions ~~for~~ the PUD's overall Property Owners Association prior to first plat approval by the Board of County Commissioners. For the purposes of the Property Owners Association documents, the School and the Park shall be subject **only** to the provisions requiring maintenance of the landscape medians on Jog Road and the internal access road, and shall be exempt from all other provisions of the Declaration of Covenants and Restrictions.