RESOLUTION NO. R-2002- 1481

RESOLUTION APPROVING ZONING PETITION PDD2002-012 OFFICIAL ZONING MAP AMENDMENT TO A PLANNED DEVELOPMENT DISTRICT (PDD) PETITION OF WILSON B. GREATON, TRUSTEE BY LAND DESIGN SOUTH, AGENT (LAKE WORTH COMMONS MUPD)

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 petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition PDD2002-012 was presented to the Board of County Commissioners at a public hearing conducted on August 22, 2002; and,

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

- 1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan;
- 2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Unified Land Development Code;
- 3. This official zoning map amendment (rezoning) with approved conditions is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
- 4. This official zoning map amendment (rezoning) with approved conditions does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
- 5. This official zoning map amendment (rezoning) with approved conditions will result in a logical and orderly development pattern;
- 6. This official zoning map amendment (rezoning) complies with Article 11, (Adequate Public Facilities) of the Palm Beach County Unified Land Development Code, Ordinance 92-20; and,
- 7. This official zoning map amendment (rezoning) with approved conditions is consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) of the Palm Beach County Unified Land Development Code 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 Petition PDD2002-012, the petition of Wilson B. Greaton, Trustee by Land Design South, agent, for an Official Zoning Map Amendment to a Planned Development District Rezoning from the Agricultural Residential Zoning District to the Multiple Use Planned Development District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on August 22, 2002, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner <u>Aaronson</u> moved for the approval of the Resolution.

The motion was seconded by Commissioner <u>McCarty</u> and, upon being put to a vote, the vote was as follows:

Warren H. Newell, Chairman	-	Aye
Carol A. Roberts, Vice Chair	-	Aye
Karen T. Marcus	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Tony Masilotti Addie L. Greene		Absent
Addie L. Greene		Aye

The Chair thereupon declared that the resolution was duly passed and adopted on August 22,2002.

Filed with the Clerk of the Board of County Commissioners on 5 day of September, 2002.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY. DEPUTY CLERK LORID

EXHIBIT A

LEGAL DESCRIPTION

TRACT 62, LESS THE WEST 120.00 FEET AND LESS THE RIGHT OF WAY FOR STATE ROAD 802, BLOCK 24, **PALM BEACH FARMS CO. PLAT NO. 3** ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 325,480 SQUARE FEET OR 7.472 ACRES, MORE OR LESS.

TOGETHER WITH

THE WEST ONE-HALF(¹/₂) OF TRACT 63, BLOCK 24, **THE PALM BEACH FARMS CO.**, **PLAT NO. 3**, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGES 45 THRU 54 INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; **LESS** AND **EXCEPTING** THEREFROM THE SOUTHERLY 58.16 FEET, MORE OR LESS, HERETOFORE CONVEYED TO COUNTY OF PALM BEACH, STATE OF FLORIDA, FOR ROAD RIGHT-OF-WAY PURPOSES IN DEED BOOK 899, PAGE 675, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 198,840 SQUARE FEET OR 4.565 ACRES, MORE OR LESS.

TOTALING: **524,320** SQUARE FEET OR **12.037** ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONSAND RIGHTS OF WAY OF RECORD.

BEARINGS SHOWN HEREON ARE RELATIVE AND ARE BASED ON AN ASSUMED BEARING OF NORTH 89 DEGREES 59 MINUTES 52 SECONDS WEST, ALONG THE SOUTH LINE OF TRACTS 47, 51 AND 52, BLOCK 24, AS SHOWN ON THE PLAT OF CYPRESS WOODS II, PLAT BOOK 62, PAGES 147 THROUGH 151.

EXHIBIT B

VICINITY SKETCH

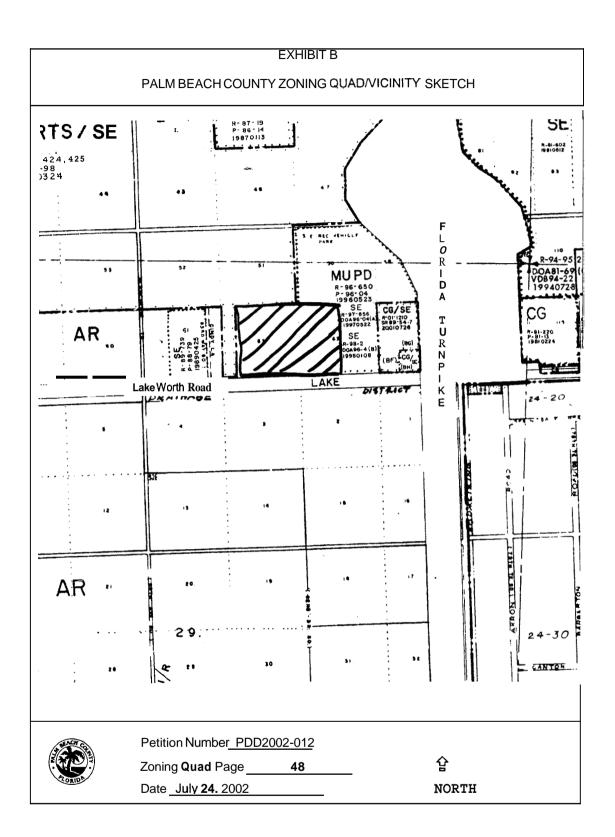


EXHIBIT C

CONDITIONS OF APPROVAL

A. <u>ALL PETITIONS</u>

 Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated June 17, 2002. 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)

B. <u>ARCHITECTURAL REVIEW</u>

- 1. At time of submittal for final DRC certification, the architectural elevations shall be submitted for architectural review and approval. Elevations and the site plan shall be designed to be consistent with Section 6.6.E of the ULDC. Development shall be consistent with the approved architectural elevations and DRC certified site plan. (DRC: ARCH REVIEW Zoning)
- All mechanical and electrical equipment, including satellite dishes, shall be screened from view on all sides by the parapet or roof treatment consistent with the color, character and architectural style of the principal structure. (DRC: ARCH REVIEW – Zoning)
- 3. Design of gutters and downspouts shall be integrated into the architectural design of the buildings. Painting of the gutters and downspout shall not constitute architectural integration. (DRC: ARCH REVIEW Zoning)

C. <u>BUILDING AND SITE DESIGN</u>

- All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and trash compactors, shall not be located within three hundred (300) feet of the north property line, thirty (30) feet of the west property line, and shall be confined to the areas designated on the site plan. (DRC/ONGOING: ZONING/CODE ENF – Zoning)
- 2. Prior to final DRC Certification of the site plan, the site plan shall be amended to include mulch pathways around the wetlands on the site. In addition, at least two (2) benches shall be placed around each wetland. (DRC: PLANNING Planning)
- 3. Prior to the first certificate of occupancy and approval by the South Florida Water Management District, the applicant shall construct a mulch pathway around the wetlands shown on the site plan, including benches as shown on the final certified site plan. (CO: PLANNING Planning)

D. <u>LANDSCAPING STANDARD</u>

- 1. Fifty percent of canopy trees to be planted in the landscape buffers shall be native and meet the following minimum standards at installation:
 - a. Tree height: Fourteen (14) feet;
 - b. Trunk diameter: 3.5 inches measured at 4.5 feet above grade:
 - c. Canopy diameter: Seven (7) feet diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of 3.5 feet in length; and
 - d. Credit may be given for existing or relocated trees provided they meet ULDC requirements, (CO: LANDSCAPE Zoning)

- 2. All palms required to be planted on site 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. (CO: LANDSCAPE Zoning)
- 3. All shrub or hedge materials shall be planted in continuous masses and in a meandering and naturalistic pattern, consisting of a minimum of two (2) to three (3) varying heights. Shrub materials shall be continuously maintained to achieve the following heights and hierarchical effect:
 - a. eighteen (18) to twenty-four (24) inches groundcover and small shrub;
 - b. twenty-four (24) to thirty-six (36) inches medium shrub;
 - c. forty-eight (48) to seventy-two (72) inches large shrub; and
 - d. This condition shall not apply to five (5) foot wide compatibility buffers and landscape buffers where a single row of shrubs is required along either side of a fence or wall. (CO: LANDSCAPE – Zoning)
- 4. All trees and palms shall be planted in a meandering and naturalistic pattern, with exception to five (5) foot wide buffers. (CO: LANDSCAPE Zoning)
- 5. A group of three (3) or more palm or pine trees may not supersede the requirement for a canopy tree in that location, unless specified herein. (CO: LANDSCAPE Zoning)
- Prior to final Development Review Committee (DRC) certification, the petitioner shall meet with residents of Cypress Woods II PUD (aka Summerchase) and Palm Beach County landscape staff to ensure that the maximum amount of existing native vegetation is incorporated into the final site design, where feasible. (DRC: LANDSCAPE – Zoning)

E. <u>ENGINEERING</u>

- 1. Prior to the issuance of a building permit the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed additional right of way for the construction of a right turn lane on Lake Worth Road at the project's entrance road. This right-of-way shall be a minimum of 233 feet in storage length, twelve feet in width and a taper length of 50 feet or as approved by the County Engineer. 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. The property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. (BLDG PERMIT: MONITORING-Eng)
- 2. The Property owner shall construct:
 - a. Right turn lane east approach on Lake Worth Road at the projects entrance Road;
 - b. Directional median opening on Lake Worth Road at the projects entrance Road.
 - i 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-ofway.

- ii Permits required by Florida Department of Transportation for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: Monitoring-Eng)
- iii Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)
- 3. Prior to the issuance of a Building Permit the Developer shall plat the subject property in accordance with provisions of Article 8 of the Unified Land Development Code. (BLDG PERMIT: MONITORING Eng)

4. LANDSCAPE WITHIN MEDIAN OF STATE ROADS

The petitioner shall design, install and perpetually maintain the median landscaping within the Median of Lake Worth Road along the project's frontage. This landscaping and irrigation shall strictly conform with the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Exceptions for additional landscaping beyond OTIS require Board of County Commissioners approval. Sites with additional landscaping shall be perpetually maintained by the petitioner, his successors and assigns, without recourse to Palm Beach County.

- a. The necessary permit(s) for this landscaping and irrigation shall be applied for prior to the issuance of the first Building Permit. (BLDG PERMIT: MONITORING- Eng)
- b. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy. (CO:MONITORING-Eng)

At the petitioner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the petitioner-installed landscaping, payment for the maintenance may be provided to the County. 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 petitioner. The Developer shall first be required to correct any deficiencies in the landscaping and irrigation.

In the event that the County installs trees, irrigation, and sod under it's OTIS program along this project's frontage prior to the petitioner installing this landscaping and irrigation, then the option for the petitioner to install and maintain shall no longer be available without Board of County commissioners approval, and the petitioner shall contribute to the County's beautification program, as outlined in the second part of this condition, as follows:

Alternately, at the option of the petitioner,

Prior to the issuance of a Building Permit, the petitioner shall make a contribution to the County's Only Trees, Irrigation and Sod (OTIS) unincorporated thoroughfare beautification program. This payment, for the County's installation of landscapingand irrigation on qualifying thoroughfares shall be based on the project's front footage length along Lake Worth Road. The payment shall be in the amount and manner that complies with the schedule for such payments, as it currently exists, or from time to time may be amended.

NOTE: Payments under this program do not guarantee the installation of landscaping and irrigation along this project's frontage during any particular time frame.

F. <u>LANDSCAPING ALONG SOUTH PROPERTY LINE (LAKE WORTH ROAD</u> <u>FRONTAGE</u>)

1. Landscaping along the south property line abutting Lake Worth Road and shall be upgraded to include:

- a. A minimum twenty-five (25) foot wide right-of-way buffer strip. No width reduction 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) foot measured from top of curb. Field adjustment of berm may be permitted for preservation of existing vegetation;
- c. One (1) canopy tree for each thirty (30) linear feet of property line;
- d. One (1) palm or pine for each thirty (30) linear feet of property line, with a maximum spacing of ninety (90) feet between clusters;
- e. One (1) small shrub for each two (2) linear feet of property line, to be installed at a minimum height of eighteen (18) inches;
- f. One (1) medium shrub for each four (4) linear feet of property line, to be installed at a minimum height of twenty-four (24) inches; and
- g. One (1) large shrub for each six (6) linear feet of property line, to be installed at a minimum height of thirty (30) inches. (CO: LANDSCAPE Zoning)
- 2. Prior to final Development Review Committee certification, the petitioner shall submit a landscape plan that improves roadway visibility of the Cypress Woods II PUD (aka Summerchase) entrance wall signage. To meet this condition, modifications to landscape buffer requirements may be permitted along the west one hundred fifty (150) feet of the south property line, to include the following:
 - a. Relocation and/or reduction of required berm; and
 - Relocation of required landscape buffer materials to the northern edge of the required right-of-way buffer. (DRC: LANDSCAPE – Zoning)
- G. <u>LANDSCAPING ALONG WEST PROPERTY LINE (CYPRESS ISLE WAY</u> <u>FRONTAGE</u>)
 - 1. Landscaping along the west property line abutting Cypress Isle Way shall be upgraded to include:
 - a. A minimum twenty (20) foot wide landscape buffer strip. No width reduction shall be permitted;
 - b. One (1) canopy tree for each twenty (20) linear feet of property line;
 - c. One (1) palm or pine for each thirty (30) linear feet of property line, with a maximum spacing of sixty (60) feet between clusters;
 - e. One (1) small shrub for each four (4) linear feet of property line, to be installed at a minimum height of eighteen (18) inches; and
 - f. One (1) medium shrub for each two (2) linear feet of property line, to be installed at a minimum height of twenty-four (24) inches. (CO: LANDSCAPE Zoning)
 - 2. Prior to final Development Review Committee (DRC) certification, the petitioner shall submit a landscape plan that indicates tree and shrub materials that are visually compatible with existing vegetation planted along Cypress Isle Way, to the maximum extent feasible. (DRC: LANDSCAPE Zoning)
 - 3. Credit may be given on a one for one basis, for existing landscaping material in the fifteen (15) foot landscaping easement along the west property line. Landscaping material used as credit towards this condition shall meet the minimum size standards required by conditions of approval contained herein under Landscaping Standard. In case any landscape materials within this easement are removed or damaged during the construction of this project (PDD2002-012), the petitioner/developer shall be responsible for the replacement of these plant materials. (CO: LANDSCAPING Zoning)

H. <u>LANDSCAPING ALONG THE NORTH PROPERTY LINE (ABUTTING</u> <u>RESIDENTIAL AND LAKE WORTH ROAD STORAGE MUPD</u>)

- 1. Landscaping the north property line shall be upgraded to include:
 - a. A minimum twenty-six (26) foot wide landscape buffer strip. No easement encroachment or width reduction shall be permitted;
 - b. A continuous two (2) foot berm measured from finished grade to top of berm. Field adjustment of berm may be permitted for preservation of existing vegetation;
 - c. A six (6) foot high black or green vinyl coated chain link fence;
 - d. One (1) native canopy tree for each twenty (20) linear feet of property line, to be planted alternating on both sides of the fence; and
 - e. One (1) palm or pine for each thirty (30) linear feet of property line, with a maximum spacing of sixty (60) feet between clusters, to be planted alternating on both sides of the fence. (CO: LANDSCAPE Zoning)
- 2. The following landscaping shall be required along the interior side of the required fence:
 - a. One (1) small shrub for each two (2) linear feet of property line, to be installed at a minimum height of eighteen (18) inches;
 - b. One (1) medium shrub for each four (4) linear feet of property line, to be installed at a minimum height of twenty-four (24) inches; and
 - c. One (1) large shrub for each ten (10) linear feet of property line, to be installed at a minimum height of thirty (30) inches. (CO: LANDSCAPE Zoning)
- 3. Along the exterior side of the required fence, the property owner shall install twenty-four (24) inch high shrub or hedge material space no more than twenty-four (24) inches on center, to be maintained at a minimum height of seventy-two (72) inches. (CO: LANDSCAPE Zoning)

I. LANDSCAPING - INTERIOR

- 1. Foundation planting or grade level planters shall be provided along the front and side facades of all structures to consist of the following:
 - a. The minimum width of the required landscape areas shall be eight (8) feet;
 - b. The length of the required landscaped areas shall be no less than 50% of the total length of each side of the structure; and,
 - c. Landscape areas shall be planted with a minimum equivalent of one (1) tree or palm for each twenty (20) linear foot of building facade and appropriate ground cover. (DRC/CO: ZONING/LANDSCAPE-Zoning)

J. <u>LIGHTING</u>

- All outdoor lighting used to illuminate the subject property and identification signs shall be of minimum necessary to satisfy the Palm Beach County Security Code, low intensity, shielded and directed down and away from adjacent properties and streets. (CO/ONGOING: BLDG/CODE ENF -Zoning)
- All outdoor, freestanding lighting fixtures shall not exceed twenty five (25) feet in height measured from finished grade to highest point. (CO: BLDG -Zoning)
- 3. All outdoor, freestanding lighting fixtures be setback thirty-five (35) feet from the north property line. (CO: BLDG Zoning)

- 4. All outdoor lighting in the north parking lot shall be extinguished no later than 9:00 p.m. and 11:00 p.m. in all other areas, excluding security lighting only. (ONGOING: CODE ENF Zoning)
- 5. The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF Zoning)

K. <u>MASS TRANSIT</u>

- Prior to final certification of the preliminary development plan or site plan by the Development Review Committee, whichever occurs first, the petitioner shall amend the plan to indicate one or more of the following: mass transit access, mass transit shelter(s) and/or a bus stop(s) on or adjacent to the subject property, if required by the County Engineer. (DRC: ZONING – Zoning)
- 2. If required, mass transit access, shelters and/or bus stops, shall be constructed by the petitioner in a location and manner acceptable to Palm Tran and the County Engineer prior to prior to issuance of the first certificate of occupancy (CO). The petitioner shall accommodate the requirement for mass transit access, bus shelters and/or bus stops by dedicating additional right-of-way, if requested by the County Engineer. Provisions for mass transit shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject propertyor use to the shelter, appropriate lighting, waste container, and bicycle rack. Bus shelters or bus stops located on private property or in common areas shall be the maintenance responsibility of the property owner. (CO: MONITORING Eng)

L. <u>MUPD</u>

1. Prior to certification of the preliminary development plan by the Development Review Committee, the property owner shall record a covenant in the public record indicating that all structures, uses and parking areas within the project are part of a single unified planned development, regardless of ownership. The covenant shall be recorded in the public record in a manner and form acceptable to the County Attorney. The covenant shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRC: ZONING/CO ATT – Zoning)

M. <u>PLANNING</u>

 Development of the site shall be consistent with Ordinance 98-57. Any request for a change to the approved uses shall require an amendment to the Palm Beach County Comprehensive Plan. (ONGOING: PLANNING – Planning)

N. <u>SIGNS</u>

- 1. Freestanding point of purchase signs shall be limited as follows:
 - a. Maximum sign height: twelve (12) feet;
 - b. Maximum sign face area per side: seventy (70) square feet;
 - c. Maximum number of signs: one (1) pair;
 - d. Location: within one-hundred (100) feet of the Lake Worth Road entrance. Distance shall be measured from the centerline of the access drive;
 - e. Style: entrance wall; and
 - f. Signs shall be limited to project identification only. (CO: BLDG Zoning)

O. <u>USE LIMITATION</u>

- 1. The subject site shall be limited to the following uses:
 - a. Business or professional office;
 - b. Medical office or dental clinic;
 - c. Medical or dental laboratory; and
 - d. Government services. (DRC/ONGOING: ZONING/CODE ENF Zoning/Planning)
- 2. No outdoor business activities shall be allowed on site, except for deliveries. (ONGOING: CODE ENF – Zoning)
- 3. Storage or placement of any material, refuse, equipment or debris shall not be permitted in the rear of the facility. (ONGOING: CODE ENF Zoning)
- Outdoor speaker or public address systems which are audible from any property line shall not be permitted on site. (ONGOING: CODE ENF – Zoning)
- Business hours of operation shall be limited to 8:00 a.m. to 6:00 p.m., Mondays through Fridays, excluding legal holidays. This condition shall not apply to employees working overtime. Tenants/authorized persons may also be permitted to utilize the premises after business hours. (ONGOING: CODE ENF-Zoning)

P. <u>COMPLIANCE</u>

- In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner 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; 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 ULDC 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; 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 a 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 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval. Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (ONGOING: MONITORING – Zoning)