

RESOLUTION NO. R-2016- 1063

RESOLUTION APPROVING ZONING APPLICATION Z/CA-2015-02534
(CONTROL NO. 2012-00374)
a Class A Conditional Use
APPLICATION OF Law Firm of Shutts and Bowen LLP
BY Shutts and Bowen, LLP, AGENT
(Cumberland Farms Westgate)

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 Z/CA-2015-02534 was presented to the Board of County Commissioners at a public hearing conducted on August 25, 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 hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Process) for a Class A Conditional Use;

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, 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 Z/CA-2015-02534, the Application of Law Firm of Shutts and Bowen LLP, by Shutts and Bowen, LLP, Agent, for a Class A Conditional Use to allow a Convenience Store with Gas Sales, 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 August 25, 2016, subject to the Conditions of Approval described in

EXHIBIT C, attached hereto and made a part hereof.

Commissioner Abrams moved for the approval of the Resolution.

The motion was seconded by Commissioner Valeche 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	-	Absent
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 Auguts 25, 2016.

Filed with the Clerk of the Board of County Commissioners on August 29th, 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



EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION:

PARCEL 1:

LOTS 5 THROUGH 10, INCLUSIVE, LESS THE NORTH 12 FEET THEREOF, BLOCK 4 OF THE AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 5, 6 AND THE NORTHERN PART OF BLOCK 'A', WEST GATE ESTATES, NORTHERN SECTION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE NORTH 20 FEET OF ABANDONED SHAWNEE AVENUE LYING SOUTH OF AND ADJACENT TO THE ABOVE DESCRIBED PROPERTY

PARCEL 2:

LOTS 11 AND 12, LESS THE NORTH 12 FEET THEREOF, BLOCK 4 OF THE AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 5, 6 AND THE NORTHERN PART OF BLOCK 'A', WEST GATE ESTATES, NORTHERN SECTION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE NORTH 20 FEET OF ABANDONED SHAWNEE AVENUE LYING SOUTH OF AND ADJACENT TO THE ABOVE DESCRIBED PROPERTY

PARCEL 3:

LOTS 1 THROUGH 4, BLOCK 10 OF WEST GATE ESTATES, NORTHERN SECTION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE SOUTH 20 FEET OF ABANDONED SHAWNEE AVENUE LYING NORTH OF AND ADJACENT TO THE ABOVE DESCRIBED PROPERTY.

PARCEL 4:

LOTS 5 THROUGH 8, INCLUSIVE, BLOCK 10, WEST GATE ESTATES, NORTHERN SECTION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE SOUTH 20 FEET OF ABANDONED SHAWNEE AVENUE LYING NORTH OF AND ADJACENT TO THE ABOVE DESCRIBED PROPERTY.

PARCEL 5:

LOTS 9 THROUGH 15, INCLUSIVE, BLOCK 10, WEST GATE ESTATES, NORTHERN SECTION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE SOUTH 20 FEET OF ABANDONED SHAWNEE AVENUE LYING NORTH OF AND ADJACENT TO LOT 9 THROUGH 12, INCLUSIVE, BLOCK 10.

PARCEL 6:

LOTS 31 THROUGH 34, INCLUSIVE, BLOCK 10 OF WEST GATE ESTATES (NORTHERN SECTION), ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 7:

LOTS 35 THROUGH 40, INCLUSIVE, BLOCK 10 OF WEST GATE ESTATES (NORTHERN SECTION), ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 8:

LOTS 1 AND 2, LESS THE NORTH 12 FEET THEREOF, BLOCK 4 OF THE AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 5, 6 AND THE NORTHERN PART OF BLOCK 'A', WEST GATE ESTATES, NORTHERN SECTION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THAT PART OF LOTS 1 AND 2, BLOCK 4, AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 5, 6 AND THE NORTHERN PART OF BLOCK 'A' OF WEST GATE ESTATES, AS RECORDED IN PLAT BOOK 9, PAGE 20, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE RUN NORTH 01°07'19" EAST ALONG THE WEST LINE OF SAID LOT 1 AND THE EAST EXISTING RIGHT OF WAY LINE OF SEMINOLE BOULEVARD, A DISTANCE OF 118 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 AND THE SOUTHERLY EXISTING RIGHT OF WAY LINE FOR STATE ROAD 704 (OKEECHOBEE BOULEVARD) AND THE POINT OF BEGINNING; THENCE SOUTH 88°53'11" EAST LINE, A DISTANCE OF 53.79 FEET TO THE NORTHEAST CORNER OF SAID LOT 2, A DISTANCE OF 12.00 FEET; THENCE NORTH 88°53'11" WEST, A DISTANCE OF 53.79 FEET TO THE WEST LINE OF SAID LOT 1; THENCE NORTH 01°07'19" EAST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 12.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 1 AND THE POINT OF BEGINNING.

PARCEL 9:

THAT PART OF LOTS 3 AND 4, LESS THE NORTH 12 FEET THEREOF, BLOCK 4 OF THE AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 5, 6 AND THE NORTHERN PART OF BLOCK 'A', WEST GATE ESTATES, NORTHERN SECTION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

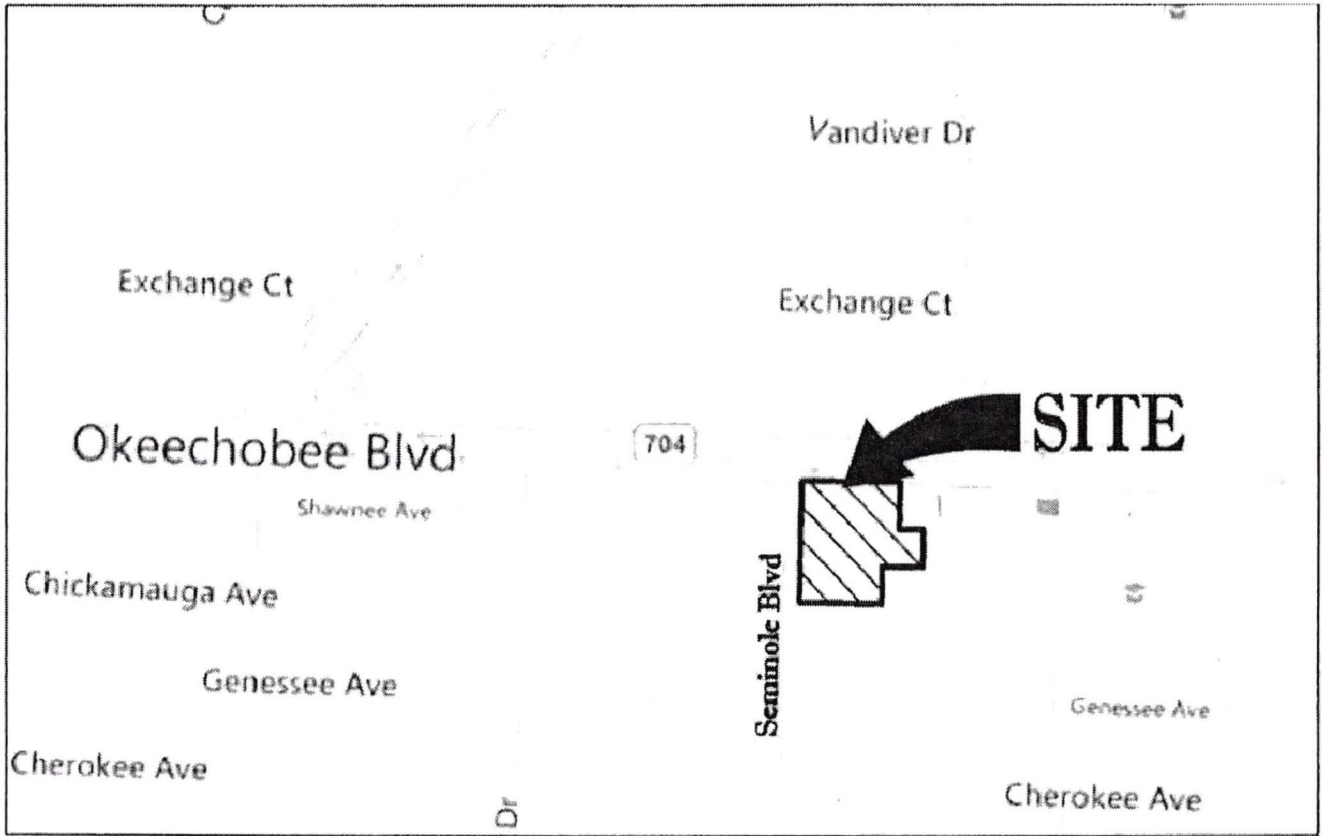
BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTH 01°07'18" EAST ALONG THE WESTERLY LINE OF SAID LOT 3, A DISTANCE OF 106.00 TO A POINT ON THE SOUTHERLY EXISTING RIGHT OF WAY LINE FOR STATE ROAD 704 (OKEECHOBEE BOULEVARD); THENCE SOUTH 88°53'11" EAST ALONG SAID SOUTHERLY EXISTING RIGHT OF WAY LINE, A DISTANCE OF 50.01 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 4; THENCE SOUTH 01°07'16" WEST ALONG SAID EASTERLY LINE, A DISTANCE OF 106; THENCE TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE NORTH 88°53'11" WEST ALONG THE SOUTHERLY LINE OF SAID LOTS 3 AND 4, A DISTANCE OF 50.01 FEET TO THE POINT OF BEGINNING.

OVERALL METES AND BOUNDS DESCRIPTION AS FOLLOWS:

ALL OF LOTS 1 THROUGH 12, BLOCK 4, LESS THE NORTH 12 FEET THEREOF, OF THE AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 5, 6 AND THE NORTHERN PART OF BLOCK 'A', WEST GATE ESTATES, NORTHERN SECTION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND LOTS 1 THROUGH 15 AND 31 THROUGH 40, BLOCK 10, OF WEST GATE ESTATES, NORTHERN SECTION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH THAT PORTION OF RIGHT OF WAY ABANDONED IN OFFICIAL RECORD BOOK 2444, PAGE 920, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING SOUTH OF SAID LOTS 5 THROUGH 12, BLOCK 4 AND NORTH OF LOTS 5 THROUGH 12, BLOCK 10. LYING IN SECTION 30, TOWNSHIP 43 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA.

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 31, BLOCK 10, SAID POINT BEING THE INTERSECTION OF THE EAST RIGHT OF WAY LINE OF SEMINOLE BOULEVARD (A PLATTED 100 FOOT RIGHT OF WAY) AND NORTH RIGHT OF WAY LINE OF CHICKAMAUGA AVENUE (A PLATTED 40 FOOT RIGHT OF WAY); THENCE NORTH 01°07'19" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 230.28 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, BLOCK 10; THENCE SOUTH 88°52'36" EAST, ALONG THE NORTH LINE OF SAID LOTS 1, 2, 3 AND 4, BLOCK 10 AND THE SOUTH RIGHT OF WAY LINE OF SHAWNEE AVENUE (A PLATTED 40 FOOT RIGHT OF WAY), A DISTANCE OF 103.82 FEET TO THE NORTHWEST CORNER OF SAID LOT 5, BLOCK 10; THENCE NORTH 01°21'21" EAST, ALONG THE WEST LINE OF VACATED 40 FOOT RIGHT OF WAY OF SHAWNEE AVENUE, A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTHWEST CORNER OF LOT 5, BLOCK 4; THENCE NORTH 88°52'36" WEST, ALONG THE NORTH RIGHT OF WAY LINE OF SAID SHAWNEE AVENUE AND SOUTH LINE OF SAID LOTS 1, 2, 3 AND 4, BLOCK 4, A DISTANCE OF 103.98 FEET TO A POINT ON SAID EAST RIGHT OF WAY LINE OF SEMINOLE BOULEVARD; THENCE NORTH 01°07'19" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 106.05 FEET TO A POINT THAT IS 12 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF LOTS 1 THROUGH 12, BLOCK 4; THENCE SOUTH 88°52'36" EAST, ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 303.68 FEET TO THE NORTHEAST CORNER OF SAID LOT 12, BLOCK 4; THENCE SOUTH 01°07'19" WEST, ALONG THE EAST LINE OF SAID LOT 12, BLOCK 12 AND THE SOUTHERLY EXTENSION OF SAID RIGHT OF WAY VACATION PER OFFICIAL RECORDS BOOK 2444, PAGE 920 TO THE NORTHWEST CORNER OF LOT 13, BLOCK 10; THENCE SOUTH 88°59'51" EAST, ALONG THE NORTH LINE OF SAID LOTS 13, 14 AND 15, BLOCK 10 TO THE NORTHEAST CORNER OF SAID LOT 15, BLOCK 10, THENCE SOUTH 01°04'44" WEST, ALONG THE EAST LINE OF SAID LOT 15, BLOCK 10, A DISTANCE OF 115.36 FEET TO THE SOUTHEAST CORNER OF LOT 15, BLOCK 10; THENCE SOUTH 88°57'32" WEST, ALONG THE SOUTH LINE OF SAID LOTS 11, 12, 13, 14 AND 15, BLOCK 10, A DISTANCE OF 124.76 FEET TO THE NORTHEAST CORNER OF LOT 40, BLOCK 10; THENCE SOUTH 01°13'05" WEST, ALONG THE EAST LINE OF SAID LOT 40, BLOCK 10 TO A POINT THE NORTH RIGHT OF WAY LINE OF CHICKAMAUGA AVENUE AND SOUTHEAST CORNER OF SAID LOT 40, BLOCK 10; THENCE NORTH 88°53'41" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 253.87 FEET TO THE POINT OF BEGINNING. TOGETHER WITH THAT PORTION OF SHAWNEE AVENUE, LYING SOUTH OF LOTS 1 THRU 4, BLOCK 4, AS SHOWN ON THE AMENDED PLAT OF WEST GATE ESTATES, PLAT BOOK 9, PAGE 20 AND THAT PORTION OF SHAWNEE AVENUE LYING NORTH OF LOTS 1 THRU 4, BLOCK 10, AS SHOWN ON THE PLAT OF WEST GATE ESTATES NORTH SECTION, PLAT BOOK 8, PAGE 38, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

EXHIBIT B
VICINITY SKETCH



LOCATION MAP
NOT TO SCALE

CONDITIONS OF APPROVAL

Conditional Use Class A

ALL PETITIONS

1. The approved Preliminary Site Plan is dated May 10, 2015. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or 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. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. Gas station canopy shall be designed consistent with the following standards:

- a. a maximum height of twenty-five (25) feet measured from finished grade to highest point;
 - b. a pitched roof with a minimum slope of 5:12. No flat roof shall be permitted;
 - c. the clearance of the canopy shall be a maximum of sixteen (16) feet, measured from finished grade to the underside of the canopy;
 - d. lighting for the gas station canopy shall be flush mounted or recessed; and,
 - e. a maximum of 3 canopy sign sign on the east and west sides of the canopy only.
- (ONGOING: ZONING - Zoning)

2. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Convenience Store and with gas Sales shall be submitted for 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 Architectural Elevations dated May 12, 2016. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO/ONGOING: ZONING - Zoning)

ENGINEERING

1. Prior to issuance of the first building permit, the Property Owner shall reconfigure the property into a single lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPM: MONITORING - Engineering)

2. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM: MONITORING - Engineering)

3. The Property Owner shall construct Seminole Boulevard as a three (3) lane section along the property frontage, as determined by the County Engineer.

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.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering)

4. Property Owner shall construct a five (5) foot wide concrete sidewalk along the east side of Seminole Boulevard along the property frontage, as determined by the County Engineer. 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. These improvements shall be completed concurrently with the onsite paving and grading and shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering)

5. Property Owner shall abandon the east extension of Shawnee Avenue. This abandonment shall be completed prior to recordation of the plat. (PLAT: ENGINEERING - Engineering)

6. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2018. 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 Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

b. No building permits for the site may be issued until the Property Owner has demonstrated that the new development will not exceed any of the applicable maximum allowable limits for units, square footage, total daily trips and total p.m. peak hour trips set by Table TE-6 in the Transportation Element of the Comprehensive Plan. (BLDGPM/CO: MONITORING - Engineering)

7. The Property Owner shall modify the median, west approach, at Okeechobee Blvd and Spencer Dr intersection to provide a 50 foot taper, resulting in increase of eastbound left turn vehicle storage length.

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 from FDOT for this modification and construction of the modification shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: LAND DEVELOPMENT - Land Development)

ENVIRONMENTAL

1. The submittal for the removal of native vegetation from Phase II of the site plan shall not be required until the time of submittal for site plan approval of Phase II. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

SITE DESIGN

1. Prior to the issuance of a Certificate of Occupancy for the Convenience Store the Applicant shall provide access from the subject property to Chickamauga Avenue and provide the nine (9) parking spaces as indicated on the site plan dated May 10, 2016 to serve the Dennis Koehler Park located to the south of the site. (ONGOING: ZONING - Planning)

USE LIMITATIONS - CONVENIENCE STORE

1. Prior to Final Approval by the Development Review Officer, the Site Plan shall be amended to indicate facilities for the provision of free air and water for customer convenience. (ONGOING: ZONING - Zoning)

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: ZONING - 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: ZONING - Zoning)

DISCLOSURE

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