

RESOLUTION NO. R-97-1084

RESOLUTION APPROVING ZONING PETITION DOA74-195(C)
DEVELOPMENT ORDER AMENDMENT
PETITION OF MOBIL OIL CORPORATION
BY SARA LOCKHART, AGENT
(JONATHAN'S LANDING PUD - COMMERCIAL)

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 DOA74-195(C) was presented to the Board of County Commissioners at a public hearing conducted on August 28, 1997; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

8. This Development *Order* Amendment has a concurrency determination and complies with **Article 11** (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.
9. This Development *Order* Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and ~~the~~ natural functioning of the environment.
10. This Development *order* Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, **Article 5** of ~~the~~ Palm Beach County Unified Land Development Code requires that the **action of the** Board of County Commissioners ~~be~~ adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition DOA74-195(C), ~~the~~ petition of Mobil Oil Corporation, by Sara Lockhart, agent, for a Development Order Amendment (DOA) to **allow** a Convenience store with gas **sales** (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 July **24**, 1997, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts 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	--	Aye
Karen T. Marcus	--	Absent
Mary McCarty	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Aye


The Chair thereupon **declared** that ~~the~~ resolution was duly passed and adopted on August **28**, 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

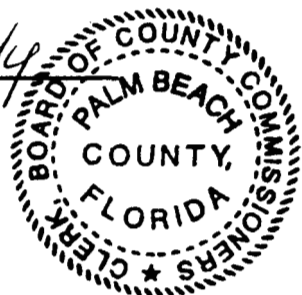


EXHIBIT A
LEGAL DESCRIPTION

DEDICATION & RESERVATIONS:

KNOW ALL MEN BY THESE PRESENTS THAT SEAMEL J., INC., A FLORIDA CORPORATION, LICENSED TO DO BUSINESS IN FLORIDA, OWNER OF THE LAND SHOWN HEREON, BEING IN SECTION 6, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, SHOWN HEREON AS THE SHOPPES OF JONATHAN'S LANDING, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING A REPLAT OF A PORTION OF THE COMMERCIAL PARCEL OF JONATHAN'S LANDING PLAT SIX, P.U.D., AS RECORDED IN PLAT BOOK 47, PAGES 10 AND 11, OF THE PALM BEACH COUNTY, FLORIDA PUBLIC RECORDS; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SAID COMMERCIAL PARCEL; SAID SOUTHEAST CORNER ALSO BEING THE SOUTHWEST CORNER OF THE PLAT OF LONGSHORE AT JONATHAN'S LANDING, AS RECORDED IN PLAT BOOK 69, PAGES 103 AND 104 OF SAID PUBLIC RECORDS;

THENCE NORTH 01°31'37" EAST ALONG THE EAST LINE OF SAID COMMERCIAL PARCEL (BEARING BASIS), 871.07 FEET TO THE INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF STATE ROAD 706 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION MAP SECTION 93190-2512 (REVISED NOVEMBER 7, 1994); THENCE NORTH 88°36'01" WEST ALONG SAID RIGHT OF WAY LINE, 52.12 FEET; THENCE NORTH 02°13'23" EAST, 10.00 FEET; THENCE NORTH 88°36'01" WEST, 514.43 FEET; THENCE SOUTH 45°59'27" WEST, 42.14 FEET TO THE INTERSECTION WITH THE EAST RIGHT OF WAY LINE OF STATE ROAD 811 AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP SECTION 93090-2519 REVISED JULY 23, 1990; THENCE SOUTH 01°31'37" WEST ALONG SAID RIGHT OF WAY LINE, 829.24 FEET; TO THE SOUTHWEST CORNER OF AFORESAID COMMERCIAL PARCEL; SAID SOUTHWEST CORNER ALSO BEING THE NORTHWEST CORNER OF THE PLAT OF BRIDGEGATE NORTH AT JONATHAN'S LANDING, AS RECORDED IN PLAT BOOK 68, PAGES 117 AND 118 OF SAID PUBLIC RECORDS; THENCE SOUTH 08°36'33" EAST, ALONG THE SOUTH LINE OF SAID COMMERCIAL PARCEL, 290.84 FEET; THENCE NORTH 53°18'30" EAST, A DISTANCE OF 100.00 FEET TO A POINT ON THE ARC OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST (SAID POINT BEARS SOUTH 49°40'27" WEST FROM THE ADJUTS POINT OF THE NEXT DESCRIBED CURVE); THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 250.00 FEET, A DELTA OF 3°17'00", AND AN ARC DISTANCE OF 210.68 FEET TO THE INTERSECTION WITH A TANGENT LINE; THENCE SOUTH 08°36'33" EAST, 39.16 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.68 ACRES, MORE OR LESS.

SUBJECT TO ALL RESERVATIONS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREON AND DO HEREBY DEDICATE AS FOLLOWS:

LIMITED ACCESS EASEMENTS:

THE LIMITED ACCESS EASEMENT AS SHOWN HEREON IS HEREBY DEDICATED TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS.

TRACT "A"

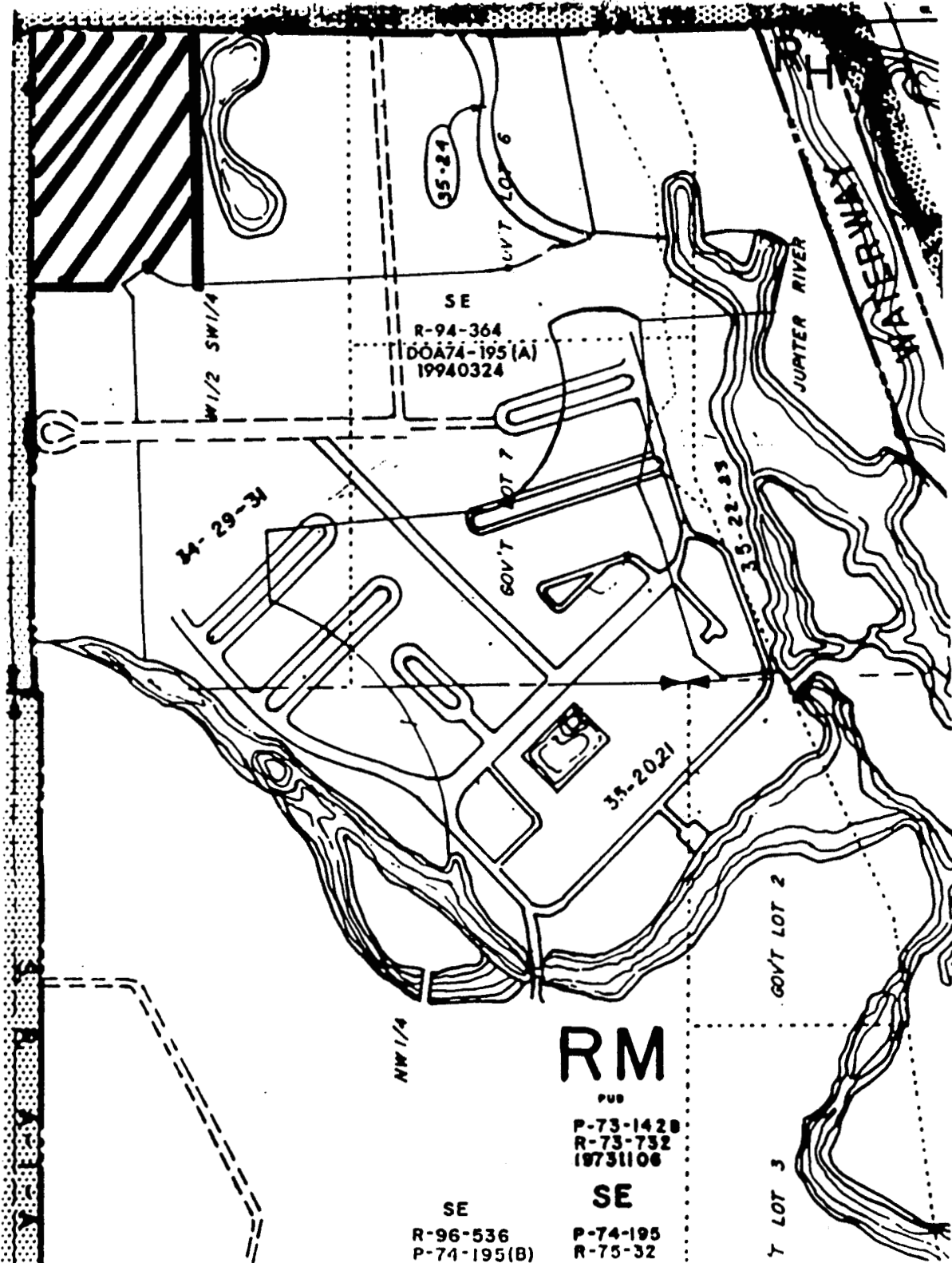
TRACT "A" AS SHOWN HEREON, IS HEREBY DEDICATED TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, FOR THE PERPETUAL USE OF THE PUBLIC FOR PUBLIC STREET PURPOSES.

TRACTS "B" & "C"

TRACTS "B" AND "C" AS SHOWN HEREON, ARE HEREBY RESERVED FOR THE PROPERTY OWNER, ITS SUCCESSORS AND ASSIGNS, FOR LANDSCAPE AND BUFFER PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID PROPERTY OWNER, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO PALM BEACH COUNTY.

EXHIBIT B

PALM BEACH COUNTY
VICINITY SKETCH / ZONING



Petition Number: 74-195(C)

Zoning Quad Page 11

Date: 4/16/97



EXHIBIT C

CONDITIONS OF APPROVAL

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

A. GENERAL CONDITIONS

1. Condition A I. of Resolution R-96-1014, ~~which~~ currently states:

All previous conditions of approval applicable to the subject property, **as** contained in Resolutions **R-75-32** (Petition **74-195**), **R-94-364** (Petition **DOA74-195(A)**), Resolution R-80-850 (Petition 80-101) and Resolution **R-79-1632** (Petition **79-230**) have been consolidated **as** contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section **5.8** of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)

~~Is~~ hereby amended to state:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-96-1014 (Petition 74-195(B)), have been **consolidated** as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section **5.8** of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)

2. Prior to the dredging **of** the marina the appropriate approvals shall be obtained from all required governmental agencies. (Previously Condition A 2 of Resolution R-96-1014, Petition 74-195(B)) (Status: Done.)
3. The **North Peninsula (3830 acres)** and abutting property will be deeded for a Metropolitan Park in perpetuity and the reasonable use **of** said park, by the public, shall be worked out between the Palm Beach County Planning, Zoning and Building Department and the developer after approval **of** the Final Master Land Use Plan and prior to the filing **of** the first plat. (Previously Condition **A.3** of Resolution R-96-1014, Petition 74-195(B)) (Status: Done.)
4. (NOTE: Condition deleted by Resolution R-80-850, Petition 80-101).
5. Developer shall preserve the specimen trees when developing the South Peninsula. (Previously Condition **A.5** of Resolution R-96-1014, Petition 74-195(B)) **(ERM)**
6. Drainage Plan to be submitted and approved by the applicable governmental agencies for protection of the aquatic preserve. (Previously Condition **A.6** of Resolution R-96-1014, Petition 74-195(B)) **(ENG)**
7. **Gross** density shall not exceed eight (8) dwelling units **per** acre. (Previously Condition A 7 of Resolution R-96-1014, Petition 74-195(B)) (DRC: **ZONING**)

- 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. (Previously Condition C.1 of Resolution R-96-1014, Petition 74-195(B)) (CO: LANDSCAPE - Zoning)

2. **Interior** grade-level tree planters shall be required within all **applicable** parking areas in accordance with Section **7.3.E.2.a.(2)(b)** of the **ULDC**. (Previously Condition **C.2** of **Resolution R-96-1014**, Petition **74-195(B)**) (CO: LANDSCAPE)

3. Landscaped divider medians with **at** grade bicycle and pedestrian *cuts* shall be provided in the center of all driveways **over ~~city~~ (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. (Previously Condition C.3 of Resolution R-96-1014, Petition **74-195(B)**) (DRC: ZONING)

4. Landscape islands shall be provided along **the** front and side facades of all commercial structures. The minimum width of the required landscape islands shall be five (**5**) feet. The combined length of the required landscape islands shall be no less than **40%** of the total length of the applicable side of the structure. **All** required landscape islands shall be planted with a minimum of one (**1**) tree every 20 feet on center and appropriate ground cover. (Previously Condition C.4 of Resolution R-96-1014, Petition **74-195(B)**) (CO: LANDSCAPE)

5. The landscape island square footage and plant material required along ~~the~~ front and side facades of the Convenience store and accessory car wash, may **be** relocated and added to the ~~out~~ parcel's perimeter landscape buffers and interior islands. (CO: LANDSCAPE)

D. LANDSCAPING ALONG SOUTH PROPERTY LINE OF COMMERCIAL POD - ABUTTING RESIDENTIAL

1. Landscaping and buffering along the south property line of the commercial pod, abutting residential Pod **J**, shall be upgraded to include:

- a. **A** minimum fifteen (**15**) foot wide landscape buffer strip; and
- b. **A** six (**6**) foot high opaque concrete wall. The wall shall not encroach any setbacks required by **ENCON** for utility purposes. The exterior side of the **wall** shall be given **a** finished architectural treatment ~~which is~~ compatible and harmonious **with** **abutting** development. (Previously Condition **D.1** of Resolution R-96-1014, Petition **74-195(B)**) (CO: LANDSCAPE-Zoning)

2. The following landscaping requirements shall be installed on ~~the~~ exterior side of the required wall:

- a. **One (1)** canopy tree planted every twenty (20) feet on center;

- b. One **(1)** palm **or** pine tree for each twenty **(20)** linear feet, with a maximum spacing of sixty **(60)** feet on center. A group of three **or more** palm **or** pine trees may supersede the requirement for a canopy tree in that location; and
 - c. 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 forty-eight **(48)** inches. (Previously Condition D.2 of Resolution R-96-1014, Petition 74-195(B)) (CO: LANDSCAPE-Zoning)
3. Along the interior side of **the required** wall, the property owner shall install twenty-four **(24)** 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. (Previously Condition D.3 of Resolution R-96-1014, Petition 74-195(B)) (CO: LANDSCAPE-Zoning)

E. ENGINEERING

1. Prior to the issuance of a building permit the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed additional right of way for the construction of a right turn lane on Indiantown Road at the projects east entrance road. This right-of-way shall be a minimum of **210** feet in storage length, twelve feet in width and a taper length of **50** feet or as approved by the County Engineer. This additional right of way shall be free of all encumbrances and encroachments and **shall** include "Comer 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. (Previously Condition E.1 of Resolution R-96-1014, Petition 74-195(B)) **(BLDG. PERMIT: MONITORING - Eng)**
2. The Property owner shall construct:
- a) right turn lane south approach on SR A1A at the projects south entrance;
 - b) right turn lane west approach on Indiantown Road at the projects east entrance; and
 - c) channelized **left turn lane** (partial median opening to permit **lefts in only**) on Indiantown Road at the projects east entrance.

This construction shall be concurrent with the paving and drainage improvements 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 **the first Building Permit**. Should the Department of **Transportation** deny **permits** for **this** construction, **then** the property **owner** shall **be** relieved of **that** portion of this condition which is denied **This** shall also apply **with** the right of way condition above. **All** construction shall be completed prior to the issuance of the first Certificate of Occupancy. (Previously Condition E.2 of Resolution R-96-1014, Petition 74-195(B)) (CO: MONITORING/ Eng)

3. The Developer shall design the drainage system such that drainage from those areas ~~with~~ may contain hazardous ~~or~~ undesirable waste shall ~~be~~ separate from stormwater runoff from the remainder of the site. (ONGOING: ENG)

F. LANDSCAPING ALONG NORTH AND WEST PROPERTY LINES OF COMMERCIAL POD (ABUTTING R-O-W)

1. Landscaping and buffering along the north and west property lines of the commercial pod shall be upgraded to meet the standards of the **Jupiter IOZ** (Previously Condition ~~F.1 of Resolution~~ R-96-1014, Petition 74-195(B)) (CO: LANDSCAPE-Zoning)

G. LIGHTING - COMMERCIAL POD ONLY

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. (Previously Condition ~~G.1 of Resolution~~ R-96-1014, Petition 74-195(B)) (CO / ONGOING: BLDG / CODE ENF - Zoning)
2. All outdoor lighting fixtures shall not exceed thirty (30) feet in height, measured from finished grade to highest point. (Previously Condition G.2 of Resolution R-96-1014, Petition 74-195(B)) (CO: BLDG-Zoning)

H. MASS TRANSIT - COMMERCIAL POD ONLY

1. Condition H.1 of Resolution R-96-1014, Petition 74-195(B) ~~which~~ currently states:

Prior to final certification of the master plan ~~or~~ site plan by the Development Review Committee, whichever occurs first, the petitioner shall amend the plan to indicate bus access and/or a bus stop(s) on ~~or~~ adjacent to the subject property. Bus access ~~and/or~~ bus stops shall be located and constructed by the petitioner in a manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer. The petitioner shall dedicate additional right-of-way to accommodate this requirement, if requested by the County Engineer. Bus stops, if required, shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject property ~~or~~ use, and bicycle rack.

Is hereby amended to read:

1. **A** 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)

B. Mass transit access, shelters and/or bus stops, if required, shall be constructed by the petitioner in a location and manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer prior to issuance of the certificate of occupancy (CO) for the convenience store located in parcel 5. The petitioner shall accommodate the requirement for mass transit access, bus shelters and/or bus stops by dedicating additional right-of-way, if requested by the County Engineer. Provisions for mass transit shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject property or use to the shelter, appropriate lighting, waste container, and bicycle rack. Bus shelters or bus stops located on private property or in common areas shall be the maintenance responsibility of the property owner. (BLDG PERMIT: MONITORING - Eng)

2. Condition H.2 of Resolution R-96-1014, Petition 74-195(B) which currently states:

The property owner shall negotiate, in good faith, a contract for a proportionate share of the cost of operation and maintenance of mass transit generated by this projects identifiable impacts. This condition shall remain in effect until April 25, 1997.

~~It~~ hereby deleted. [REASON: supersede by new condition)

I. PLANNED DEVELOPMENT - COMMERCIAL POD ONLY

1. Prior to certification of the preliminary development plan by the Development Review Committee, the property owner shall record in the public record a covenant requiring architectural consistency between all buildings and signage. The covenant shall be recorded in a form and manner acceptable to the County Attorney. The covenant shall not be removed, altered, changed or amended without written approval from the Zoning Director. (Previously Condition I.1 of Resolution R-96-1014, Petition 74-195(B)) (DRC: CO ATT - Zoning)
2. Prior to certification of the preliminary development plan by the Development Review Committee, the property owner shall record a covenant 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 shall be recorded in the public record in a manner and form acceptable to the County Attorney. The covenant shall not be removed, altered, changed or amended without written approval from the Zoning Director. (Previously Condition 12 of Resolution R-96-1014, Petition 74-195(B)) (DRC: CO ATT - Zoning)
3. Similar architectural character and treatment shall be provided on all sides of the proposed Convenience store, car wash and gas island canopy. (BLDG PERMIT: BLDG - Zoning)
4. The owner of the Convenience store shall provide air and water to the public for minor vehicle maintenance at no charge. (DRC/ONGOING: ZONING/CODE ENF)

5. Prior **to final** site plan approval by **the** Development Review Committee (DRC) **the** petitioner shall revise **their** concurrency **to** match the uses and square footages as **shown** on **the** site plan dated July 14, 1997. (DRC: ZONING)

J. PARKING - COMMERCIAL POD ONLY

1. Overnight storage or parking of delivery vehicles or trucks shall not be permitted on site, except within designated loading and delivery **areas**. (Previously Condition J.1 of Resolution R-96-1014, Petition 74-195(B)) (ONGOING: CODE ENF)
2. **Prior** to master plan certification by the Development Review Committee (DRC), the site plan shall be amended to include **shopping cart** storage and retrieval corrals in all retail parking areas. (Previously Condition J.2 of Resolution R-96-1014, Petition 74-195(B)) (DRC: ZONING)

K. SIGNS - COMMERCIAL POD ONLY

1. Point of purchase **and/or** freestanding signs fronting on Alternate **A1/A** shall be limited as follows:
 - a. Maximum sign height, measured from finished grade to highest point - fifteen **(15)** feet;
 - b. Maximum sign face area per side - **180** square feet;
 - c. Maximum number of signs - one **(1)**; and
 - d. Style - monument style only. (Previously Condition K.1 of Resolution R-96-1014, Petition 74-195(B)) (CO: BLDG)
2. Point of purchase and/or freestanding signs fronting on **Indiantown Road** shall be limited as **follows**:
 - a. Maximum sign height, measured from finished grade to highest point - fifteen **(15)** feet;
 - b. Maximum sign face area per side - **180** square feet;
 - c. Maximum number of signs - one **(1)**; and
 - d. Style - monument style only. (Previously Condition K.2 of Resolution R-96-1014, Petition 74-195(B)) (CO: BLDG)
3. Outparcel identification signs shall be limited as follows:
 - a. Maximum sign height, measured from finished grade to highest point - eight **(8)** feet;
 - b. Maximum sign face area per side - **80** square feet;
 - c. Maximum number of signs - one **(1)** per outparcel; and
 - d. **Style** - monument style **only**. (Previously Condition **K.3** of Resolution R-96-1014, Petition 74-195(B)) (CO: BLDG)

L. COMPLIANCE

1. Condition L.I of Resolution R-96-1014, Petition 74-195(B) ~~which~~ currently states:

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.

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.

Is hereby amended to read:

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)**