

RESOLUTION NO. R-2023- 1026

RESOLUTION APPROVING ZONING APPLICATION ABN/DOA/CA-2022-01020
(CONTROL NO. 1982-00129)
a Development Order Amendment
APPLICATION OF Okee 704 LLC
BY Schmidt Nichols, AGENT
(Sykes PCD)

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, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application ABN/DOA/CA-2022-01020, submitted on behalf of Okee 704 LLC, by Schmidt Nichols, Agent, for a Development Order Abandonment to abandon a Hotel on 7.23 acres; a Development Order Amendment to reconfigure the Site Plan; delete square footage; add and delete uses and to modify Conditions of Approval on 7.23 acres; and a Class A Conditional Use to allow a Type 1 Restaurant with drive-through on 7.23 acres was presented to the Board of County Commissioners at a public hearing on July 19, 2023;

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 ABN/DOA/CA-2022-01020, the Application of Okee 704 LLC, by Schmidt Nichols, Agent, for a Development Order Amendment to reconfigure the Site Plan; delete square footage; add and delete uses and to modify Conditions of Approval on 7.23 acres, 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 July 19, 2023, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marino 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 Gregg K. Weiss, Mayor	- Aye
Commissioner Maria Sachs, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Michael A. Barnett	- Aye
Commissioner Marci Woodward	- Aye
Commissioner Sara Baxter	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on July 19, 2023.

Filed with the Clerk of the Board of County Commissioners on July 19th 2023.

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

DESCRIPTION PARCEL 1:

A PORTION OF THAT PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING SOUTH OF OKEECHOBEE ROAD AND BEING THE SOUTHERLY 510' OF THE NORTHERLY 590' OF THE WESTERLY 620.38' OF THE EASTERLY 1260.38' THEREOF. LESS THE SOUTH 5 FEET OF THE NORTH 80 FEET OF THE WESTERLY 620.38 FEET OF THE EASTERLY 1260.38 FEET OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, AS CONVEYED IN RIGHT-OF-WAY DEED RECORDED IN O.R. 4080, PAGE 1969, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS:

A PORTION OF TRACT "A", SYKES COMMERCIAL, M.U.P.D., ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 131, PAGES 62 AND 63 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT "A"; THENCE S.01°29'35"W. ALONG THE EAST LINE OF SAID TRACT "A", A DISTANCE OF 215.99 FEET TO THE POINT OF BEGINNING; THENCE N.88°41'31"W., A DISTANCE OF 52.78; THENCE S.01°29'35"W., A DISTANCE OF 228.99 FEET; THENCE N.88°41'31"W., A DISTANCE OF 365.67 FEET; THENCE N.01°29'35"E., A DISTANCE OF 441.68 FEET TO A POINT ON THE SOUTH LINE OF A LIMITED ACCESS RIGHT-OF-WAY OF THE RONALD REAGAN TURNPIKE AS RECORDED IN DEED BOOK 1121, PAGE 622 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ALSO A POINT ON THE NORTH LINE OF SAID TRACT "A", SYKES COMMERCIAL M.U.P.D.; THENCE ALONG SAID SOUTH LINE OF LIMITED ACCESS RIGHT-OF-WAY AND NORTH LINE OF SAID TRACT "A" FOR THE NEXT TWO (2) COURSES; 1) S.88°26'44"W., A DISTANCE OF 133.91 FEET; 2) N.88°41'31"W., A DISTANCE OF 68.19 FEET; THENCE S.01°29'35"W. ALONG THE WEST LINE OF SAID TRACT "A", A DISTANCE OF 499.98 FEET; THENCE S.88°41'31"E. ALONG THE SOUTH LINE OF SAID TRACT "A", A DISTANCE OF 620.36 FEET; THENCE N.01°29'35"E. ALONG THE EAST LINE OF SAID TRACT "A", A DISTANCE OF 293.99 FEET TO THE POINT OF BEGINNING. TOGETHER WITH THAT CERTAIN EASEMENT FOR INGRESS AND EGRESS CREATED BY GRANT IN WARRANTY DEED DATED JULY 10, 1978 FROM HARVEY E. SYKES, SR. AND MILDRED M. SYKES, HIS WIFE, TO RAMBLEWOOD PLAZA, A FLORIDA JOINT VENTURE, AS RECORDED IN O.R. BOOK 2890, PAGE 798, PUBLIC RECORDS OF PALM-BEACH COUNTY, FLORIDA.

SAID LAND SITUATE, LYING AND BEING IN, PALM BEACH COUNTY, FLORIDA, AND CONTAINING 140,692.5184 SQ. FT. OR 3.230 ACRES MORE OR LESS.

DESCRIPTION PARCEL 2:

A PORTION OF THAT PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING SOUTH OF OKEECHOBEE ROAD AND BEING THE SOUTHERLY 510' OF THE NORTHERLY 590' OF THE WESTERLY 620.38' OF THE EASTERLY 1260.38' THEREOF. LESS THE SOUTH 5 FEET OF THE NORTH 80 FEET OF THE WESTERLY 620.38 FEET OF THE EASTERLY 1260.38 FEET OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, AS CONVEYED IN RIGHT-OF-WAY DEED RECORDED IN O.R. 4080, PAGE 1969, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS:

WATER MANAGEMENT TRACT-1, WATER MANAGEMENT TRACT-2 AND A PORTION OF TRACT "A", SYKES COMMERCIAL, M.U.P.D., ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 131, PAGES 62 AND 63 OF THE PUBLIC

RECORDS OF PALM BEACH COUNTY FLORIDA; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT "A"; THENCE S.01°29'35"W., A DISTANCE OF 215.99 FEET; THENCE N.88°41'31"W., A DISTANCE OF 52.78 FEET; THENCE S.01°29'35"W., A DISTANCE OF 228.99 FEET; THENCE N.88°41'31"W., A DISTANCE OF 365.67 FEET; THENCE N.01°29'35"E., A DISTANCE OF 441.68 FEET TO A POINT ON THE SOUTH LINE OF A LIMITED ACCESS RIGHT-OF-WAY OF THE RONALD REAGAN TURNPIKE AS RECORDED IN DEED BOOK 1121, PAGE 622 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ALSO A POINT ON THE NORTH LINE OF SAID TRACT "A", SYKES COMMERCIAL M.U.P.D.; THENCE ALONG SAID NORTH LINE OF TRACT "A" FOR THE NEXT TWO (2) COURSES; 1) N.88°26'44"E., A DISTANCE OF 66.33 FEET; 2) S.88°41'31"E., A DISTANCE OF 352.21 FEET TO THE POINT OF BEGINNING.

SAID LAND SITUATE, LYING AND BEING IN, PALM BEACH COUNTY, FLORIDA, AND CONTAINING 174,018.6320 SQ. FT. OR 3.995 ACRES MORE OR LESS.

TOTAL CONTAINING 7.225 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

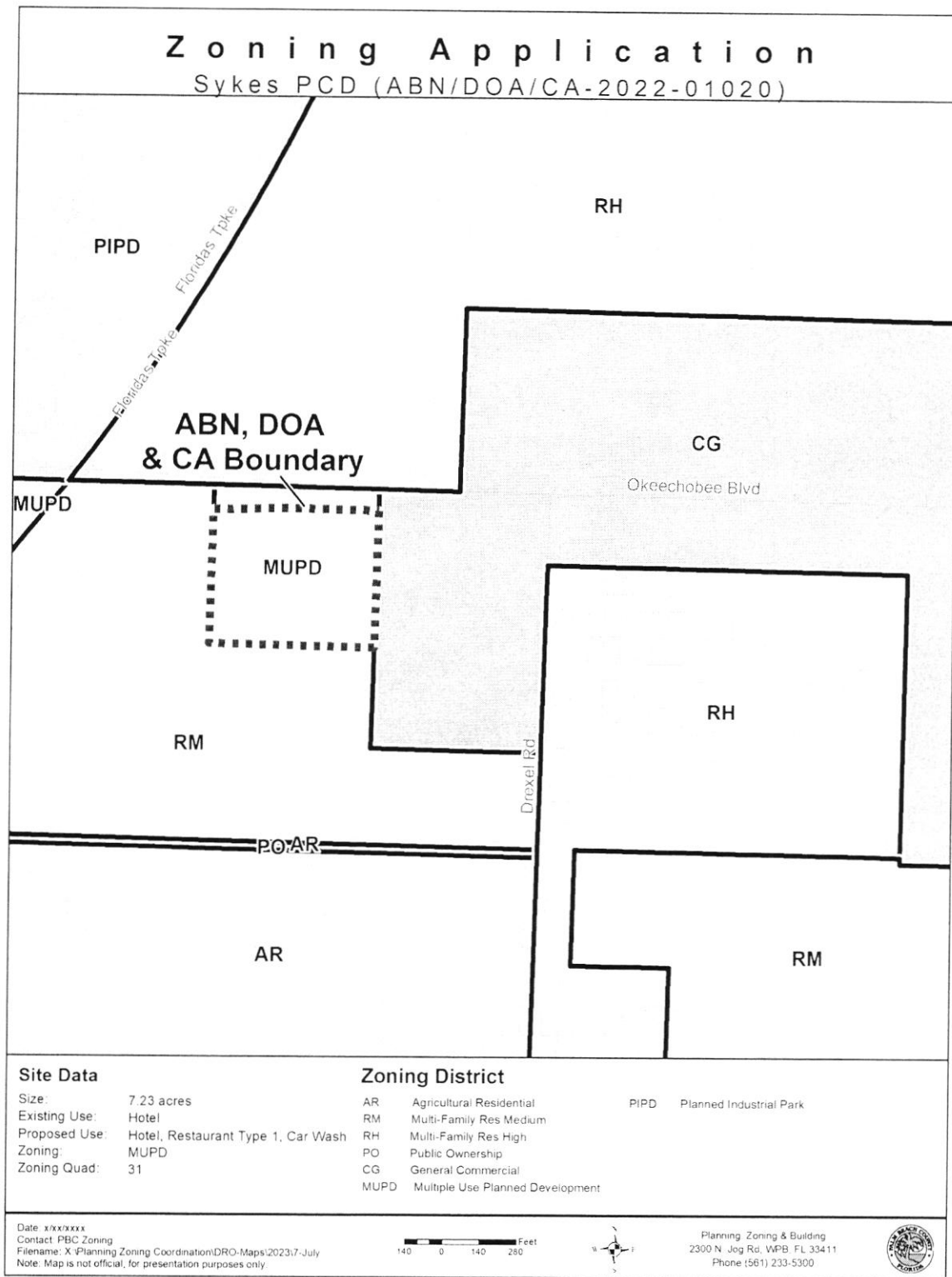


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment

ALL PETITIONS

1. All previous Conditions of Approval as contained in Resolution R-83-195, Petition 1982-129 have been revoked. (ONGOING: ZONING - Zoning) (Previous ALL PETITIONS Condition 1 of Resolution R-2009-2, Control No.1982-00129)

2. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2009-0002 (Control 1982-00129), 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 , unless expressly modified. (ONGOING: MONITORING - Zoning)

3. Previous ALL PETITIONS Condition 2 of Resolution R-2009-2, Control No.1982-00129, which currently states:

Development of the site shall be in accordance with the Site Plan dated July 28, 2008. 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:

Development of the site shall be in accordance with the Site Plan dated May 11, 2023. 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. (ONGOING: ZONING - Zoning)

4. Previous ALL PETITIONS Condition 3 of Resolution R-2009-2, Control No.1982-00129, which currently states:

Based on Article 2.E of the Unified Land Development Code, this development order meets the requirements to receive a new three (3) year review date from the date of approval of this resolution. (ONGOING: MONITORING - Zoning)

Is hereby deleted. [REASON: Code Requirement]

ENGINEERING

1. Previous ENGINEERING Condition 1 of Resolution R-2009-2, Control No.1982-00129, which currently states:

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 shall be issued after December 31, 2011. 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.E of the Unified Land Development Code. (DATE: MONITORING Eng) (DATE: MONITORING - Engineering)

Is hereby deleted. [REASON: No longer applicable]

2. The property owner shall pay a Fair Share Fee in the amount equal to 1.5 times the required impact fee. This increased impact fee payment to be paid at the time of issuance

of the first Building Permit. (BLDGPMT/ONGOING: BUILDING DIVISION - Building Division) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2009-2, Control No.1982-00129)

3. The following strategies shall be implemented and shall be coordinated with the County Engineer and shall include but not be limited to:

- a. Encourage the use of mass transit usage to and from the site through
 - Provision of bus stops and bus stop signs within the site
 - Distribution and posting of bus schedules onsite
 - Coordination with Palm Tran and or other mass transit service within the site if feasible as determined by Palm Tran
 - Provide for Bicycle facilities onsite (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 3 of Resolution R-2009-2, Control No.1982-00129)

4. The Property Owner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of Okeechobee 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 Commissioners approval. Median landscaping installed by 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 prior to the issuance of the first building permit. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED]

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

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: ENGINEERING - Engineering) [Note: COMPLETED]

d.. Alternately, at the option of the Property Owner, and prior to the issuance of the first Building Permit, the Property Owner may make a contribution to the County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beatification program. This payment, for the County's installation of landscaping and irrigation on qualifying thoroughfares shall be based on the project's front footage along Okeechobee 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. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2009-2, Control No.1982-00129)

5. Prior to issuance of the first building permit the property owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2009-2, Control No.1982-00129)

6. Prior to DRO Final Site Plan approval, property owner shall obtain and record proper drainage easements for site drainage to achieve legal positive outfall. (DRO: ENGINEERING-Eng) (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 6 of Resolution R-2009-2, Control No.1982-00129)

7. No Building Permits for the site may be issued after December 31, 2025, 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)

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

ENVIRONMENTAL

1. Prior to final approval by the Development Review Officer, a Tree Preservation Area Management Plan shall be provided to ERM for review and approval.

(DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. All mitigation plantings shall be planted on-site or as approved by ERM. (VEGPMT: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

3. The landscape island which surrounds the two specimen live oaks, i.e., Tree No. 675 and Tree No. 676 shall be, at a minimum, 15-feet in width by 50-feet in length, or as approved by ERM. The distance from the back of curb to the edge of the trunk of the trees shall be, at a minimum, 5-feet from those portions of the curbing constructed in a North-to-South orientation and the North-most and South-most points of the back of curb shall be, at a minimum, 15-feet from edge of trunk(s), or as approved by ERM. (BLDGPM/ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

4. The portions of drive-aisle(s) that are to be constructed adjacent to the landscape island which surround the two specimen live oaks shall be constructed in a manner to minimally disrupt the root system for the specimen live oaks. (BLDGPM/ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

HEALTH

1. Property owners and operators of facilities generating industrial, hazardous or toxic waste shall not deposit or cause to be deposited any such waste into the sanitary sewer system unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection, the Palm Beach County Health Department, and the agency responsible for sewage works are provided and used. (ONGOING: CODE ENF - Health Department) (Previous HEALTH Condition 1 of Resolution R-2009-2, Control No.1982-00129)

ZONING - LANDSCAPING

1. Prior to the issuance of a building permit, the property owner shall submit a Landscape Plan and/or an Alternative Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with all landscape related conditions of approval as contained herein. (BLDGPM: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2009-2, Control No.1982-00129)

2. 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. (BLDG PERMIT: LANDSCAPE - Zoning)

(Previous ZONING - LANDSCAPING Condition 2 of Resolution R-2009-2, Control

No.1982-00129)

3. A group of three (3) or more palms may not supersede the requirement for a canopy tree in that location, unless specified herein. (Previous ZONING - LANDSCAPING Condition 3 of Resolution R-2009-2, Control No.1982-00129)

4. Field adjustment of berm and plant material locations may be permitted to provide pedestrian sidewalks/bike paths and to accommodate transverse utility or drainage easements crossings and existing vegetation. (BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 4 of Resolution R-2009-2, Control No.1982-00129)

ZONING - LANDSCAPING-FOCAL POINTS

5. All landscape focal points shall be subject to review and approval by the Landscape Section and reflected on the Regulating Plan prior to final approval by the Development Review Officer (DRO). (DRO: ARCHITECTURAL REVIEW - Zoning) (Previous ZONING - LANDSCAPING Condition 5 of Resolution R-2009-2, Control No.1982-00129)

ZONING - LANDSCAPING-ALONG THE NORTH PROPERTY LINE (OKEECHOBEE ROAD)

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

- a. a minimum twenty (20) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
- b. a minimum two (2) to three (3) foot high undulating berm with an average height of two and one-half (2.5) feet
- c. one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. (BLDGPMT: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 6 of Resolution R-2009-2, Control No.1982-00129)

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

7. Previous ZONING - LANDSCAPING Condition 7 of Resolution R-2009-2, Control No.1982-00129, which currently states:

In addition to code requirements and the proposed landscaping, landscaping along the west and south property lines shall be upgraded to include:

- a. a six (6) foot high opaque concrete block 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 height shall be finalized subject to the review and approval by the Landscape Section to ensure screening effect is achieved for the adjacent property. Both sides of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure; and,
- b. one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. (BLDG PERMIT: LANDSCAPE - Zoning) (Previous Landscape Condition 7 of Resolution 2007-078, Control No. 1982-129)

Is hereby amended to read:

In addition to code requirements and the proposed landscaping, landscaping along the west and south property lines shall be upgraded to include:

- a. a six (6) foot high opaque simulated stone PVC 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 height shall be finalized subject to the review and approval by the Landscape Section to ensure screening effect is achieved for the adjacent property. Both sides of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure; and,

b. one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. (Previous Landscape Condition 7 of Resolution 2007-078, Control No. 1982-129)
(BLDGPM: ZONING - Zoning)

SIGNS

1. Freestanding signs shall be limited as follows:

- a. maximum sign height, measured from finished grade to highest point - fifteen (15) feet;
 - b. maximum sign face area per side - one hundred (100) square feet;
 - c. maximum number of signs - two (2);
 - d. style - monument style only;
- (BLDGPM: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 1 of Resolution R-2009-2, Control No.1982-00129)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the 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.