

RESOLUTION NO. R-2019- 1961

RESOLUTION APPROVING ZONING APPLICATION ZV/DOA-2018-01208
(CONTROL NO. 1984-00163)
a Development Order Amendment
APPLICATION OF Barkley International, Inc.
BY Dunay, Miskel and Backman, LLP, AGENT
(Delray Commons (Barkley Place))

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 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, (ULDC), Ordinance 2003-067, Supplement 24, have been satisfied;

WHEREAS, Zoning Application ZV/DOA-2018-01208 was presented to the Board of County Commissioners at a public hearing conducted on December 19, 2019;

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 (Application Processes and 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 Processes) 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.B.6.C (Board Action) 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/DOA-2018-01208, the Application of Barkley International, Inc., by Dunay, Miskel and Backman, LLP, Agent, for a Development Order Amendment to reconfigure the Site Plan; add and delete square footage; modify uses; and amend Conditions of Approval, 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 December 19, 2019, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Berger moved for the approval of the Resolution.

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

Commissioner Dave Kerner, Mayor	- Aye
Commissioner Robert S. Weinroth, Vice Mayor	- Aye
Commissioner Hal R. Valeche	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Mary Lou Berger	- Aye
Commissioner Melissa McKinlay	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on December 19, 2019.

Filed with the Clerk of the Board of County Commissioners on Janauary 13th, 2020

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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

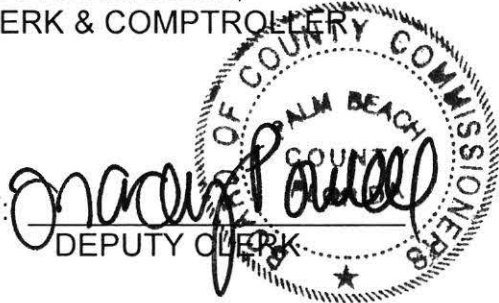
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK




EXHIBIT A

LEGAL DESCRIPTION

NORTHERN PARCEL:

THE WEST 150.00 FEET (150.04 FEET ALONG PROPERTY LINE) OF THE EAST 203.00 FEET (203.03 FEET ALONG PROPERTY LINE) OF THE NORTH 732.13 FEET (738.31 FEET ALONG PROPERTY LINE) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST, SAID LAND SITUATE WITHIN PALM BEACH COUNTY, FLORIDA.

SOUTHERN PARCEL:

THE WEST 150.00 FEET (150.04 FEET ALONG PROPERTY LINE) OF THE EAST 203.00 FEET (203.03 FEET ALONG PROPERTY LINE) OF THE SOUTH 548.58 FEET (548.68 FEET ALONG PROPERTY LINE) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 2, TOWNSHIP 46 SOUTH, RANGE 42 EAST, SAID LAND SITUATE WITHIN PALM BEACH COUNTY, FLORIDA.

LESS: THOSE PORTIONS OF THE ABOVE PARCELS WHICH WERE CONVEYED TO PALM BEACH COUNTY, FLORIDA BY DEED DATED JANUARY 30, 1992, FILED MARCH 3, 1992 IN O.R. BOOK 7141, PAGE 1827, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

PARCEL 1: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 2; THENCE ALONG THE EAST LINE OF SECTION 2, SOUTH 01 DEGREE 30 MINUTES 17 SECONDS EAST ON AN ASSUMED BEARING A DISTANCE OF 1381.48 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 24 SECONDS WEST, A DISTANCE OF 60.01 FEET, TO A POINT ON THE WEST RIGHT OF WAY LINE OF MILITARY TRAIL BEING ALSO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 89 DEGREES 46 MINUTES 24 SECONDS WEST, A DISTANCE OF 25.00 FEET; THENCE SOUTH 45 DEGREES 51 MINUTES 56 SECONDS EAST, A DISTANCE OF 35.76 FEET; THENCE NORTH 01 DEGREE 30 MINUTES 17 SECONDS WEST, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 2; THENCE SOUTH 01 DEGREE 30 MINUTES 17 SECONDS EAST, ON AN ASSUMED BEARING ALONG THE EAST LINE OF SAID SECTION 2 A DISTANCE OF 2073.79 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 24 SECONDS WEST, A DISTANCE OF 60.01 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89 DEGREES 46 MINUTES 24 SECONDS WEST, A DISTANCE OF 25.00 FEET; THENCE NORTH 44 DEGREES 08 MINUTES 00 SECONDS EAST, A DISTANCE OF 34.96 FEET; THENCE SOUTH 01 DEGREE 30 MINUTES 17 SECONDS EAST, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

PARCEL 3: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 2; THENCE SOUTH 01 DEGREE 30 MINUTES 17 SECONDS EAST, ON AN ASSUMED BEARING ALONG THE EAST LINE OF SAID SECTION 2, A DISTANCE OF 2073.79 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 24 SECONDS WEST, A DISTANCE OF 60.01 FEET; THENCE SOUTH 01 DEGREE 30 MINUTES 17 SECONDS EAST A DISTANCE OF 60.01 FEET; THENCE SOUTH 01 DEGREE 30 MINUTES 17 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01 DEGREE 30 MINUTES 17 SECONDS EAST, A DISTANCE OF 25.00 FEET; THENCE NORTH 45 DEGREES 49 MINUTES 58 SECONDS WEST, A DISTANCE OF 35.76 FEET; THENCE NORTH 89 DEGREES 49 MINUTES 47 SECONDS EAST, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 4.004 ACRES MORE OR LESS

EXHIBIT B
VICINITY SKETCH

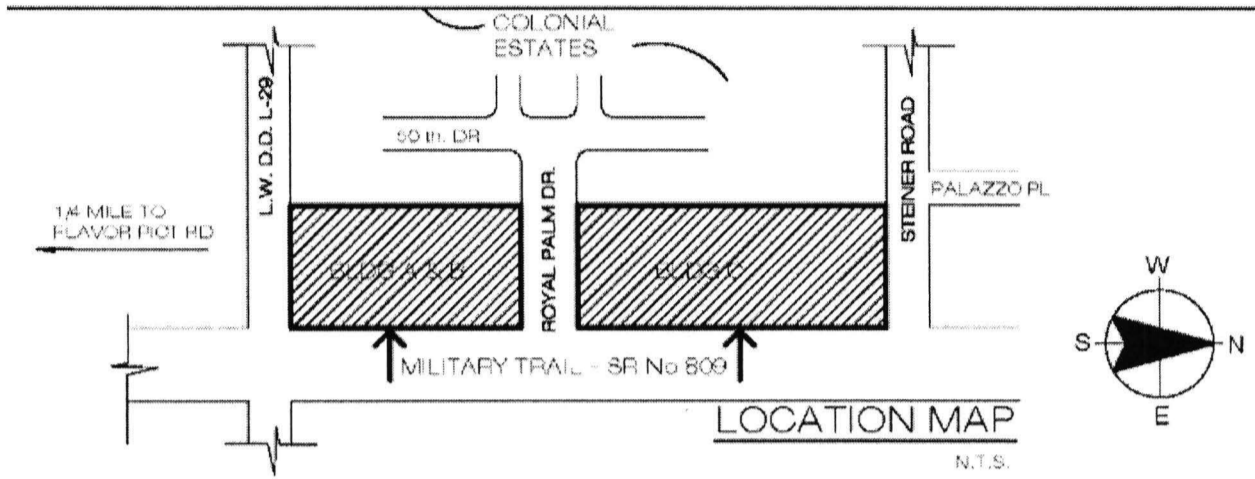


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment

ALL PETITIONS

1. Resolution Number R-85-319 is hereby repealed. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous A Condition 1 of Resolution R-1994-358, Control No.1984-00163)

2. Previous A Condition 2 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure that the site is developed consistent with the design represented in the application, the petitioner shall, prior to the issuance of the first building permit, receive approval for a Final Site Plan from the Development Review Committee.

Is hereby amended to read:

The approved Preliminary Site Plan is dated October 15, 2019. 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)

3. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-94-0358 (Control 1984-163(A)) and R-2002-1473 (Control 1984-00163 A.5), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners or Zoning Commission, unless expressly modified. (ONGOING: MONITORING - Zoning)

ARCHITECTURAL REVIEW

1. Previous C Condition 1 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure consistency with the petitioner proposal no roof mounted mechanical equipment shall be permitted. All HAVC equipment shall be ground mounted and screened from view with a minimum four (4') foot solid fence or wall.

Is hereby amended to read:

The maximum height for all structures including air conditioning, parapets, mechanical equipment and satellite dishes shall not exceed thirty (30) feet within thirty (30) feet of the west property line or thirty-five (35) feet for the remainder of the development. Height shall be measured from finished grade to highest point of the structure. (DRO: ZONING - Zoning)

ENGINEERING

1. Previous E Condition 1 of Resolution R-1994-358, Control No.1984-00163, which currently states:

The 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 at the time of the Building Permit presently is \$145,970.00 (2,654 trips X \$55.00 per trip)

Is hereby deleted. [REASON: Replaced by Impact Fee Ordinance.]

2. Previous E Condition 2 of Resolution R-1994-358, Control No.1984-00163, which currently states:

Prior to DRC approval of the proposed site plan the proposed entrance onto Steiner Road shall be relocated in accordance with Palm Beach County's Parking Lot Standards. (DRO: ENGINEERING - Engineering)

Is hereby deleted. [REASON: No longer applicable for the new site plan.]

3. Previous F Condition 1 of Resolution R-1994-358, Control No.1984-00163, which currently states:

The property owner has voluntarily agreed that prior to issuance of a Building Permit, the petitioner 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 consist of a minimum of one (1) fourteen (14) foot tall native tree for each thirty (30) linear feet of the adjacent median to be planted and appropriate ground cover. Trees may be planted singly or in clusters. All landscaping and maintenance shall be subject to the standards as set forth by the Palm Beach County Engineering and Public works Department. All landscape material shall be selected for the following list:

Trees:	Ground cover:
Laurel Oak	Wedilia
Live Oak	Bahia Grass
Slash Pine	Sabal Palmetto

Alternative species may be allowed subject to approval by the County Engineer. All plant material shall be installed and selected according to xeriscape principles and shall conform with the following:

- a) All plants shall be container grown or field collected and transplanted from the project site.
- b) All plantings shall be done in accordance with detailed planting plans and specifications to be submitted and approved by the County Engineer concurrent with Site Plan certification.
- c) All required median landscaping, including watering, shall be the perpetual maintenance obligation of the petitioner and its successors, legal heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association, and shall be installed on or before issuance of the first Certificate of Occupancy or concurrent with the first plat, whichever occurs first.
- d) Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to the issuance of the first building permit to reflect this obligation. Maintenance shall be in accordance with the issued permits.

Is hereby deleted. [REASON: Superseded by new Engineering Condition 7.]

4. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code or as otherwise approved by the County Engineer. (BLDGPM: MONITORING - Engineering)

5. 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 plat recordation or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/PLAT: MONITORING - 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, 2023, or as amended. 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)

7. The Property Owner shall design, install, and perpetually maintain median landscape within the median of all abutting right of way of Military Trail. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioner's approval. Median landscaping installed by the Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph c and d below.

a. The necessary permit(s) for this landscaping and irrigation shall be applied for from Palm Beach County Land Development prior to the issuance of the first building permit. (BLDGPM: MONITORING - Engineering)

b. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy. (BLDGPM/CO: MONITORING - Engineering)

c. At Property Owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the Property Owner. (BLDGPM: MONITORING - Engineering)

d. Alternately, at the option of the Property Owner or if the construction of the required landscape and irrigation is not possible due to physical constraints, the Property Owner may make a contribution to the County's Only Trees Irrigation and Sod, (OTIS) program, unincorporated thoroughfare beautification program prior to the issuance of the first Building Permit. This payment option is only available if the roadway segment is included in the County's current OTIS Master Plan and shall be based on the project's front footage along Military Trail. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (BLDGPM: MONITORING - Engineering)

HEALTH

1. Previous D Condition 1 of Resolution R-1994-358, Control No.1984-00163, which currently states:

The application and engineering plans to construct an onsite wastewater disposal system must be submitted to the Health Unit prior to site plan approval by the Development Review Committee.

Is hereby deleted. [REASON: Connection required by code]

2. Previous D Condition 2 of Resolution R-1994-358, Control No.1984-00163, which currently states:

Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. All existing onsite potable water supply systems must be abandoned in accordance with Palm Beach County ECR-II.

Is hereby deleted. [REASON: Code Requirement]

LANDSCAPE - GENERAL

1. Previous A Condition 4 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure that the landscaping installed on site will provide adequate buffering when installed. 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 at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length.

Is hereby amended to read:

To ensure that the landscaping installed on the western portion of the site adjacent to residential will provide adequate buffering when installed. All trees required to be planted on site by this approval shall meet the minimum tree height at installation of fourteen (14) feet. (ONGOING: ZONING - Zoning)

LANDSCAPE - PERIMETER

2. Previous A Condition 3 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure that the site is adequately buffered from the adjacent residential use, the petitioner shall upgrade the landscape buffer on the western property line to include:

- a) A landscape strip with a minimum width of eighteen (18) feet;
- b) A six (6) foot high wall; setback a minimum of ten (10) feet from the property line;
- c) Native canopy trees planted on the outside of the wall twenty five (25) feet on center;
- d) Palm trees placed thirty (30) feet on center on the outside edge of the wall;
- e) A hedge with a minimum height of thirty-six (36) inches place on the inside edge of the wall; and,
- f) One shrub with a minimum height of twenty four (24) inches for every sixty (60) square feet of this required landscape strip planted on the inside edge of the wall.

Is hereby amended to read:

2. PERIMETER LANDSCAPING ALONG THE WEST PROPERTY LINE (ABUTTING RESIDENTIAL) In addition to Code requirements, landscaping along the west property line shall be upgraded to include:

- a. A six (6) foot high opaque block or panel wall. Height of the wall shall be measured from the highest grade of the two adjoining properties or from the nearest adjacent finished floor of the proposed structure. Method of measuring height of the wall shall be finalized subject to the review and approval by the Landscape Section to ensure screening effect is achieved for the adjacent property; and,
- b. One (1) palm or pine for each for each thirty (30) linear feet of the property line;
- c. Five (5) canopy trees;
- d. All canopy trees shall be a minimum sixteen (16) feet height at installation; and,
- e. Seventy-five (75) large shrubs. (BLDGPM: ZONING- Zoning)

3. PERIMETER LANDSCAPING ALONG THE EAST PROPERTY LINE (ROW BUFFER FOR MILITARY TRAIL): In addition to code requirements, landscaping along the east property line shall be upgraded to include:

- a. Twenty (20) canopy trees; and,
- b. One hundred and fifty (150) medium shrubs. (ONGOING: ZONING - Zoning)

4. PERIMETER LANDSCAPING ALONG ROYAL PALM DRIVE: In addition to code requirements, landscaping along the north property line for the south property line and south property line for the north parcel (along Royal Palm Drive) shall be upgraded to include:

- a. Twenty (20) medium shrubs and,
- b. Thirty (30) small shrubs. (ONGOING: ZONING- Zoning)

5. PERIMETER LANDSCAPING ALONG THE SOUTH PROPERTY LINE (INCOMPATIBILITY BUFFER): In addition to code requirements, landscaping along the south property line shall be upgraded to require all canopy trees to be a minimum sixteen (16) foot in height at time of planting. (ONGOING: ZONING - Zoning)

SIGNS

1. Previous G Condition 1 of Resolution R-2002-1473, Control No.1984-00163, which currently states:

Point of purchase and/or free standing signs shall be limited as follows:

- a. Maximum sign height, measured from finished grade to highest point - ten (10) feet
- b. Maximum total sign face area, per side - 90 square feet.
- c. Maximum number of signs - one (1) per parcel.

Is hereby amended to read:

Free standing signs shall be limited as follows:

- a. Maximum sign height, measured from finished grade to highest point - ten (10) feet
- b. Maximum total sign face area, per side - 100 square feet.
- c. Maximum number of signs - two (2): one (1) per north and one (1) per south parcel. (ONGOING: ZONING - Zoning)

SITE DESIGN

1. Previous C Condition 2 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure the site is developed to be compatible with the surround uses the petitioner shall, prior to certification of a final site plan by the DRC, demonstrate compliance to section 6.6.D of the ULDC.

Is hereby deleted. [REASON: Code Requirement to be consistent with all sections of the ULDC.]

2. The minimum setback for all dumpster enclosures shall be forty (40) feet from the west property line. Restaurant waste shall remain in a climate controlled enclosed structure until removed from the premises. (DRO: ZONING - Zoning)

3. Prior to Final Approval by the Development Review Officer (DRO), the Property Owner shall revise the Site Plan to show that all required off-street parking spaces are located within six-hundred (600) linear feet of the primary entrance of the nearest building or use it is intended to serve, by either or both of the following options:

- a) establishing a pedestrian connection (as the person walks) between the north and south property area; or,
- b) relocate or reduce square footage. (DRO: ZONING - Zoning)

USE LIMITATIONS

1. Previous B Condition 1 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure the site is developed to be compatible with the surround uses the petitioner shall, prior to certification of a final site plan by the DRC, demonstrate compliance to section 6.6.D of the ULDC.

Is hereby deleted. [REASON: Restaurants proposed and water and sewer to be provided.]

2. Previous B Condition 2 of Resolution R-1994-358, Control No.1984-00163, which currently states:

To ensure that the uses on site are consistent with the proposal represented by the petitioner the uses on site shall be limited as follows:

- A) North parcel shall be limited to permitted uses listed in the CC zoning district unless otherwise noted; and,
- B) South parcel shall be limited to business and professional office.

Is hereby deleted. [REASON: Condition is no longer applicable.]

3. To ensure that the two parcels are developed consistent with the Future Land Use Elements of the Comprehensive Plan the petitioner shall, prior to certification of a final site plan by the Development Review Committee, record in the public record a Unity of Control for the entire subject property in a form acceptable to the County Attorney's Office. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous B Condition 3 of Resolution R-1994-358, Control No.1984-00163)

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)

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)

DISCLOSURE

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