

RESOLUTION NO. R-2021- 1760

RESOLUTION APPROVING ZONING APPLICATION ABN/ZV/PDD/CA-2019-01808
(CONTROL NO. 2001-00075)
an Official Zoning Map Amendment
APPLICATION OF BASM 11, LLC, Northlake Coconut Property, LLC
BY Schmidt Nichols, AGENT
(Coconut Palm Plaza)

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 as amended, have been satisfied;

WHEREAS, Zoning Application ABN/ZV/PDD/CA-2019-01808 was presented to the Board of County Commissioners at a public hearing conducted on November 22, 2021;

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 an Official Zoning Map 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 ABN/ZV/PDD/CA-2019-01808, the Application of BASM 11, LLC, Northlake Coconut Property, LLC, by Schmidt Nichols, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Public Ownership (PO) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, 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 November 22, 2021, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Kerner moved for the approval of the Resolution.

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

Commissioner Robert S. Weinroth, Mayor	- Aye
Commissioner Gregg K. Weiss, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Dave Kerner	- Aye
Commissioner Maria Sachs	- Aye
Commissioner Melissa McKinlay	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on November 22, 2021.


Filed with the Clerk of the Board of County Commissioners on November 22nd, 2021.

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

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THAT PART OF SECTION 15, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LYING SOUTH OF THE RIGHT-OF-WAY FOR LAKE PARK WEST ROAD AND LYING EAST OF THE RIGHT-OF-WAY FOR COCONUT BOULEVARD, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE SOUTH 86°53'58" WEST ALONG THE SOUTH LINE OF SAID SECTION 15, A DISTANCE OF 1522.70 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE SOUTH 86°53'58" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 1028.33 FEET TO THE INTERSECTION THEREOF WITH THE EAST RIGHT-OF-WAY LINE OF COCONUT BOULEVARD; THENCE NORTH 47°19'55" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 57.32 FEET; THENCE NORTH 01°33'46" WEST, CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 433.48 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 96.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE AND CONTINUING ALONG SAID EAST RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 24°09'10", A DISTANCE OF 40.47 FEET TO THE END OF SAID CURVE; THENCE NORTH 39°13'08" EAST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 54.95 FEET TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 96.00 FEET AND WHOSE RADIUS POINT BEARS SOUTH 34°09'05" EAST; THENCE NORTHEASTERLY ALONG SAID CURVE AND CONTINUING ALONG SAID RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 31°03'03", A DISTANCE OF 52.03 FEET TO THE POINT OF TANGENCY; SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF SAID LAKE PARK WEST ROAD; THENCE NORTH 86°53'58" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 892.21 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 104.00 FEET AND WHOSE RADIUS POINT BEARS NORTH 84°48'28" WEST; THENCE SOUTHWESTERLY ALONG SAID CURVE AND DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 81°42'26", A DISTANCE OF 148.31 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 86°53'58" WEST, A DISTANCE OF 266.42 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 45.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 41°27'32", A DISTANCE OF 32.56 FEET TO THE END OF SAID CURVE; THENCE SOUTH 03°06'02" EAST, A DISTANCE OF 206.05 FEET; THENCE NORTH 86°53'58" EAST, A DISTANCE OF 431.85 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 35.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 89°48'14", A DISTANCE OF 54.86 FEET TO THE POINT OF TANGENCY; THENCE SOUTH 03°17'48" EAST, A DISTANCE OF 226.61 FEET TO THE POINT OF BEGINNING.

CONTAINING 11.25 ACRES, MORE OR LESS

EXHIBIT B

VICINITY SKETCH

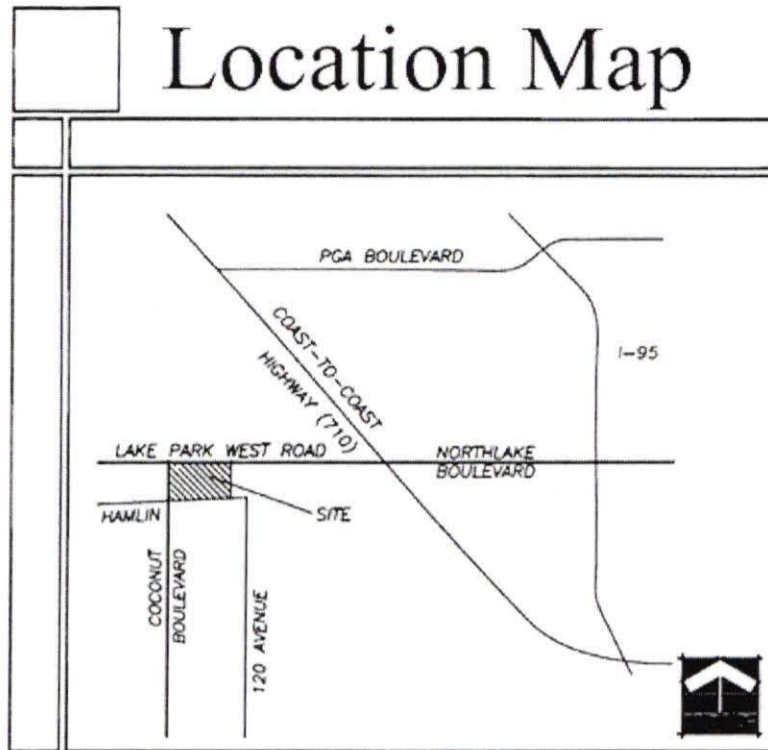


EXHIBIT C

CONDITIONS OF APPROVAL

Non Residential Planned Development District

ALL PETITIONS

1. The approved Preliminary Site Plan is dated July 13, 2020. 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)

ENGINEERING

1. 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, 2022, 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)

2. 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)

3. The Property Owner shall provide to the Palm Beach County Right of Way Section of Roadway Production Division a warranty deed for road right of way and all associated documents as required by the County Engineer for Coconut Boulevard 30 feet in width on an alignment approved by the County Engineer

All warranty deed(s) and associated documents, including a title policy naming Palm Beach County as an insured, shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way 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. The Property Owner shall provide to the Right of Way Section 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. (BLDGPM/ONGOING: MONITORING - Engineering)

4. Prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first, the Property Owner shall provide to Palm Beach County Right of Way Section of Roadway Production Division by warranty deed additional right of way for the construction of a right turn lane on Northlake Boulevard at the

project's west entrance road. This right of way shall be a minimum of 280 feet in storage length, a minimum of twelve feet in width and a taper length of 50 feet, or as approved by the County Engineer. Additional width may be required to accommodate paved shoulders.

The right of way shall continue across the project entrance. This additional right of way shall be free of all encumbrances and encroachments and shall include Corner Clips where appropriate, as determined by the County Engineer. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way 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. The Property Owner shall not record the required right of way or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and (BLDGPMT/ONGOING: MONITORING - Engineering)

5. The Property Owner shall construct dual south approach right turns on Coconut Boulevard at Northlake Boulevard and all associated signal related changes required to accommodate the modified intersection.

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, signal modifications, 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. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the entire condition shall be considered satisfied. (BLDGPMT: MONITORING - Engineering)

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

c. The turn lanes must be constructed prior to the in-only access on Coconut is constructed, unless the County Engineer agrees to accept a payment in lieu of construction. (ONGOING: MONITORING - Engineering)

6. Landscape Within the Median of Northlake Boulevard

The Property Owner shall design, install, and perpetually maintain median landscape within the median of all abutting right of way of Northlake Boulevard. 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. (BLDGPMT: MONITORING - Engineering)

b. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy. (BLDGPMT/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. (ONGOING: 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 Northlake Boulevard. 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)

7. Prior to the Final Site Plan application, the Property Owner shall consult with Palm Tran to discuss the need to move the Palm Trans easement currently shown on the site plan. The new location shall be shown on the final site plan, if needed. (DRO: MONITORING - Engineering)

ENVIRONMENTAL

1. A 1.45 acre upland preserve shall be established in the southeastern corner of the property pursuant to the submitted Preserve Management Plan. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

LANDSCAPE - GENERAL

1. All trees, palms and shrub/hedge material shall be planted in a meandering and naturalistic pattern. (BLDGPM: ZONING - Zoning)

2. Fifty percent (50%) of all trees required to be planted on site by this approval shall be planted at a minimum of 14 feet in height, and the remaining fifty percent (50%) shall be planted at a minimum of 12 feet. (BLDG: BUILDING - Zoning)

LANDSCAPE - PERIMETER- WEST PROPERTY LINE ALONG COCONUT BOULEVARD

3. In addition to Code requirements, landscaping and buffering along Coconut Boulevard shall be upgraded to include:

- a. a minimum thirty (30) foot wide landscape buffer strip. A maximum five (5) feet easement overlap will be allowed;
- b. one (1) canopy tree per twenty (20) linear feet; and,
- c. one (1) palm or pine for each for each twenty-five (25) linear feet of the property line. (BLDGPM/ONGOING: ZONING - Zoning)

LANDSCAPE - PERIMETER- SOUTH PROPERTY LINE ALONG HAMLIN BOULEVARD

4. In addition to Code requirements, landscaping and buffering along Hamlin Boulevard shall be upgraded to include:

- a. a minimum thirty-five (35) foot wide landscape buffer strip;
- b. a six (6) foot high decorative fence shall be installed, with a 6 foot high hedge on the exterior side of the fence; and,
- c. one (1) canopy tree planted for each (20) linear feet of the property line. (BLDGPM/ONGOING: ZONING - Zoning)

LIGHTING

1. Parking lot lighting shall be a maximum fifteen (15) feet height with a minimum 50 ft. setback from residential uses. (ONGOING: ZONING - Zoning)

2. All outdoor lighting, except security lighting, shall be extinguished no later than 1/2 hour after operating hours. (ONGOING: ZONING - Zoning)

PLANNING

1. Per LGA 2020-002, cond. 1: Development of the site under the Commercial Low designation: Development of the site is limited to a total maximum net daily trips of 3,108 and a maximum net PM peak hour trips of 236. (ONGOING: PLANNING - Planning)

2. Per LGA 2020-002, cond. 2: Development of the site under the Commercial Low designation: the site plan shall provide a minimum 35 foot landscape buffer along the southern property line excluding the area identified as an upland preserve wherein the ULDC provisions apply. (ONGOING: PLANNING - Planning)

3. Per LGA 2020-002, cond. 3. Vehicular ingress and/or egress to Hamlin Boulevard is prohibited. (ONGOING: PLANNING - Planning)

4. Prior to final approval by the Development Review Officer (DRO), all applicable plans, documents shall be updated to be consistent with what was adopted by the Board of County Commissioners (BCC). (DRO: PLANNING - Planning)

5. Prior to final site plan certification by the Development Review Officer (DRO), the Property Owner shall provide a Rural Parkway Landscape Plan, which recreates the native habitat appropriate for the site, subject to approval by the Planning Division, and to include a minimum 80% native species. (DRO: PLANNING - Planning)

6. Prior to final site plan certification by the Development Review Officer (DRO), the Property Owner shall submit a Rural Parkway Management Plan (RPMP) maintenance agreement for perpetual maintenance of the Rural Parkway subject to approval by the Planning Division. (DRO: PLANNING - Planning)

7. Prior to final site plan certification by the Development Review Officer (DRO), the Property Owner shall submit a recorded Rural Parkway Easement and title insurance to the Palm Beach County Planning Division, subject to approval by the County Attorney's Office and in an amount acceptable to the Planning Division. (DRO: PLANNING - Planning)

8. The Rural Parkway Easement shall include but not be limited to the following items:

a. An approved Rural Parkway Landscape Plan which may include:

- i. Flowering trees;
- ii. Undulating berm, where no existing native vegetation occurs that is identified to be preserved in situ, no taller than five feet and landscaped;
- iii. 80% or greater native vegetation;
- iv. Native vegetation that is relocated or is part of an approved mitigation plan;
- v. Co-location of required landscape buffer;
- vi. An 8-foot paved multi-purpose meandering pathway;

b. The Rural Parkway easement shall not include:

- i. Walls;
- ii. Structures, with the exception of a bus shelter, and benches/pedestrian gathering areas, as approved by the Palm Beach County Planning Division; and,
- iii. Signs

c. The Rural Parkway easement may include:

- i. A ten (10) foot utility easement located adjacent to the Northlake Boulevard right-of-way and a bus stop easement;
- ii. Other drainage/utility easements may only be permitted which transverse (run perpendicular to) the Rural Parkway Easement to place drainage/utilities in the developable portion of the approved site plan;
- iii. Other drainage easements may be permitted in the Rural Parkway Easement solely for the purposes of draining the Rural Parkway subject to approval by the County Engineering Department and the Planning Division;
- iv. Overlap of the Rural Parkway and Embankment Easements as long as the purposes of both easements are consistent. (ONGOING: PLANNING - Planning)

9. Within 30 calendar days of issuance of the first Building Permit (BP), the Property Owner shall commence construction of the Rural Parkway, consistent with the approved Rural

Parkway Landscape Plan and in accordance with the Rural Parkway Management Plan. (BLDGPMPT: MONITORING - Planning)

10. Prior to the release of the first Certificate of Occupancy (CO), submit an "As-Built Rural Parkway Plan" of the completed Rural Parkway installation. The Rural Parkway shall be complete and in compliance with the Rural Parkway Landscape Plan and Management Plan, subject to a final inspection by a Landscape inspector and the Planning Division. (CO: MONITORING - Planning)

SIGNS

1. Ground mounted freestanding signs fronting Coconut Boulevard 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 - 100 square feet; and,
- c. Maximum number of signs - one (1). (BLDGPMPT: ZONING - Zoning)

2. Ground mounted freestanding signs fronting Northlake Boulevard 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 - 100 square feet;
- c. Maximum number of signs - one (1); and,
- d. Style - monument style only. (BLDGPMPT/ONGOING: ZONING - Zoning)

3. Wall signs shall be limited as follows:

- a. Location - to be located on the north and west facades of the buildings only.
- b. Lettering size shall be limited to 18 inches in height. (BLDGPMPT: ZONING - Zoning)

SITE DESIGN

1. Prior to final approval by the Development Review Officer, the Site Plan shall be revised to remove the access on Hamlin Boulevard. Additional access may be provided along Coconut Blvd., and on-site modifications related to the relocation of accesses may be provided. (DRO: ZONING - Zoning)

2. Brick or concrete pavers shall be installed at the vehicular entrances at Coconut Boulevard. (BLDGPMPT: ZONING - Zoning)

3. Dumpsters, compactors, and/or recycling enclosures shall have a minimum 200 feet setback from the south property line. (BLDGPMPT: ZONING - Zoning)

USE LIMITATIONS

1. Hours of construction activity during all stages of site development shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday. Construction shall be prohibited on Saturday, Sunday, and statutory holidays. (ONGOING: CODE ENF - Zoning)

2. Outdoor storage of any construction material, refuse, equipment or debris shall not be permitted in the southern 200 feet of the property. (ONGOING: CODE ENF - Zoning)

3. The following uses shall not be allowed in the MUPD:

- a. Repair and Maintenance, Light;
- b. Type 1 Restaurant with a Drive-through;
- c. Light Vehicle Sales and Rental; and,
- d. Outdoor Entertainment (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: 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.