

RESOLUTION NO. R-2003-1397

RESOLUTION APPROVING ZONING PETITION DOA1999-028B
DEVELOPMENT ORDER AMENDMENT
PETITION OF BELVEDERE COMMERCE CENTER LLC
BY BASEHART PLANNING INC, AGENT
(BELVEDERE COMMERCE CENTER)

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, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition DOA1999-028B was presented to the Board of County Commissioners at a public hearing conducted on September 17, 2003; and

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

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan, contingent upon the approval of Small Scale Development Amendment No. 2003-0002 SCA;
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Development Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.

9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 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 DOA1999-028B, the petition of Belvedere Commerce Center LLC, by Basehart Planning Inc, agent, for a Development Order Amendment to reconfigure master plan, redesignate land uses and reduce square footage on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on September 17, 2003, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Masilotti moved for the approval of the Resolution.

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

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

The Chair thereupon declared that this resolution shall not become effective until Small Scale Development Amendment No. 2003-0002 (BELVEDERE COMMERCE CENTER II) is effective.

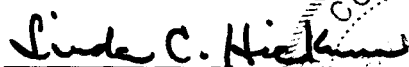
Filed with the Clerk of the Board of County Commissioners on 3 day of November, 2003.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

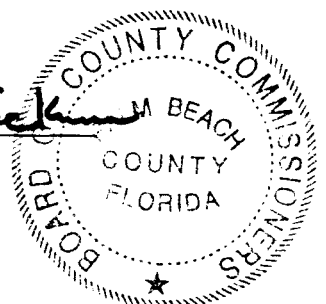


EXHIBIT A
LEGAL DESCRIPTION

A portion of Tract 4, Block 7, and a portion of the 30 wide abandoned right-of-way lying east of Tract 4, Block 7, PALM BEACH FARMS COMPANY PLAT NO. 3, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 2, Page 45, being more particularly described as follows:

Commencing at the southwest corner of said Tract 4; Thence N.89° 02'43"E. (as a basis of bearing) along the south line of Tract 4, a distance of 40.00 feet to the Point of Beginning; Thence continue N.89° 02'43"E. along the south line of Tract 4 and its easterly prolongation, a distance of 649.16 feet to the southwest corner Tract 3, Block 7 and the East line of the 30 wide abandoned right of way (abandoned in Official Record Book 11561, Page 1840, public records of Palm Beach County, Florida) lying between Tracts 3 and 4; Thence N.00° 57'17"W. along the West line of Tract 3 and the East line of said abandoned right-of-way, a distance of 585.85 feet; Thence S.88° 59'36"W. along a line 74 feet south of and parallel with the easterly prolongation of the North line of Tract 4, a distance of 30.00 feet; Thence N.00° 57'17"W. along the east line of Tract 4, a distance of 4.00 feet; Thence S.88° 59'36"W. along a line parallel with and 70.00 feet south of the north line of Tract 4, a distance of 579.29 feet; Thence S.44° 02' 15"W. along the southeasterly line of that parcel described in Official Record Book 7355, Page 997, Public Records of Palm Beach County, Florida, a distance of 56.54 feet; Thence S.00° 57'57"E along a line parallel with and 40 feet east of the west line of Tract 4, a distance of 549.31 feet to the Point of Beginning.

Containing 8.766 acres (381,831 square feet).

EXHIBIT B
VICINITY SKETCH

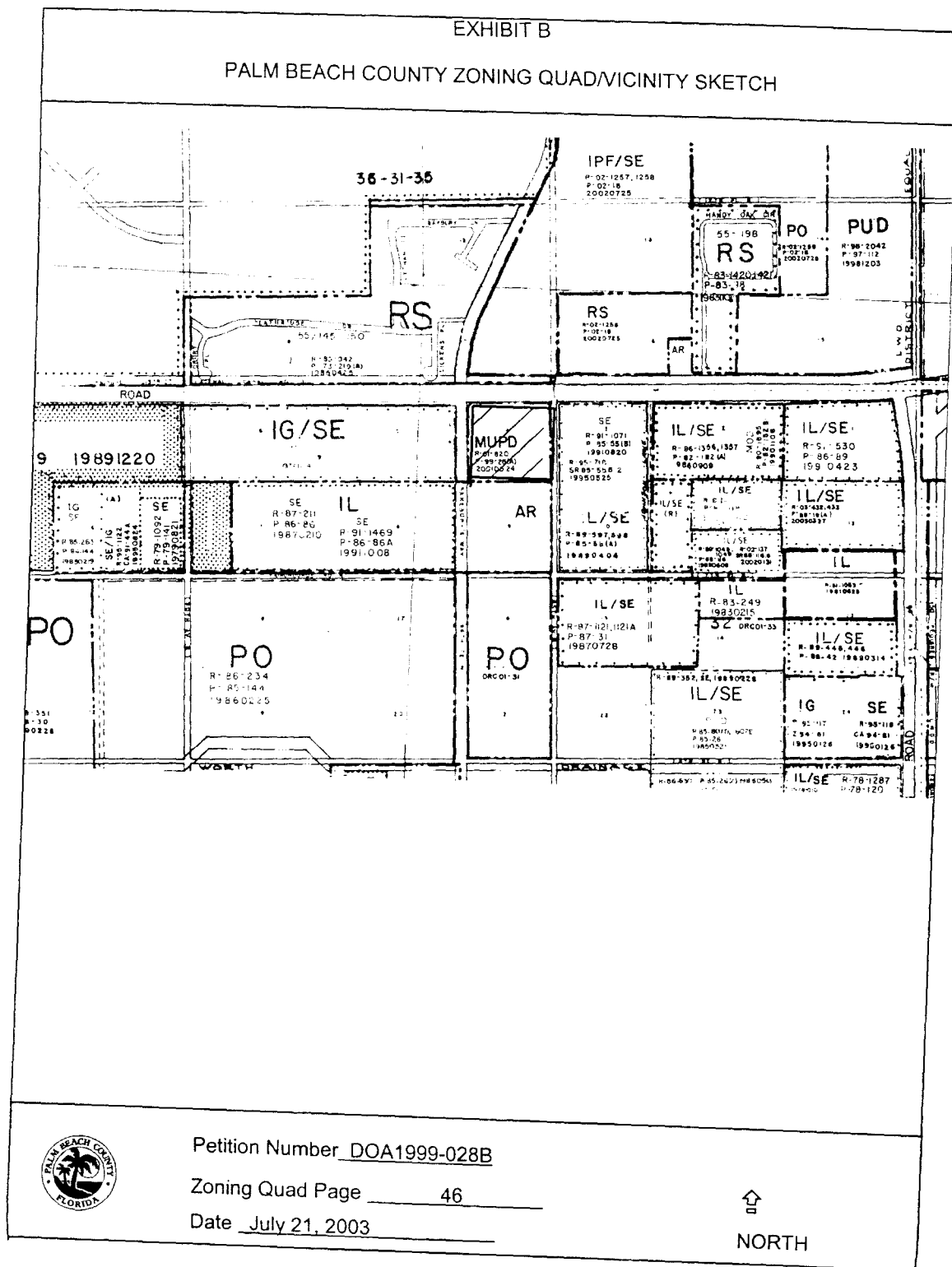


EXHIBIT C

CONDITIONS OF APPROVAL

NOTE: All previous conditions of approval are shown in **BOLD** and will be carried forward with this petition unless expressly modified.

A. ALL PETITIONS

1. All previous conditions of approval applicable to the subject property, as contained in Resolutions R-2001-0820 (Petition 1999-028A) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)
2. Condition A.1 of Resolution R-2001-0820, Petition PDD1999-028(A) which currently states:

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 February 22, 2001. 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)

Is hereby amended to read:

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 24, 2003. 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)

3. The petitioner shall have three (3) years from adoption of the resolution approving Petition 1998-028(B) to commence development on the site. Only one (1) administrative time extension for a maximum of twelve (12) months may be granted. (DATE: MONITORING - Zoning)

B. ARCHITECTURAL CONTROL

1. Condition B.1 of R-2001-0820, Petition PDD1999-028(A) which currently states:

The exterior elevations for the convenience store, self service storage facility and the warehouse/office/tire store building shall include the following:

- a. **varied roof elevations within the same building. The varied elevations shall be accomplished by horizontally offsetting or jogging the roof plane so that all roof lines shall not run in a continuous distance for more than 150 feet;**
- b. **varied building materials and textures;**
- c. **exterior colors shall be neutral, pastel, or earth tone colors. Building colors shall be varied by providing contrasting, but complimentary, colors for the building trims (i.e. stucco banding, door and window frames, etc.). Roof and trim colors shall be coordinated with base colors;**

- d. combination of architectural details such as, but not limited to, stucco banding, reveals, decorative vents and louver, columns or pilasters, and/or quoins;
- e. integrated design of gutters and downspouts into the architectural design of the building;
- f. similar architectural character and treatment shall be provided on all sides of the building;
- g. all roof top mechanical and electrical equipment, including satellite dishes, shall be screened from view on all sides by the parapet or roof treatment (i.e. cuppola, dormer, etc.);
- h. exterior storage areas shall be screened from view and integrated into the building design to make it compatible with the building architecture; and,
- i. all building entries shall be easily identifiable and integrated into the building's architecture. (DRC/BLDG PERMIT: ZONING/BLDG/ZONING)

Is hereby amended to read:

At time of submittal for final DRC approval of the site plan, the architectural elevations for Buildings A, B and C shall be submitted simultaneously with the site plan for final architectural review and approval. The 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 approved site plan. (DRC: ZONING - Zoning)

- 2. Condition B.2 of R-2001-0820, Petition PDD1999-028(A) which currently states:

Prior to final DRC certification of the site plan, the petitioner shall submit architectural elevations for the convenience store, gas canopy and the warehouse/office/tire store building to the Zoning Division for review and approval. The proposed Architectural elevations shall be consistent with the Architectural Design Guidelines presented to the Board of County Commissioners on April 24, 2001, as amended. If the architectural treatments of Condition B.1 conflicts with Condition B.2, then the more restrictive of the two conditions shall be applied. Development shall be consistent with the approved architectural elevations. (DRC: BLDG PERMIT - Zoning)

Is hereby deleted. REASON: [replaced by Condition B.1].

C. BUILDING AND SITE DESIGN

- 1. Condition C.1 of R-2001-0820, Petition PDD99-028(A) which currently states:

Total gross floor area for the entire site shall be limited to a maximum of 101,760 square feet. Expansion shall be limited to an increase of five percent (5%) of the total square footage or 1,000 square feet, whichever is less, subject to approval by Traffic Division or DRC. (DRC: ZONING-Zoning)

Is hereby deleted. REASON:[replaced by Condition A.2].

- 2. **All roof or ground air conditioning and mechanical equipment including satellite dishes shall be screened from view on all sides by a visually opaque barrier consistent with the color, character and architectural style of the principal structure or equivalent landscape material. (CO: BLDG - Zoning) (Previous Condition C.2 of R-2001-0820, Petition PDD1999-028(A))**

3. Condition C.3 of R-2001-0820, Petition PDD1999-028(A) which currently states:

No barbed or razor wire shall be permitted on the site. (CO/ONGOING: BLDG/CODE ENF -Zoning)

Is hereby deleted. REASON: [no longer applicable to the proposed uses].

4. Condition C.4 of R-2001-0820, Petition PDD1999-028(A) which currently states:

Prior to final DRC certification of the site Plan, the petitioner shall relocate the parking spaces adjacent to the queuing area of the car wash. (DRC:ZONING-Zoning)

Is hereby deleted. REASON: [completed].

5. Condition C.5 of R-2001-0820, Petition PDD99-028(A) which currently states:

Baydoors shall not be permitted on the north facade of the tire store/warehouse office facility. (BLDG PERMIT:ZONING)

Is hereby amended to read:

Prior to final DRC approval of the site plan, the petitioner shall locate the baydoors on Buildings A and B, and shall provide foundation planting in areas pursuant to Foundation Condition K.1. (DRC:ZONING – Zoning)

D. CONVENIENCE STORE WITH GAS SALES

1. **Total gross floor area for the convenience store with gas sales shall be limited to a maximum of 3,000 square feet with six (6) pumps and a 660 sq. ft. accessory car wash. (DRC: ZONING-Zoning) (Previous Condition D.1 of R-2001-0820, Petition PDD1999-028(A))**
2. **Gas station canopies shall be designed consistent with the following standards:**
 - a. **twenty-five (25) feet maximum height if a pitched roof, with a minimum slope of 5:12, is used;**
 - b. **the clearance of the canopy shall be a maximum of sixteen (16) feet, measured from finished grade to the underside of the canopy;**
 - c. **lighting for the gas station canopy shall be flush mounted or recessed; and,**
 - d. **canopy signage shall be limited to a maximum of one (1) sign per right-of-way frontage with a maximum height of eighteen (18) inches.**

All canopy heights shall include air conditioning and mechanical equipment and satellite dishes and be measured from finished grade to the highest point. (BLDG PERMIT/CO: BLDG - Zoning) (Previous Condition D.2 of R-2001-0820, Petition PDD1999-028(A))

E. ENGINEERING

1. **Prior to issuance of a building permit the property owner shall convey a temporary roadway construction easement along Lyons Road to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County Standards and Codes. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (BLDG PERMIT: MONITORING-Eng) (Previous Condition E.1 of R-2001-0820, Petition PDD1999-028(A))**

2. The property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for:
 - a) Lyons Road 60 feet from centerline;
 - b) an Expanded Intersection at Lyons Road and Belvedere Road which will provide for 64 feet from centerline for Belvedere Road and 76 feet from centerline for Lyons Road plus the appropriate tapers in accordance with Palm Beach County's typical expanded intersection detail.

All right of way shall be conveyed prior to the issuance of the first Building Permit or prior to January 1, 2002 whichever shall first occur. Right of way conveyance shall be along the projects entire frontage and shall be free of all encumbrances and encroachments. Developer 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. Right-of-way conveyances shall also include "Corner Clips" where appropriate as determined by the County Engineer. (DATE/BLDG PERMIT: MONITORING-Eng) (Previous Condition E.2 of R-2001-0820, Petition PDD1999-028(A))

3. The Property owner shall construct:

I - Non mountable concrete traffic separator within Lyons Road from Belvedere Road south to a point 100 feet south of the projects north entrance;

II - A Left turn lane north approach on Lyons Road at the project's south entrance.

- A) All construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.
- B) Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: Monitoring-Eng) (Previous Condition E.3 of R-2001-0820, Petition PDD1999-028(A))
- C) Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng) (Previous Condition E.3.C of R-2001-0820, Petition PDD1999-028(A))

4. Condition E.4 of R-2001-0820, Petition PDD1999-028(A) which currently states:

LANDSCAPE WITHIN THE MEDIAN BELVEDERE ROAD

- A. Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department Permit Section for a permit to landscape the adjacent median of Belvedere Road Right-of-Way. This permit shall comply with all permit requirements, including but not limited to indemnifying Palm Beach County. When permitted by the Land Development Division of the Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept"

outlined in the latest revision to the Palm Beach County Engineering and Public Works Department Streetscape Standards. The property owner shall also be responsible for supplementing any existing landscape material previously planted in this median and all new landscape material shall be consistent with the landscaping theme adopted for this roadway.

All landscaping installation and maintenance requirements shall be subject to the standards as set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (BLDG PERMIT: MONITORING- Eng) (Previous Condition E.4.A of R-2001-0820, Petition PDD1999-028(A))

- B. **All required median landscaping, including an irrigation system if required, shall be installed at the property owners expense. All landscaping, paver block or similar materials shall be the perpetual maintenance obligation of the petitioner and its successors, or assigns or duly established Property Owner's Association or maintenance may be assumed by the County upon payment equal to the long term maintenance cost, in accordance with the adopted policy approved by the Board of County Commissioners. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed prior to the issuance of the first certificate of occupancy. (CO: MONITORING- Eng) (Previous Condition E.4.B of R-2001-0820, Petition PDD1999-028(A))**
- C. **If the County does not assume maintenance responsibility, then appropriate property owners' documents or other restrictive covenant documents, evidencing the maintenance obligation shall be established or amended as required and shall be approved and recorded prior to the issuance of a Building Permit. (BLDG PERMIT: MONITORING-Eng) (Previous Condition E.4.C of R-2001-0820, Petition PDD1999-028(A))**

Is hereby amended to read:

- a) The petitioner shall design, install and perpetually maintain the median landscaping within the median of the abutting right of way of Belvedere Road. 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 petitioner shall be perpetually maintained by the petitioner, his successors and assigns, without recourse to Palm Beach County, unless petitioner provides payment for maintenance as set forth in sub paragraph d below.
- b) 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)

- c) All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy. (CO: MONITORING -Eng)
- d) At 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. 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 petitioner. The petitioner 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 Petitioner.
- e) Alternately, at the option of the petitioner, and prior to the issuance of a Building Permit, the petitioner may make a contribution to the County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beautification 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 Belvedere Road. 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.

5. "CUTOUT" LANDSCAPE STRIPS WITHIN THE CONCRETE MEDIAN OF BELVEDERE ROAD AND LYONS ROAD

- A. **Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to provide landscape cutouts within the concrete median of Belvedere and Lyons Road right-of-way contiguous to the frontage. As part of this permit process, the property owner shall enter into a Right of Way, concrete median cutout, Landscape Installation and Maintenance, Removal, and Indemnification Agreements. All new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Palm Beach County Standards. Alternative plant and paver block material other than those listed in the County standards may be permitted subject to approval by the County Engineer. (BLDG PERMIT: MONITORING - Eng) (Previous Condition E.5.A of R-2001-0820, Petition PDD1999-028(A))**
- B. **All required median landscaping, including an irrigation system, the cost of the removal or cutting out the existing concrete median as well as the installation of all landscape material, paver block or similar materials shall be funded at the property owners expense. When landscape cutouts are permitted the landscaping shall consist of Landscape Material approved by the County Engineer. All new and existing landscaping, paver blocks or similar materials shall be the perpetual maintenance obligation of the petitioner and its successors, or assigns or duly established Property Owner's Association. The maintenance may be assumed by the County upon payment equal to the long term maintenance cost, in accordance with the adopted policy approved by the Board of County Commissioners. All existing landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or**

assignees or duly established Property Owner's Association and/or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, and the irrigation system. All landscape material shall be installed prior to the issuance of the first certificate of occupancy. (CO: MONITORING - Eng) (Previous Condition E.5.B of R-2001-0820, Petition PDD1999-028(A))

C. If the Developer does not enter into an agreement with Palm Beach County to assume the maintenance responsibility, then appropriate property owners documents or other restrictive covenant documents, evidencing the maintenance obligation shall be established or amended as required and shall be approved and recorded prior to the issuance of a Building Permit. (BLDG PERMIT: ENGINEERING-Eng) (Previous Condition E.5.C of R-2001-0820, Petition PDD99-028(A))

6. In order to comply with the mandatory Traffic Performance Standards, the Developer shall be restricted to the following phasing schedule:
No Building Permits for the site may be issued after January 1, 2007. A time extension for this condition may be approved by the County Engineer only if 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 Section 5.8 of the Unified Land Development Code. (DATE: MONITORING-Eng)
7. Prior to the issuance of a building permit the property owner shall convey to Palm Beach County Land Development Division by warranty deed additional right of way for the construction of a right turn lane on Belvedere Road at both of the project's entrance road. This right-of-way shall be a minimum of twelve feet in width. 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 Acquisition Section to ensure that the property is free of all encumbrances and encroachments. (BLDG PERMIT: MONITORING-Eng)
8. The Property owner shall construct a right turn lane east approach on Belvedere Road at the both project entrances onto Belvedere Road.
 - a) This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with this construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.
 - b) Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: MONITORING-Eng)
 - c) Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)
9. The concurrency approval is subject to the project aggregation rule set forth in the Traffic Performance Standards Ordinance. (ONGOING)

F. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Condition F.1 of R-2001-0820, Petition PDD1999-028(A) which currently states:

A 1.01 acre 25% set-aside preserve is required pursuant to ULDC Subsection 9.5.F.2.b. The location shall be in the southeastern quadrant

of the property adjacent to the water management tract. ERM shall have the option of accepting a cash payment in lieu of setting aside all or part of the preserve pursuant to Section 9.5.F.3.b of the ULDC. All funds contributed by this project under this option shall be reserved for and spent for property acquisition in the “Connors Highway Connector Strips.” (DRC: ERM-ERM)

Is hereby amended to read:

A 1.01acre Upland preserve set-aside shall be required pursuant to ULDC Subsection 9.5.F.2.b. The location shall be in the Southeastern quadrant of the property adjacent to the Water Management Tract. ERM shall have the option of accepting a cash payment in lieu of setting aside all or part of the upland preserve prior to final site plan approval pursuant to ULDC Subsection 9.5.F.3.b. (ONGOING:ERM-ERM)

2. All existing native vegetation, including understory, depicted on the site plan to remain shall be maintained in perpetuity. Areas where existing native vegetation have been incorporated into the site plan shall be maintained free from invasive, exotic and non-native species. (ONGOING:ERM-ERM)

G. HEALTH

1. **Generation and disposal of any hazardous effluent into sanitary sewer system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection and the agency responsible for sewage works are constructed and used by project tenants of owners generating such effluent.** (ONGOING: HEALTH/CODE ENF-Health) (Previous Condition G.1 of R-2001-0820, Petition PDD1999-028(A))
2. **Any toxic or hazardous waste which may be generated at this site shall be handled and disposed of in accordance with Rule 62-730 FAC.** (ONGOING: HEALTH/CODE ENF-Health) (Previous Condition G.2 of R-2001-0820, Petition PDD1999-028(A))
3. **The owner, occupant or tenant of this facility shall participate in an oil-recycling program, which ensures proper re-use or disposal of any waste oil.** (ONGOING: HEALTH/CODE ENF) (Previous Condition G.3 of R-2001-0820, Petition PDD1999-028(A))

H. LANDSCAPING - STANDARD

1. **Fifty percent (50%) of the canopy trees required to be planted in the perimeter buffer shall meet the following minimum standards at installation:**
 - a. **Tree height: fourteen (14) feet;**
 - b. **Trunk diameter: 3.5 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; and,**
 - d. **Credit may be given for existing or relocated trees provided they meet current ULDC requirements.** (CO: LANDSCAPE - Zoning) (Previous Condition H.1 of R-2001-0820, Petition PDD1999-028(A))
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)
(Previous Condition H.2 of R-2001-0820, Petition PDD1999-028(A))
- 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 does not apply to the five (5) foot wide compatibility buffer or where a single row of hedge is required on one or both sides of the wall/fence. (CO: LANDSCAPE - Zoning)
- 4. All trees and palms shall be planted in a meandering and naturalistic pattern. (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)
- 6. All canopy trees to be planted within overhead utilities easement shall be consistent with FP&L's tree list suggested in the A Plant the Right Tree in the Right Place guidelines and pursuant to Section 7.3.E.12.a of the ULDC. (CO: LANDSCAPE - Zoning)
- 7. Field adjustment of plant materials may be permitted to provide pedestrian sidewalks/bike paths and to accommodate transverse utility or drainage easements crossings. (CO: LANDSCAPE - Zoning)
- 8. Prior to final DRC approval of the site plan, the petitioner shall meet with Landscape Section staff to ensure that the maximum amount of existing native vegetation, specifically specimen trees, is incorporated into the final site design. The petitioner shall complete the following:
 - a. the parking spaces/interior islands shall be revised to incorporate Trees T-2, T-3,T-4; T-14; T-22, T-23; and in any other areas where parking spaces could be altered to save existing trees;
 - b. all trees to be saved shall be located and identified on the approved site plan; and
 - c. a Landscape Plan or an Alternate Landscape Plan (whichever is more appropriate), showing all the proposed plant materials and trees/understory to remain shall be submitted to the Landscape Section for review and approval. Landscape implementation/development of the site shall be consistent with the approved Landscape/Alternate Landscape Plan. (DRC: ZONING/LANDSCAPE - Zoning)
- 9. Prior to final DRC approval of the site plan, the petitioner shall obtain variance approval from the Board of Adjustment, if necessary, on the maximum separation between interior landscape islands pursuant to Section 7.3.G.3.a.(2) and/or seek parking reduction for the proposed uses. (DRC/Bof A:ZONING-Zoning)
- I. LANDSCAPING ALONG THE NORTH AND WEST PROPERTY LINES (BELVEDERE ROAD AND SANSBURY'S WAY FRONTAGES)
 - 1. Condition J.1 of R-2001-0820, Petition PDD1999-028(A) which currently states:

Landscaping and buffering along the north and west property lines shall be upgraded to include:

- a. a minimum twenty-five (25) foot wide landscape buffer strip;
- b. a continuous two and one half (2.5) foot high berm measured from top of curb. Field adjustment of the berm may be permitted for existing pine trees;
- c. one (1) canopy tree planted every twenty (20) feet on center;
- d. one (1) Booted Sabal palm for each twenty (20) linear feet of frontage with a maximum spacing of sixty (60) feet between clusters; and,
- e. twenty-four (24) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE-Zoning)

Is hereby amended to read:

Landscaping and buffering along the north and west property lines shall be upgraded to include:

- a. a minimum twenty-five (25) foot wide landscape buffer strip. No width reduction of the buffer 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 measured from top of curb; Field adjustment of the berm may be permitted to accommodate existing vegetation;
- c. one (1) canopy tree planted for each twenty-five (25) linear feet of the property line;
- d. one (1) Booted Sabal palm for each twenty (20) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters;
- e. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
- f. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
- g. one (1) large shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (CO: LANDSCAPE - Zoning)

J. LANDSCAPING ALONG THE SOUTH AND EAST PROPERTY LINES (ABUTTING INDUSTRIAL USES)

1. Condition K.1 of R-2001-0820, Petition PDD1999-028(A) which currently states:

Landscaping and buffering along the south and east property lines shall be upgraded to include:

- a. a minimum ten (10) foot wide landscape buffer strip except for the west 220 feet of the south property line which may be reduced to five (5) feet in width;
- b. one (1) canopy tree planted every thirty (30) feet on center;
- c. one (1) Booted Sabal palm or pine tree for each twenty (20) linear feet of property line with a maximum spacing of sixty (60) feet between clusters; and,
- d. twenty-four (24) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches; and

- e. **should the petitioner obtain permission from ERM to cash out the preserve as described in Condition F.1, the petitioner is required to comply to this condition (Condition K.1.a through K.1.d);**
- f. **otherwise prior to final DRC certification of the site plan, the petitioner is required to provide a Landscape Alternate plan in areas where existing vegetation/preserve might affect the proposed landscaping. (DRC/CO/ERM: LANDSCAPE-Zoning)**

Is hereby amended to read:

Landscaping and buffering along the south and east property lines shall be upgraded to include:

- a. a minimum ten (10) foot wide landscape buffer strip except for the west 220 feet of the south property line which may be reduced to five (5) feet in width;
- b. one (1) canopy tree for each twenty (20) linear feet of the property line;
- c. one (1) palm or pine tree for each twenty (20) linear feet of property line with a maximum spacing of sixty (60) feet between clusters; and,
- d. twenty-four (24) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches;
- e. prior to final DRC approval of the site plan, the petitioner is required to provide an Alternative Landscape plan in areas where existing vegetation/preserve may affect the proposed landscaping under Conditions J.1.a through J.1.d. (DRC/CO/ERM: LANDSCAPE-Zoning)

K. LANDSCAPING - INTERIOR

- 1. Condition I.1 of R-2001-0820, Petition PDD1999-028(A) which currently states:

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, except for the convenience store which may be reduced to a minimum of five (5) feet in width;**
- 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)**

Is hereby amended to read:

Foundation planting or grade level planters shall be provided along the facades of Buildings A and B to consist of the following:

- a. the minimum width of the required landscape areas for the front and side facades shall be eight (8) feet. Foundation planting, a minimum of eight (8) feet, shall also be provided along the east façade of Building A.
- b. the minimum width of the required landscape areas for the rear façade shall be five (5) feet;

- c. the length of the required landscaped areas along the front and side facades shall be no less than fifty percent (50%) of the total length of each side of the structure. The length of the required landscaped areas along the rear façade shall be no less than twenty percent (20%) of the total length of the rear side of the structure; and,
 - e. landscape areas shall be planted with a minimum equivalent of one (1) tree or palm for each twenty (20) linear feet of building facade and appropriate ground cover. (DRC/CO:ZONING/LANDSCAPE-Zoning)
2. Condition I.2 of R-2001-0820, Petition PDD1999-028(A) which currently states:

A group of three (3) Royal Palms shall be planted at each access point of the site. (DRC/CO:ZONING/LANDSCAPE-Zoning)

Is hereby amended to read:

Special planting treatment shall be provided on both sides of the access points on Belvedere Road and Sansbury's Way. Planting for each side of the access point (except for the south side of the south access point on Sansbury's way) shall consist of the following:

- a. a minimum of three (3) Royal Palms. A minimum of one (1) Royal Palm on south side of the south access point on Sansbury's way ;
 - b. a minimum of three (3) flowering trees along the access drive; and
 - c. shrub or hedge materials. (CO: LANDSCAPE - Zoning)
3. Landscaping for terminal islands in the parking area shall consist of the following:
- a. one (1) canopy tree for each island. A canopy tree may be replaced by an existing or relocated canopy tree/pine provided it meet current ULDC requirements.
 - b. a continuous hedge between all trees within the islands where applicable. Shrub or hedge materials or groundcover shall be maintained at a maximum height of thirty (30) inches. Field adjustment of shrub materials shall be permitted in areas where existing or relocated canopy trees/pines are located. (CO: LANDSCAPE - Zoning)
4. Decorative pavers or special paving treatment shall be provided along each access points on Belvedere Road and Sansbury's Way as shown on the site plan dated June 24, 2003. Special paving treatment shall also be provided at the intersection of the convenience store and Retail Building B. (DRC/CO:ZONING/LANDSCAPE-Zoning)

L. LIGHTING

- 1. **All outdoor lighting used to illuminate the subject property and identification signs shall be of low intensity, minimum necessary to satisfy the Palm Beach County Security Code, shielded and directed down and away from adjacent properties and streets.** (CO/ONGOING: BLDG/CODE ENF - Zoning) (Previous Condition L.1 of R-2001-0820, Petition PDD1999-028(A))
- 2. **All outdoor lighting fixtures shall not exceed twenty five (25) feet in height, measured from finished grade, as defined by the ULDC, to highest point.** (CO: BLDG - Zoning) (Previous Condition L.2 of R-2001-0820, Petition PDD1999-028(A))

3. **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) (Previous Condition L.3 of R-2001-0820, Petition PDD1999-028(A))

M. MASS TRANSIT

1. **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 Palm Beach County School Board and/or the County Engineer.** (DRC: ZONING) (Previous Condition M.1 of R-2001-0820, Petition PDD99-028(A)) [NOTE: COMPLETED].

2. Condition M.2 of R-2001-0820, Petition PDD1999-028(A) which currently states:

Mass transit access, shelters and/or bus stops, if required, shall be constructed by the petitioner in a location and manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer 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 property or 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)

Is hereby amended to read:

Prior to the issuance of the first building permit, the property owner shall convey to Palm Beach County an easement for a Bus Stop, Boarding and Alighting Area, subject to the approval of Palm Tran. The location sketch, legal description, and dedication documents of this easement shall be approved by Palm Tran prior to the recordation of the documents. (BLDG PERMIT: MONITORING - Eng)

3. Condition M.2 of R-2001-0820, Petition PDD1999-028(A) which currently states:

All printed and electronic advertising for the project, when practical, shall contain information that mass transit service to the site is available. This condition shall apply to advertising for the entire project only, not to individual stores or tenants. (ONGOING: PALM TRAN)

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

4. Condition M.4 of R-2001-0820, Petition PDD1999-028(A) which currently states:

Commercial locations which are open to the public shall not restrict public mass transit access. (ONGOING: PALM TRAN)

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

N. MUPD

1. Condition N.1 of R-2001-0820, Petition PDD1999-028(A) which currently states:

All requested uses shall remain in the location indicated on the preliminary development plan approved by the Board of County Commissioners (exhibit dated February 22, 2001). (DRC: ZONING-Zoning)

Is hereby deleted. REASON:[replaced by Condition A.2].

2. Condition N.2 of R-2001-0820, Petition PDD1999-028(A) which currently states:

Prior to certification of the preliminary development plan by the Development Review Committee, the property owner shall record in the public record a covenant requiring architectural consistency between all buildings, signage and project identification. Consistency shall include, at a minimum, an overall unified image and character created by the use of common elements such as building materials, roof lines, muted colors, fenestration, architectural features, and architectural elements. The covenant shall be recorded in a form and manner acceptable to the Zoning Division and County Attorney. The covenant shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRC: ZONING/CTY ATTY- Zoning)

Is hereby amended to read:

Prior to final site plan approval by the Development Review Committee (DRC), the property owner shall record in the public record a covenant requiring architectural consistency between all buildings, signage and project identification. Consistency shall include, at a minimum, an overall unified image and character created by the use of common elements such as building materials, roof lines, muted colors, fenestration, architectural features, and architectural elements. The covenant shall be recorded in a form and manner acceptable to the Zoning Division and County Attorney. The covenant shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRC: ZONING/CTY ATTY-Zoning)

3. Condition N.3 of R-2001-0820, Petition PDD1999-028(A) which currently states:

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)

Is hereby amended to read:

Prior to final site plan approval by the Development Review Committee (DRC), the property owner shall record the following:

- a. a covenant/unity of control 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 for the entire subject property; and

- b. the covenant/unity of control shall be recorded in the public record in a manner and form acceptable to the County Attorney. The covenant/unity of control shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRC:CTY ATTY -Zoning)

O. SIGNS

1. **Freestanding point of purchase signs fronting on Belvedere Road and Sansbury's Way shall be limited as follows:**
 - a. **maximum sign height, measured from finished grade to highest point - ten (10) feet;**
 - b. **maximum sign face area per side - 100 square feet;**
 - c. **maximum number of signs - three (3) for the entire site; and**
 - d. **style - monument style only.** (BLDG PERMIT: BLDG/ZONING-Zoning) (Previous Condition O.1 of R-2001-0820, Petition PDD99-028(A))

2. Condition O.2 of R-2001-0820, Petition PDD99-028(A) which currently states:

No relocated billboards shall be permitted on the site. (ONGOING/DRC: CODE ENF/ZONING-Zoning)

Is hereby deleted. REASON:[condition is no longer applicable due to settlement agreement with billboard industries].

3. Condition O.3 of R-2001-0820, Petition PDD99-028(A) which currently states:

Wall signs shall be limited to twenty-four (24) inches high and located only as follows:

- a. **north facade of the northeast building - Warehouse/office/tire store;**
- b. **west facade of the southwest building - Warehouse/office**
- c. **north facade of the southeast building - Warehouse/office**
- d. **north and west facades of the building - convenience store**

Is hereby amended to read:

Wall signs shall be limited to the following:

- a. north facade of Building A;
- b. west facade of Building B;
- c. north and west facades of convenience store with gas sales;
- d. lettering size shall be limited to twenty-four (24) inches high;
- e. wall signs shall be limited to only identification of tenants only. (CO: BLDG – Zoning)

P. UNITY

1. Condition P.1 of R-2001-0820, Petition PDD1999-028(A) which currently states:

Prior to site plan certification by the Development Review Committee (DRC), the petitioner shall record in the public record a unity of control/title for the entire subject property. The unity shall be recorded in a form and manner acceptable to the County Attorney. The unity shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRC: ZONING - Co Atty)

Is hereby deleted. REASON: [combined with Condition N.3].

Q. USE LIMITATION

1. **Storage or placement of any material, refuse, equipment or debris shall not be permitted in the rear of the facility.** (ONGOING: CODE ENF - Zoning) (Previous Condition Q.1 of R-2001-0820, Petition PDD1999-028(A))
2. **Repair or maintenance of vehicles shall not be permitted on site except inside the tire store. Repair and maintenance services shall be limited to tire maintenance/service only.** (ONGOING: CODE ENF - Zoning) (Previous Condition Q.2 of R-2001-0820, Petition PDD1999-028(A))
3. Condition Q.3 of R-2001-0820, Petition PDD1999-028(A) which currently states:

Overnight storage or parking of delivery vehicles or trucks shall not be permitted on site except at the rear facades of the warehouse/accessory office buildings. (ONGOING: CODE ENF)

Is hereby amended to read:

Overnight storage or parking of delivery vehicles or trucks shall not be permitted on site except at the designated loading areas. (ONGOING: CODE ENF-Zoning)

4. **The overnight parking of rental trucks/trailers or outside vendors shall not be permitted on the property.** (ONGOING: CODE ENF-Zoning) (Previous Condition Q.4 of R-2001-0820, Petition PDD1999-028(A))
5. **Outdoor speaker or public address systems which are audible from any property line shall not be permitted on site.** (ONGOING: CODE ENF - Zoning) (Previous Condition Q.5 of R-2001-0820, Petition PDD1999-028(A))
6. **Outdoor storage of disassembled vehicles or parts shall not be permitted on site.** (ONGOING: CODE ENF - Zoning)(Previous Condition Q.6 of R-2001-0820, Petition PDD1999-028(A))
7. Condition Q.7 of R-2001-0820, Petition PDD1999-028(A) which currently states:

No truck rental use is permitted on the site. Truck rental use is subject to the Board of County Commissioners' approval. (ONGOING: CODE ENF - Zoning)

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

8. Prior to final site plan approval by the DRC, the plan shall be revised to relocate the dumpster for Retail Buildings A and B to a less conspicuous area or adjacent to the loading area. (DRC:ZONING-Zoning)

R. COMPLIANCE

1. **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) (Previous Condition R.1 of R-2001-0820, Petition PDD1999-028(A))
2. Condition R.2 of R-2001-0820, Petition PDD1999-028(A) which currently states:

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 the Code Enforcement Division 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. (MONITORING)

Is hereby amended to read:

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 (ONGOING: MONITORING - Zoning)