

RESOLUTION NO. R-2016- 0417

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/DOA/R-2015-00317
(CONTROL NO. 1987-00032)
a Development Order Amendment
APPLICATION OF Hippocrates Health Institute of FL, Inc
BY Miller Land Planning, AGENT
(Hippocrates PUD/CLF)

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 applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application ZV/PDD/DOA/R-2015-00317 was presented to the Board of County Commissioners at a public hearing conducted on March 24, 2016;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, the recommendations of the various County Review Agencies, and the recommendation of the Zoning Commission;

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, THE Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Process) for a Development Order Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring) of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the ULDC 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 Application ZV/PDD/DOA/R-2015-00317, the Application of Hippocrates Health Institute of FL, Inc, by Miller Land Planning, Agent, for a Development Order Amendment to modify the Master Plan; reconfigure the Site Plan; add land area; redesignate Pods; add access points; increase square footage; and add a Requested Use, on a parcel of land generally described as shown on the legal description 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 March 24, 2016, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Taylor moved for the approval of the Resolution.

The motion was seconded by Commissioner Vana and, upon being put to a vote, the vote was as follows:

Commissioner Mary Lou Berger, Mayor	-	Aye
Commissioner Hal R. Valeche, Vice Mayor	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Melissa McKinlay	-	Aye
Commissioner Priscilla A. Taylor	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on March 24, 2016.

Filed with the Clerk of the Board of County Commissioners on April 14th, 2016.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK & COMPTROLLER



EXHIBIT A

LEGAL DESCRIPTION

PARCEL A

PROPERTY ADDRESS:
1466 Hippocrates Way
West Palm Beach, Florida 33411
P.C.N.: 00-42-42-28-52-001-0010

1333 Palmdale Court
West Palm Beach, Florida 33411
P.C.N.: 00-42-42-28-52-001-0030

1341 Palmdale Court
West Palm Beach, Florida 33411
P.C.N.: 00-42-42-28-52-001-0020

LEGAL DESCRIPTION:

Parcel "A", HIPPOCRATES PUD/CLF, according to the plat thereof, recorded in Plat Book 115, Page 167, Public Records of Palm Beach County, Florida.

TOGETHER WITH;

PARCEL 9

PROPERTY ADDRESS:
1350 Palmdale Court
West Palm Beach, Florida 33411
P.C.N.: 00-42-42-27-05-003-0110

LEGAL DESCRIPTION:

Beginning at a point on the West line, 396.00 feet North of the Southwest corner of the East half of Tract 7, Block 3, THE PALM BEACH FARMS CO. PLAT NO. 3, according the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 2, Page 45, being the POINT OF BEGINNING; thence Northerly on the West line of the East half of Tract 7, a distance of 264.00 feet; thence Easterly on a line parallel to the South line of said East half of Tract 7, a distance of 330.00 feet; thence Southerly on a line parallel to the West line of the East half of Tract 7, a distance of 264.00 feet; thence Westerly on a parallel course to the North line thereof, a distance of 330.00 feet to the POINT OF BEGINNING.

LESS the West 15 feet thereof conveyed to the County of Palm Beach for the Right-of-Way of Palmdale Court as recorded in Official Records Book 2202, Page 872, as corrected in Official records Book 2329, Page 1988, Public Records of Palm Beach County, Florida.

Containing in all, 32.086 Acres, more or less.

EXHIBIT B
VICINITY SKETCH

Location Map

NTS

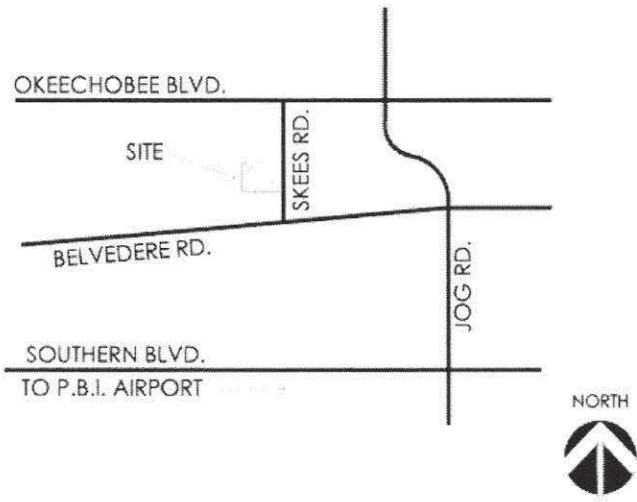


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment

Planned Unit Development and Congregate Living Facility

ALL PETITIONS

1. All previous conditions of approval applicable to the subject property, as contained in Resolutions R-88-1192, Petition 1987-32; R-90-1304, Petition 1987-32A; R-95-857, SR amending Resolution 1991-245, Petition 1987-32B have been revoked. (ONGOING: MONITORING - Zoning) (Previous ALL PETITIONS Condition 1 of Resolution R-2007-226, Control No.1987-00032)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2007-226, Control No.1987-00032, which currently states:

Development of the site is limited to the uses or site design approved by the Board of County Commissioners. The approved master plan is dated October 13, 2006. 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.

Is hereby amended to read:

The approved Preliminary Master and Site Plans are dated January 14, 2016; the Preliminary Regulating Plans are dated December 28, 2015; and, the Preliminary Architectural Elevations are dated June 22, 2015. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses and site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (DRO: ZONING - Zoning)

3. Previous ALL PETITIONS Condition 3 of Resolution R-2007-226, Control No.1987-00032, which currently states:

Based on ULDC, Article 2E, this Development Order meets the requirement to receive a new three (3) year review date from the date of approval of this resolution. (ONGOING: MONITORING - Zoning) (Previous ALL PETITIONS Condition 3 of Resolution R-2007-226, Control No.1987-00032)

Is hereby amended to read:

Commencement of the Development Order for the proposed unbuilt structures shall start March 24, 2019. (DATE: MONITORING - Zoning)

4. The Property Owner shall make full payment of all liens and fines prior to final Development Review Officer. (DRO: COUNTY ATTORNEY – County Attorney)

5. The Property Owner shall resolve all outstanding code enforcement violations prior to final Development Review Officer (DRO: CODE ENFORCEMENT – Zoning)

ARCHITECTURAL REVIEW

1. Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2007-226, Control No.1987-00032, which currently states:

At time of submittal for final approval by the Development Review Officer (DRO), the architectural elevations for all the buildings shall be submitted simultaneously with the site plan for final architectural review. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the approved architectural

elevations.

Is hereby amended to read:

At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Building #35 (CLF housing) shall be submitted for final review and approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) and shall be generally consistent with the Preliminary Architectural Elevations dated June 22, 2015. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO: ZONING - Zoning)

DUMPSTER

1. All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and trash compactors, shall not be located within 30 feet of the south property line and shall be confined to the areas designated on the site plan. (ONGOING: CODE ENF - Zoning) (Previous DUMPSTER Condition 1 of Resolution R-2007-226, Control No.1987-00032)

ENGINEERING

1. Previous ENGINEERING Condition 1 of Resolution R-2007-226, Control No.1987-00032, which currently states:

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 4, 2010. 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.

Is hereby amended to read:

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 December 31, 2020. 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. (BLDGPMT/DATE: MONITORING - Engineering)

2. Previous ENGINEERING Condition 2 of Resolution R-2007-226, Control No.1987-00032, which currently states:

Prior to issuance of a Building Permit for any structure within Pods C & D, the Property Owner shall replat the entire PUD boundary in accordance with provisions of Article 11 of the Unified Land Development Code.

Is hereby amended to read:

Prior to issuance of a Building Permit for any structure, the Property Owner shall replat the entire PUD boundary in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering)

3. Prior to Technical Compliance for the subject PUD plat, the Property Owner shall provide a temporary roadway construction easement along Skees Road to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County Standards and Codes. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and

dedication documents, Palm Beach County shall record all appropriate deeds and documents. (TC: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2007-226, Control No.1987-00032)

4. Previous ENGINEERING Condition 4 of Resolution R-2007-226, Control No.1987-00032, which currently states:

The Property Owner shall construct:

A. Palmdale Road from the present paved terminus west of Skees Road west to the entrance to POD D.

B. Palmdale Court from the present paved terminus north of Palmdale Road to the entrance to POD A/B.

C. This construction shall be to local street standards. 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.

D. Permits required by Palm Beach County for this construction shall be obtained prior to Technical Compliance for the subject PUD Plat.

E. Construction shall be completed prior to the issuance of the next Certificate of Occupancy for POD C or POD D.

Is hereby amended to read:

The Property Owner shall construct:

A. Palmdale Road from the present paved terminus west of Skees Road west to the project's west property line.

B. Palmdale Court from the present paved terminus north of Palmdale Road to the north terminus of the right of way.

C. This construction shall be to local street standards. 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.

D. Permits required by Palm Beach County for this construction shall be obtained prior to Technical Compliance for the subject plat. (TC: MONITORING - Engineering)

E. Construction shall be completed prior to the issuance of the next Certificate of Occupancy. (BLDG/PMT/CO/ONGOING: MONITORING - Engineering)

5. Prior to Technical Compliance for the PUD Plat the Property Owner shall provide to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Skees Road along the property frontage; and a maximum 800 feet of these adjacent roadway(s). The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient retention/detention, Compensating storage within this projects retention system as required by all permitting agencies, and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and 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 piping system and appropriate wingwall or other structures as required by and approved by the County

Engineer. Elevation and location of the entire drainage system 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. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (TC: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2007-226, Control No.1987-00032)

6. Previous ENGINEERING Condition 6 of Resolution R-2007-226, Control No.1987-00032, which currently states:

CORRIDOR CONVEYANCE OF RIGHT OF RIGHT OF WAY

The Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for:

- A. Skees Road 40 feet from centerline
- B. Palmdale Road 25 feet from centerline
- C. Palmdale Court 25 feet from centerline

Is hereby amended to read:

CORRIDOR CONVEYANCE OF RIGHT OF RIGHT OF WAY

The Property Owner shall provide to the Palm Beach County Land Development Division a road right of way deed and all associated documents as required by the County Engineer for:

- A. Skees Road 40 feet from centerline
- B. Palmdale Road 25 feet from centerline
- C. Palmdale Court 25 feet from centerline
- D. All right of way deed(s) and associated documents shall be provided and approved prior to the issuance of a Building Permit or within ninety (90) days of a request by the County Engineer, whichever shall first occur.
- E. Right of way conveyance shall be along the entire frontage and shall be free of all encroachments and encumbrances. 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, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMNT: MONITORING - Land Development)

ENVIRONMENTAL

1. Incorporate existing native trees and under-story into the site plan and label them. If this cannot be accomplished, documentation describing why the trees cannot be incorporated shall be necessary. Tree surveys shall only include the native trees of 6 inches and greater and native palms designated by trunk height. Labeling shall include the location of the native vegetation, tag number, species and Diameter at Breast height (DBH) and trunk height for native palms. (ERM: ERM – ERM)

HEALTH

1. Prior to the final site plan approval by the Development Review Officer, the property

owner shall provide documentation that clearly and accurately show the location of all septic tank systems and wells on the site and identify the well(s) that will be abandoned, and those, if any, which will be retained onsite. (DRO: HEALTH DEPARTMENT - Health Department) [Note: COMPLETED] (Previous HEALTH Condition 1 of Resolution R-2007-226, Control No.1987-00032)

2. Prior to ninety (90) days after recordation of the PUD plat, all sections of the PUD shall be connected to public water and sanitary sewer services, and all onsite sewage treatment and disposal systems shall have been abandoned. (PLAT: MONITORING - Health Department) [Note: COMPLETED] (Previous HEALTH Condition 2 of Resolution R-2007-226, Control No.1987-00032)

3. Prior to final site plan approval by the Development Review Officer, the property owner shall execute a Developer's Agreement with the Palm Beach County Water Utilities Department to ensure that water and wastewater services are available to all sections of the PUD. (DRO: HEALTH DEPARTMENT - Addressing) [Note: COMPLETED] (Previous HEALTH Condition 3 of Resolution R-2007-226, Control No.1987-00032)

4. Prior to final approval by the DRO, the property owner shall provide the Health Department with Existing System Evaluation and Approval, per Chapter 64 E-6 FAC, of each existing septic tank system in the entire PUD site, to be prepared by a Florida licensed septic tank contractor. (DRO: HEALTH DEPARTMENT - Addressing) [Note: COMPLETED] (Previous HEALTH Condition 4 of Resolution R-2007-226, Control No.1987-00032)

LANDSCAPING - GENERAL

1. Prior to the issuance of a building permit, the property owner shall submit a Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with the conditions of approval as contained herein. (BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2007-226, Control No.1987-00032)

2. Preservation areas may be excluded from perimeter landscape buffer planting and berm requirements, subject to the following:

- a. prior to final site plan approval by the Development Review Officer (DRO), documentation that demonstrates native preserve area vegetation will meet or exceed the screening provided by required perimeter landscaping shall be submitted to the Landscape Section for review and approval; and,
- b. additional native vegetation may be relocated or added to preserve areas to meet the intent of this condition. (DRO: LANDSCAPE - Zoning) (DRO: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 2 of Resolution R-2007-226, Control No.1987-00032)

3. Previous ZONING - LANDSCAPING Condition 3 of Resolution R-2007-226, Control No.1987-00032, which currently states:

Prior to the issuance of a certificate of occupancy (CO) for any structure in Pod B of the Hippocrates Planned Unit Development/Congregate Living Facility, the property owner shall replace all dead and missing plant materials within Pod A. (BLDG PERMIT: LANDSCAPE - Zoning)

Is hereby amended to read:

Prior to the issuance of a Certificate of Occupancy (CO) or Certificate of Completion (CC) for any new structures of the Hippocrates Planned Unit Development, the property owner shall replace all dead and missing plant materials in the vicinity of the structure. (CO/ONGOING: BUILDING DIVISION - Zoning)

4. All canopy trees to be planted in the perimeter landscape buffer along Skees Road shall be native and meet the following minimum standards at installation:

- a. Tree height: Fourteen (14) feet;
- b. Trunk diameter: three and one-half (3.5) inches measured at four and one-half (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 be outermost branch tip. Each radius shall measure a minimum of three and one-half (3.5) feet in length; and
- d. Credit may be given for existing or relocated trees provided they meet ULDC requirements.

(BLDGPMPT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 4 of Resolution R-2007-226, Control No.1987-00032)

5. All palms required to be planted on the property 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.

(BLDGPMPT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 5 of Resolution R-2007-226, Control No.1987-00032)

6. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location. (BLDGPMPT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 6 of Resolution R-2007-226, Control No.1987-00032)

7. Field adjustment of berm, plant material, and wall locations may be permitted to provide pedestrian sidewalks/bike paths and to accommodate transverse utility or drainage easements crossings and existing vegetation. (BLDGPMPT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 7 of Resolution R-2007-226, Control No.1987-00032)

LANDSCAPING - LANDSCAPING ALONG THE PERIMETER PROPERTY LINES

8. In addition to the ULDC requirements, landscaping and buffering along the perimeter property lines shall be upgraded to include:

- a. one (1) palm for each twenty (20) linear feet of the property line with a maximum spacing of forty (40) feet between clusters.

(BLDGPMPT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 8 of Resolution R-2007-226, Control No.1987-00032)

LANDSCAPING-ZONING - LANDSCAPING ALONG THE SOUTH AND WEST PROPERTY LINES (ABUTTING RESIDENTIAL)

9. In addition to code requirements and the proposed landscaping buffer width along the south property line shall be upgraded to include:

- a. one (1) palm for each for each twenty (20) linear feet of the property line with a maximum spacing of twenty (20) feet between clusters. (BLDGPMPT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 9 of Resolution R-2007-226, Control No.1987-00032)

MASS TRANSIT

1. The location of an easement for a Bus Stop Boarding and Alighting Area, subject to the approval of Palm Tran shall be shown on the Master Plan and/or site plan prior to final approval of the Development Review Officer (DRO). The purpose of this easement is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. (DRO: PALM TRAN-Palm Tran) (Previous MASS TRANSIT Condition 1 of Resolution R-2007-226, Control No.1987-00032)

2. Prior to issuance of the first Building Permit, the property owner shall convey and/or dedicate to Palm Beach County an easement for a Bus Stop Boarding and Alighting Area in a form with terms and conditions approved by Palm Tran. Supporting documentation, including but not limited to, a location sketch, legal description, affidavit of ownership, attorney title opinion and other related documents as deemed necessary by Palm Tran. (PLAT/BLDG PERMIT: ENG-Monitoring) (Previous MASS TRANSIT Condition 2 of Resolution R-2007-226, Control No.1987-00032)

PLANNING

1. Per LGA 2015-004, Ord. # 2015-012, The density associated with the Medium Residential, 5 units per acre (MR-5), future land use designation shall only be utilized for the development of a Congregate Living Facility (CLF). If developed residentially, other than as a CLF, the density shall be limited to that associated with the Low Residential, 1 unit per acre (LR-1) on 23.076 acres, and Low Residential, 3 units per acre (LR-3) on 9.01 acres, in the location depicted on the FLUA at the time of the adoption of this ordinance. (ONGOING: PLANNING - Planning)

SIGNS

1. Ground mounted signs fronting on Skees Road 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 - sixty (60) square feet;
 - c. maximum number of signs - two(2);
 - d. style - monument style only;
 - e. location - Skees Road Frontage; and,
 - f. sign shall be limited to project identification only.

(BLDGPM: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 1 of Resolution R-2007-226, Control No.1987-00032)

SITE DESIGN

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Building Inventory Plan shall be submitted for review and approval by the Building and Zoning Divisions. The Plan shall provide a chart indicating permitting status of all building structures for the development and shall be consistent with the DRO approved Final Site Plans, all applicable Conditions of Approval, and all ULDC requirements.. (DRO: BUILDING - Zoning)

2. Prior to the final site plan approval by the Development Review Officer, the Property Owner shall provide restrooms (for the recreational yurts) on the Final Site Plan for review and approval by the Building Division. (DRO: BUILDING - Building)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant 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) (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; the 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 Unified Land Development Code 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 of Approval; 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 the 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 Section 2.E of the

ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning) (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.