

RESOLUTION NO. R-2007-1615

RESOLUTION APPROVING ZONING APPLICATION DOA2007-051  
(CONTROL NUMBER 1995-022)  
DEVELOPMENT ORDER AMENDMENT  
APPLICATION OF ARRIGO ENTERPRISES, INC.  
BY GREENBERG TRAUIG, PA, AGENT  
(ARRIGO DODGE 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, and the Palm Beach County Unified Land Development Code, as amended, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Process) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) have been satisfied; and

WHEREAS, Zoning Application DOA2007-051 was presented to the Board of County Commissioners at a public hearing conducted on September 24, 2007; and

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; and

WHEREAS, this approval is subject to Article 2.E (Monitoring), 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 purposes, goals, objectives and policies of the Palm Beach County Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.
2. This Development Order Amendment complies with relevant and appropriate portions of Article 4.B (Supplementary Use Standards) of the Palm Beach County Unified Land Development Code. This Development Order Amendment also meets applicable local land development regulations.
3. 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.
4. The proposed design, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. This Development Order Amendment has a concurrency determination and complies with Article 2.F (Concurrency - Adequate Public Facility Standards) of the ULDC.
6. 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.

7. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.
8. This Development Order Amendment, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
9. This Development Order Amendment, with conditions as adopted, is consistent with applicable Neighborhood Plans.
10. The applicant has demonstrated sufficient justification that there are changed circumstances, which would require the Development Order Amendment.

WHEREAS, Article 2.K.3.b (Action by BCC) 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 Application DOA2007-051, the application of Arrigo Enterprises, Inc., by Greenberg Traurig, PA, agent, for a Development Order Amendment to add land area, reconfigure site plan, add square footage and add access point (Jog Road) and modify/delete Conditions of Approval 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 24, 2007, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Aaronson moved for the approval of the Resolution.

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

Addie L. Greene, Chairperson	-	Absent
Jeff Koons, Vice Chair	-	Absent
Karen T. Marcus	-	Aye
Robert J. Kanjian	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Jess R. Santamaria	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on September 24, 2007.

Filed with the Clerk of the Board of County Commissioners on October 11th, 2007

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

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

SHARON BOCK, CLERK &  
COMPTROLLER

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK



EXHIBIT A  
LEGAL DESCRIPTION

PARCEL 1:

THE EAST ONE-HALF OF THE WEST ONE-HALF OF TRACT 1, BLOCK 4, "THE PALM BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 2:

THE EAST ONE-HALF OF TRACT 27, LESS THE NORTH 38 FEET THEREOF, BLOCK 1, THE PALM BEACH FARMS CO. PLAT NO. 9, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 58, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 4:

THAT PORTION OF THE NORTH 15 FEET OF THAT CERTAIN 30-FOOT-WIDE PLATTED ROADWAY LYING BETWEEN THE SOUTHERLY EXTENSION OF THE EAST BOUNDARY LINE OF THE PLAT OF PALM BEACH PLAZA MUPD ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 87, PAGE 38, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE EAST RIGHT-OF-WAY LINE OF JOG ROAD AS SHOWN ON SAID PLAT, AS SAID ROADWAY IS SHOWN LYING SOUTH OF TRACT 1 AND NORTH OF TRACT 5, BLOCK 4, "THE PALM BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 5:

ALL THAT LOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF THE 30-FOOT WIDE RIGHT-OF-WAY ABUTTING THE NORTHERLY BOUNDARY LINE OF TRACT 5 IN BLOCK 4, IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, AS SHOWN ON THE PLAT OF "THE PALM BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2 AT PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, VIZ.:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT 5 OF BLOCK 4 IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST AS SHOWN ON THE PLAT OF "THE PALM BEACH FARMS CO. PLAT NO. 3"; THENCE N89°02'59"E ALONG THE NORTHERLY LINE OF SAID TRACT 5 OF BLOCK 4 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID 30-FOOT-WIDE ROAD RIGHT-OF-WAY FOR 390.38 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF JOG ROAD AS SHOWN ON THOSE CERTAIN UNRECORDED RIGHT-OF-WAY MAPS ENTITLED "COUNTY OF PALM BEACH STATE OF FLORIDA BOARD OF COUNTY COMMISSIONERS PROJECT NO. 84225 JOG ROAD WALLIS ROAD TO OKEECHOBEE BOULEVARD" PREPARED BY GREENHORNE & O'MARA, INC., FOR THE PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS DEPARTMENT DATED NOVEMBER 5, 1990 (HEREINAFTER, THE "JOG ROAD RIGHT-OF-WAY MAPS"), WITH SAID POINT OF INTERSECTION ALSO BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; FROM SAID POINT OF BEGINNING, THENCE N48°28'10"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF JOG ROAD AS SHOWN ON THE JOG ROAD RIGHT-OF-WAY MAPS FOR 22.21 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SAID 30-FOOT-WIDE ROAD RIGHT-OF-WAY; THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE OF JOG ROAD, N89°02'59"E ALONG SAID CENTERLINE OF THE 30-FOOT-WIDE ROAD RIGHT-

OF-WAY FOR 152.08 FEET; THENCE DEPARTING SAID CENTERLINE OF THE 30-FOOT-WIDE ROAD RIGHT-OF-WAY, S38°56'13"W FOR 19.55 FEET TO A POINT OF INTERSECTION WITH SAID NORTHERLY LINE OF SAID TRACT 5 OF BLOCK 4 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF THE 30-FOOT-WIDE ROAD RIGHT-OF-WAY; THENCE S89°02'59"W ALONG SAID NORTHERLY LINE OF TRACT 5 OF BLOCK 4 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF THE 30-FOOT-WIDE ROAD RIGHT-OF-WAY FOR 123.17 FEET TO THE POINT OF BEGINNING.

PARCEL 7:

THAT PORTION OF THE NORTH 15 FEET OF THAT CERTAIN 30-FOOT-WIDE PLATTED ROADWAY LYING BETWEEN THE SOUTHERLY EXTENSIONS OF THE WEST BOUNDARY LINE AND OF THE EAST BOUNDARY LINE OF THE EAST 1/2 OF THE WEST 1/2 OF TRACT 1, BLOCK 4, "THE PALM BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AS SAID ROADWAY IS SHOWN LYING SOUTH OF TRACT 1 AND NORTH OF TRACT 5, BLOCK 4, OF SAID PLAT OF "THE PALM BEACH FARMS CO. PLAT NO. 3".

PARCEL 8:

THAT CERTAIN 30-FOOT WIDE ROAD RIGHT-OF-WAY LYING NORTH OF THE EAST ONE-HALF OF THE WEST ONE-HALF OF TRACT 1, BLOCK 4, "THE PALM BEACH FARMS CO. PLAT NO. 3", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BOUNDED ON THE WEST BY THE SOUTHERLY EXTENSION OF WEST BOUNDARY LINE OF THE EAST ONE-HALF OF TRACT 27, BLOCK 1, "THE PALM BEACH FARMS CO. PLAT NO. 9," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 5, PAGE 58, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; BOUNDED ON THE EAST BY THE NORTHERLY EXTENSION OF THE EAST BOUNDARY LINE OF SAID EAST ONE-HALF OF THE WEST ONE-HALF OF TRACT 1, BLOCK 4 AND BOUNDED ON THE NORTH BY THE SOUTH BOUNDARY LINE OF SAID EAST ONE-HALF OF TRACT 27, BLOCK 1; TOGETHER WITH THE NORTH 15 FEET OF THE SAID 30-FOOT-WIDE ROAD RIGHT-OF-WAY LYING SOUTH OF AND ABUTTING THE EAST 68.67 FEET OF SAID EAST ONE-HALF OF TRACT 27, BLOCK 1, BOUNDED ON THE WEST BY THE NORTHERLY EXTENSION OF THE EAST BOUNDARY LINE OF SAID EAST ONE-HALF OF THE WEST ONE-HALF OF TRACT 1, BLOCK 4 AND BOUNDED ON THE EAST BY THE WEST BOUNDARY LINE OF THE PLAT OF "AUTONATION OF PALM BEACH," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 83, PAGE 92, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 9:

ALL OF THE PLAT OF "AUTONATION OF PALM BEACH," ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 83, PAGE 92, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THEREFROM THAT PORTION OF SAID PLAT CONVEYED TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION BY THAT CERTAIN SPECIAL WARRANTY DEED DATED SEPTEMBER 26, 2002, RECORDED NOVEMBER 18, 2002, IN OFFICIAL RECORDS BOOK 14405, PAGE 1617, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE RESERVATION OF THE RIGHT OF INGRESS AND EGRESS CONTAINED IN THAT CERTAIN DEED RECORDED IN OFFICIAL RECORDS BOOK 2279, PAGE 1407, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PROPOSED ACCESS PARCEL:

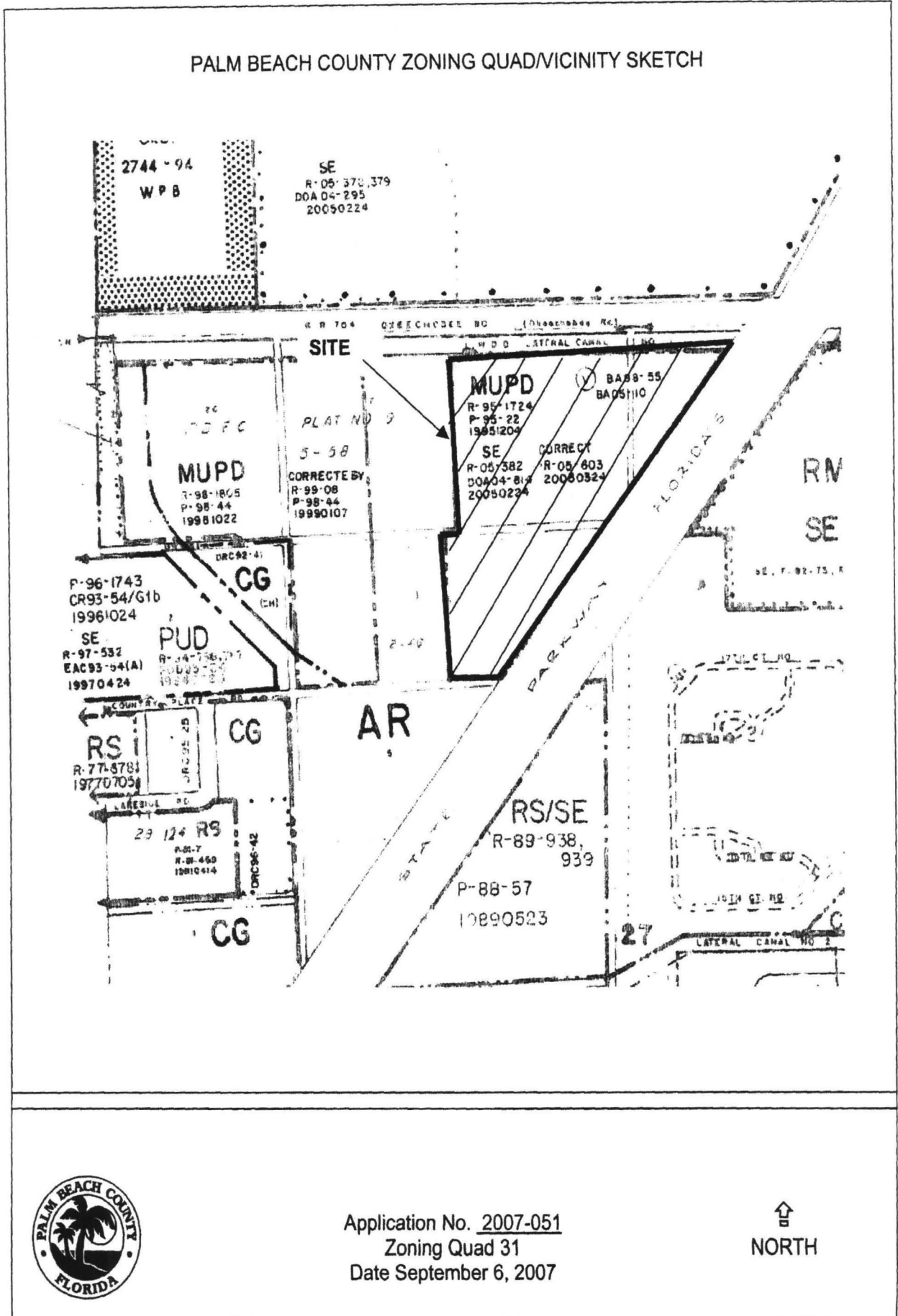
ALL THAT LOT, PIECE OR PARCEL OF LAND SITUATE, LYING AND BEING IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, THE SAME BEING PORTIONS OF TRACT 5 OF BLOCK 4, AS WELL AS A



PORTION OF THE 30-FOOT WIDE RIGHT OF WAY ABUTTING THE NORTHERLY BOUNDARY THEREOF, IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, BOTH AS SHOWN ON THE PLAT OF "THE PALM BEACH FARMS CO. PLAT NO. 3," ACCORDING TO THE PLAT THEREOF, AS RECORDED AUGUST 20, 1912 IN PLAT BOOK 2 AT PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, VIZ.:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT 5 OF BLOCK 4 IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST AS SHOWN ON SAID PLAT OF "THE PALM BEACH FARMS CO. PLAT NO. 3;" THENCE N89°02'59"E ALONG THE NORTHERLY LINE OF SAID TRACT 5 OF BLOCK 4 AND THE SOUTHERLY RIGHT OF WAY LINE OF SAID 30-FOOT WIDE ROAD RIGHT OF WAY FOR 390.38 FEET TO A POINT OF INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF JOG ROAD AS SHOWN ON THOSE CERTAIN UNRECORDED RIGHT OF WAY MAPS ENTITLED "COUNTY OF PALM BEACH STATE OF FLORIDA BOARD OF COUNTY COMMISSIONERS PROJECT NO. 84225 JOG ROAD WALLIS ROAD TO OKEECHOBEE BOULEVARD" PREPARED BY GREENHORNE & O'MARA, INC. FOR THE PALM BEACH COUNTY ENGINEERING AND PUBLIC WORKS DEPARTMENT DATED NOVEMBER 5, 1990 (HEREINAFTER, THE "JOG ROAD RIGHT OF WAY MAPS"), WITH SAID POINT OF INTERSECTION ALSO BEING THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; FROM SAID POINT OF BEGINNING, THENCE N48°28'10"W ALONG SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD AS SHOWN ON THE JOG ROAD RIGHT OF WAY MAPS FOR 22.21 FEET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SAID 30 FOOT WIDE ROAD RIGHT OF WAY; THENCE DEPARTING SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD, N89°02'59"E ALONG SAID CENTERLINE OF THE 30-FOOT WIDE ROAD RIGHT OF WAY FOR 152.08 FEET; THENCE DEPARTING SAID CENTERLINE OF THE 30-FOOT WIDE ROAD RIGHT OF WAY, S38°56'13"W FOR 103.50 FEET TO A POINT OF NON-TANGENT INTERSECTION WITH SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD AS SHOWN ON SAID JOG ROAD RIGHT OF WAY MAPS, WITH SAID EASTERLY RIGHT OF WAY LINE BEING THE ARC OF A CIRCULAR CURVE CONCAVE TO THE SOUTHWEST AND WITH SAID POINT OF NON-TANGENT INTERSECTION BEARING N43°45'52"E FROM THE CENTER OF SAID CURVE; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD AS SHOWN ON THE JOG ROAD RIGHT OF WAY MAPS AND THE ARC OF SAID CURVE, HAVING A RADIUS OF 903.68 FEET AND A CENTRAL ANGLE OF 02°14'02" FOR 35.23 FEET TO THE POINT OF TANGENCY; THENCE N48°28'10"W ALONG SAID EASTERLY RIGHT OF WAY LINE OF JOG ROAD AS SHOWN ON THE JOG ROAD RIGHT OF WAY MAPS FOR 59.41 FEET TO THE POINT OF BEGINNING.

EXHIBIT B  
VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### ALL PETITIONS

1. Condition A.1 of Resolution R-2005-0382, Control No. 1995-022, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-02-0511 (Petition DOA1995-022(B)) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 2.E of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-05-0382 and R-05-063 (Control No. 1995-022(B)) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 2.E of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)

2. Condition A.2 of Resolution R-2005-0382, Control No. 1995-022, 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 December 13, 2004. 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 July 16, 2007. 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)

#### ARCHITECTURAL REVIEW

1. At times of submittal for final DRC certification of the site plan, the architectural elevations for all the buildings shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with the Architectural Design Guidelines adopted by the BCC on July 24, 2001. Development shall be consistent with the approved architectural elevations. (DRO: ZONING/BLDG PERMIT - Zoning) (Previous Condition B.1 of Resolution R-2005-0382, Control No. 1995-022)) [Completed]

#### BUILDING AND SITE DESIGN

1. Condition C.1 of Resolution R-2005-0382, Control No. 1995-022 which currently states:

Total gross floor area shall be limited to a maximum of 123,112 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 and DRC. (BLDG. PERMIT: BLDG - Zoning)

Is hereby amended to read:

Total gross floor area shall be limited to a maximum of 111,674 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 and DRO.

2. All roof or ground mounted air conditioning, mechanical equipment and satellite dishes for all the proposed structures 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.3 of Resolution R-2005-0382, Control No. 1995-022)

3. Previous Condition C.4 of Resolution R-2005-0382, Control No. 1995-022), which currently states:

Prior to final DRC certification of the master/site plan(s), the petitioner shall revise the secured parking" area, storage/display/inventory area and tabular data to reflect 520 parking spaces and a maximum of 568 storage/display/inventory spaces for the auto-related facilities.

Is hereby deleted. [REASON: Parking areas are regulated by the site plan.]

4. All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and trash compactors, shall be screened from view on all sides in a manner consistent with the color, character and architectural style of the principal structure and shall be confined to areas designated on the site plan. (CO: BUILDING-Zoning) (Previous Condition C.5 of Resolution R-2005-0382, Control No. 1995-022)

## ENGINEERING

1. The property owner shall modify the existing left turn lane east approach on Okeechobee Boulevard at the projects entrance road to either lengthen or reconstruct as a dual left turn lane with signalization as required by either the Florida Department of Transportation or by the County Engineer. If dual left turn lanes are constructed then 2 receiving lanes on the driveway shall be constructed.

a. This construction shall be concurrent with the paving and drainage improvements for Phase II of 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.

b. Permits required by Florida DOT for this construction shall be obtained prior to the issuance of the first Building Permit Phase II of the site. (BLDG PERMIT: MONITORING-Eng)

c. Construction shall be completed prior to the issuance of the first Certificate of Occupancy in Phase II. (CO: MONITORING-Eng) (Previous Condition E.1 of Resolution R-2002-0511, Petition DOA1995-022(B))

Note: Complete

2. LANDSCAPE WITHIN MEDIAN OF STATE ROADS

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 landscape the adjacent median of Okeechobee Boulevard. This permit, to be completed by the property owner, shall name Palm Beach County as the applicant. As part of this permit process, the property owner shall enter into a Right of Way, Landscape Maintenance, Removal, and Indemnification Agreement. When landscaping is permitted by the Florida Department of Transportation, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape



Standards. The property owner shall also be responsible to supplement 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 landscape material, installation, and maintenance requirements shall be subject to the standards 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.2 of Resolution R-2002-0511, Petition DOA1995-022(B))

b. All required median landscaping, including an irrigation system if required, shall be installed at the property owners expense. 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 a certificate of occupancy. (CO: MONITORING - Eng) (Previous Condition E.2.b of Resolution R-2002-0511, Petition DOA1995-022(B))

c. Declaration of Covenants and Restriction Documents 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.2.c of Resolution R-2002-0511, Petition DOA1995-022(B)) Note: Complete

3. Prior to site plan approval by the Development Review Committee the developer shall:

a. Receive approval from the Land Development Division for a revised drainage study demonstrating that the project will be in accordance with South Florida Water Managements Districts C-51 Drainage Basin requirements.

b. Obtain conceptual approval from the Florida Department of Transportation for the proposed geometrics and location of the proposed access drive onto Okeechobee Boulevard. Any modifications to the 2.99 acre outparcel shall be accommodated for on the revised Site Plan. (DRO: ENG - Eng) (Previous Condition E.3 of Resolution R-2002-0511, Petition DOA1995-022(B)) ONGOING

4. The property owner shall fund a pro rata share of the cost of signalization if warranted by the County Engineer and the Florida Department of Transportation at the intersection of Okeechobee Boulevard and the projects entrance road. Signalization shall also include any required warning flashers on Okeechobee Boulevard in advance of the Florida Turnpike Overpass. Should signalization not be required after five years after the final Certificate of Occupancy then this property owner shall be relieved from this obligation. (ONGOING: ENG - Eng) (Previous Condition E.4 of Resolution R-2002-0511, Petition DOA1995-022(B)) Signal complete

5. Prior to the issuance of the next building permit, the contract shall be let for Okeechobee Boulevard (Benoist Farms Road to the Turnpike) to an eight-lane cross section, or a CRALLS designation is adopted for Okeechobee Boulevard (Benoist Farms Road to the Florida Turnpike), whichever shall first occur. (BLDG PERMIT: MONITORING Eng) (Previous Condition E.5 of Resolution R-2002-0511, Petition DOA1995-022(B))

6. In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:

a) No Building Permits for the site may be issued after January 1 2009. 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, Section E of the Unified Land Development Code. (DATE: MONITORING-Eng)

7. Prior to issuance of a Building Permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDG PERMIT: MONITORING-Eng)
8. Landscape Within the Median of Jog Road
  - a. The Property Owner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of Jog 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 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 D below. (ONGOING)
  - 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 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)
  - e. Alternately, at the option of the Property Owner, and prior to the issuance of a 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 Jog 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. (ONGOING)
9. The property owner shall pay an additional Fair Share Fee in accordance with the Okeechobee Boulevard CRALLS mitigation Analysis. The additional fair share fee for this project has been determined to be 0.715 times the applicable road impact fee, to be paid at the time of issuance of the next Building Permit. (ONGOING: ACCOUNTING-Impact Fee Coordinator)
10. Prior to Final Site Plan approval by the Development Review Committee, the property owner shall complete purchase of the existing Palm Beach County Property required for the construction of the access onto Jog Road. (DRC:ENGINEERING)

## ENVIRONMENTAL

1. Prior to Final Site Plan approval by the Development Review Officer, the property owner shall demonstrate that all vehicle parking and storage complies with the requirements of Article 14.B. "Wellfield Protection." (DRO:ERM-ERM)

2. Previous Condition D.1 of Resolution 2002-0511, which currently states:

A Wellfield Affidavit of Notification shall be submitted to the Department of Environmental Resources Management prior to DRC Site Plan certification. (DRC: ERM-ERM)

Is hereby deleted. [REASON: The condition has been completed].

#### HEALTH

1. Prior to the issuance of a building permit the property owner shall meet with, review with, and submit to the Palm Beach County Health Department, a comprehensive Hazardous material plan. (BLDG. PERMIT: MONITORING-Health)
2. The 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)

#### LANDSCAPE – INTERIOR

1. Previous Condition H.1. of Resolution R-2005-0382, Control No. 1995-022 which currently states:

Landscape planting areas shall be provided along the front and side facades of all structures. The minimum width of required landscape planting areas shall be five (5) feet. The combined length of the required planting areas shall be no less than 40% of the total length of the applicable side of the structure. All required landscape planting areas shall be planted with a minimum of one (1) tree every 20 feet on center and appropriate groundcover. (BLDG PERMIT: BLDG-Zoning)

Is hereby deleted. [REASON: Code Requirement]

2. Previous Condition H.2 of Resolution R-2005-0382, Control No. 1995-022 which currently states:

Foundation planting or grade level planters shall be provided along the front and side facades of all proposed structures (i.e. the 53,532 s.f. service improvement building, and the bank and retail uses in Phase 2, outparcel) 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. (DRO/CO: ZONING/ LANDSCAPE-Zoning)

Is hereby deleted. [REASON: Bank and Retail Uses have been deleted, condition not applicable]

3. Previous Condition H.3. of Resolution R-2005-0382, Control No. 1995-022 which currently states:

A minimum of one (1) landscape island shall be provided for every twelve (12) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred and twenty (120) linear feet. This condition shall be applicable only to all existing customer, employee, and service parking. Modifications of existing parking shall comply with current (2004-067 ordinance) code requirements.

Previous Condition H.3. of Resolution R-2005-0382, Control No. 1995-022) (DRO: ZONING Zoning)

Is hereby deleted [REASON: Less Than Code Requirement, Now requires one island per 10 spaces]

4. Condition I.1. of Resolution R-2005-0382, Control No. 1995-022 which currently states:

LANDSCAPING ALONG THE 650 FEET OF THE NORTHWESTERN SIDE OF THE ACCESS DRIVE INTO THE SITE

Special screening treatment shall be provided along 650 feet of the northwestern side (median) of the access drive into the site. Screening shall consist of the following:

- a. a minimum twenty (15) foot wide landscape buffer strip;
- b. one (1) palm (Royal Palm) tree for each thirty (30) linear feet of the property line;
- c. one (1) medium shrub at every four (4) feet of the length of the median. Shrubs shall be a minimum height of thirty (30) inches at installation; and,
- d. a hedge shall be installed at a minimum of six (6) feet in height. Hedge shall be maintained at a height of six (6) feet at all times. (BLDG PERMIT: LANDSCAPE - Zoning)

Is hereby deleted. [REASON: No longer applicable, replaced with a new Landscape Condition 5]

5. Prior to final plan approval by the Development Review Officer (DRO), the plan shall be revised to show a landscaped divider median with a minimum width of twenty (20) feet between all rows of display parking and employee parking abutting the interior 800 linear foot bullpen parking area. The remainder of the bullpen parking area shall have a ten (10) foot landscape buffer strip from the Jog Road access heading north and interior to the site.(DRO: ZONING - Zoning)

6. LANDSCAPING ALONG THE NORTH PROPERTY LINE (ABUTTING OKEECHOBEE BOULEVARD)

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

- a. a minimum twenty (20) foot wide landscape buffer strip;
- b. a minimum one to three foot high undulating berm with an average height of two (2) feet measured from the top of curb;
- c. one (1) canopy tree for each twenty (20) linear feet of frontage with a maximum spacing of twenty-five (25) feet on center;
- d. one (1) palm for each twenty-five (25) linear feet of property line with a maximum spacing of sixty (60) feet on center between clusters. A group of three (3) palms shall not be substituted for a perimeter canopy tree; and,
- e. twenty four (24) inch high shrub or hedge material spaced no more than twenty four (24) inches on center and maintained at a minimum height of thirty six (36) inches planted on the toe of the berm, (facing the right of way). (CO: LANDSCAPE-Zoning) (Previous Condition J.1. of Resolution R-2005-0382, Control No. 1995-022)

7. LANDSCAPING ALONG THE EAST PROPERTY LINE (ABUTTING FLORIDA TURNPIKE)

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

- a. a minimum twenty (20) foot wide landscape buffer strip;
- b. a minimum one to three foot high undulating berm with an average height of two (2) feet measured from the top of curb;
- c. one (1) canopy tree for each twenty (20) linear feet of frontage with a maximum spacing of twenty-five (25) feet on center;
- d. one (1) palm for each twenty-five (25) linear feet of property line with a maximum



spacing of sixty (60) feet on center between clusters. A group of three (3) palms shall not be substituted for a perimeter canopy tree; and,  
e. twenty four (24) inch high shrub or hedge material spaced no more than twenty four (24) inches on center and maintained at a minimum height of thirty six (36) inches planted on the toe, of the berm, (facing the right of way). (CO: LANDSCAPE-Zoning) (Previous Condition K.1. of Resolution R-2005-0382, Control No. 1995-022)

8. LANDSCAPING ALONG THE WEST PROPERTY LINE AND SOUTH 286 FEET OF THE SOUTH PROPERTY LINE (ABUTTING RETENTION AREA)

Landscaping and buffering along the west and 286 feet of the south property line shall be upgraded to include:

- a. A minimum twenty (20) foot wide landscape buffer strip;
- b. One (1) canopy tree planted every thirty (30) feet on center;
- c. One (1) palm or pine tree for each thirty (30) linear feet of frontage. A group of three or more palm or pine trees may supersede the requirement for a canopy tree in that location; and
- d. Thirty (30) 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) (Previous Condition L.1. of Resolution R-2005-0382, Control No. 1995-022)

LIGHTING

1. Condition M.1. of Resolution R-2005-0382, Control No. 1995-022 which currently states:

All outdoor lighting used to illuminate the subject property and identification signs shall be of low intensity, shielded and directed down and away from adjacent properties and streets. (CO/ ONGOING: BLDG / CODE ENF - Zoning)

Is hereby deleted. [REASON: Code Requirement]

2. Condition M.2. of Resolution R-2005-0382, Control No. 1995-022 which currently states:

All outdoor lighting fixtures shall not exceed the following requirements:

- a. Height: Maximum twenty five (25) feet measured from finished grade to highest point;
- b. Spacing: Minimum sixty feet (60) apart; and,
- c. Intensity: Along Okeechobee Blvd & Florida Turnpike: Maximum average of 45 footcandle levels. (CO: BLDG - Zoning)

Is hereby deleted. [REASON: Code Requirement]

3. Condition M.3. of Resolution R-2005-0382, Control No. 1995-022 which currently states:

All outdoor lighting shall be extinguished no later than 11:00 p.m., excluding security lighting only. (ONGOING: CODE ENF - Zoning)

Is hereby deleted. [REASON: Code Requirement]

4. Condition M.4. of Resolution R-2005-0382, Control No. 1995-022

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)

Is hereby deleted. [REASON: Code Requirement]

5. Prior to the issuance of the first Certificate of Occupancy for this petition, all existing and any proposed freestanding lighting fixtures (excluding concrete poles), and railings along the vehicular driveway shall be painted bronze. Previous Condition M.5. of Resolution R-2005-0382, Control No. 1995-022) (CO: LANDSCAPE/BLDG - Zoning)

#### MULTIPLE USE PLANNED DEVELOPMENT

1. 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, rooflines, 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. (DRO: ZONING/CO ATTY - Zoning) (Previous Condition N.1. of Resolution R-2005-0382, Control No. 1995-022)
2. 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. (DRO: ZONING/CO ATTY - Zoning) (Previous Condition N.2. of Resolution R-2005-0382, Control No. 1995-022)

#### SIGNS

1. Condition P.1. of Resolution R-2005-0382, Control No. 1995-022 which currently states:

Freestanding point of purchase signs fronting on Okeechobee Boulevard, excluding out parcels, shall be limited as follows:

a. Freestanding point of purchase sign:

- 1) Maximum sign height, measured from finished grade to highest point - twenty-five (25) feet;
- 2) Maximum sign face area per side - 150 square feet;
- 3) Maximum number of signs - one (1); and
- 4) Style - monument style only. (CO: BLDG - Zoning)

b. Freestanding primary identification sign:

- 1) Maximum sign height, measured from finished grade to highest point - six (6) feet;
- 2) Maximum sign face area per side - 60 square feet;
- 3) Maximum number of signs - one (1); and,
- 4) Style - monument style only. (CO: BLDG - Zoning)

Is hereby amended to read:

1. Freestanding point of purchase sign fronting on Okeechobee Boulevard, shall be limited as follows:

a. Maximum sign height, measured from finished grade to highest point - twenty-five (25) feet;

- b. Maximum sign face area per side - 150 square feet;
  - c. Maximum number of signs - one (1); and
  - d. Style - monument style only; and,
  - e. If the sign is replaced, the new sign must meet current Code requirements. (CO: BLDG - Zoning)
2. Condition P.1. b. of Resolution R-2005-0382, Control No. 1995-022 which currently states:

Freestanding point of purchase signs fronting on Okeechobee Boulevard, excluding out parcels, shall be limited as follows

b. Freestanding primary identification sign:

- 1) Maximum sign height, measured from finished grade to highest point - six (6) feet;
- 2) Maximum sign face area per side - 60 square feet;
- 3) Maximum number of signs - one (1); and,
- 4) Style - monument style only. (CO: BLDG - Zoning)

Is hereby amended to read:

Freestanding signs on Okeechobee Boulevard and Jog Road shall be limited as follows:

- a. Maximum sign height, measured from finished grade to highest point - six (6) feet;
  - b. Maximum sign face area per side - sixty (60) square feet;
  - c. Maximum number of signs per frontage – one (1); and,
  - d. Style - monument style only. (CO: BLDG - Zoning)
3. Freestanding point of purchase signs fronting on the Florida Turnpike shall be limited as follows:
- a. Freestanding point of purchase sign:
    - 1) Maximum sign height, measured from finished grade to highest point - twenty (20) feet;
    - 2) Maximum sign face area per side - 150 square feet;
    - 3) Maximum number of signs - one (1); and
    - 4) Style - monument style only. (CO: BLDG - Zoning) (Previous Condition P.3. of Resolution R-2005-0382, Control No. 1995-022)
4. All billboards adjacent to the Florida Turnpike shall be removed prior to final Certificate of Occupancy and shall not be relocated. (CO: BLDG - Zoning) (Previous Condition P.4. of Resolution R-2005-0382, Control No. 1995-022)
5. The existing three (3) paneled directional sign shall be either reduced to form a two (2) panel sign or be increased to form a four (4) panel sign. Should the petitioner/property owner choose to increase the panels, the fourth panel shall be limited to tenant identification only. (CO: BLDG Zoning) (Previous Condition P.5. of Resolution R-2005-0382, Control No. 1995-022)

#### USE LIMITATIONS-VEHICLES SALES OR RENTAL

- 1. Vehicles shall not be parked or on display with hoods or trunks open. (ONGOING: CODE ENF - Zoning) (Previous Condition Q.1. of Resolution R-2005-0382, Control No. 1995-022)
- 2. Previous Condition A.3 of Resolution R-2005-0382, Control No. 1995-022) which

currently states:

Interim use of Phase 2 as a bull pen storage of vehicles pertaining to the vehicle sales and rental use shall terminate upon commencement of development for phase 2 (which is subject to BCC approval) or prior to June 27, 2006 whichever occurs first. (DATE: MONITORING Zoning)

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

3. Vehicles shall not be elevated off the ground in any way. (ONGOING: CODE ENF - Zoning) (Previous Condition Q.2. of Resolution R-2005-0382, Control No. 1995-022)
4. Vehicles shall be parked only in the areas designated on the certified site plan for customer, employee, service, display and inventory/storage spaces and shall maintain minimum backup distance and maneuverability. (ONGOING: CODE ENF - Zoning) (Previous Condition Q.3. of Resolution R-2005-0382, Control No. 1995-022)
5. No advertising flags, foreign flags, pennants, banners, streamers, balloons, objects, gimmicks or similar signs designed to attract the attention of the general public shall be permitted outdoors on any building, vehicle or wall. Except that special event signage shall be permitted with a special permit pursuant to signage regulations in Section 7.14 of the ULDC. (ONGOING: CODE ENF - Zoning) (Previous Condition Q.4. of Resolution R-2005-0382, Control No. 1995-022)
6. An automatic car wash facility, if provided, shall utilize a 100% water recycling system. (CO: BLDG - Health) (Previous Condition Q.5. of Resolution R-2005-0382, Control No. 1995-022)
7. 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.6. of Resolution R-2005-0382, Control No. 1995-022)
8. Outdoor storage of disassembled vehicles or parts shall not be permitted on site. (ONGOING: CODE ENF - Zoning) (Previous Condition Q.7. of Resolution R-2005-0382, Control No. 1995-022)
9. There shall be no outdoor repair of vehicles on site. (ONGOING: CODE ENF - Zoning) (Previous Condition Q.8. of Resolution R-2005-0382, Control No. 1995-022)
10. When this facility is not open, the parking area shall be locked and gated. (ONGOING: CODE ENF - Zoning) (Previous Condition Q.9. of Resolution R-2005-0382, Control No. 1995-022)
11. Vehicles shall not be tested off-site on the Vista Center property. (ONGOING: CODE ENF - Zoning) (Previous Condition Q.10. of Resolution R-2005-0382, Control No. 1995-022)
12. Overnight storage or parking of delivery vehicles or trucks shall not be permitted on site, except within designated loading, dispatch and delivery areas. (ONGOING: CODE ENF - Zoning) (Previous Condition Q.11. of Resolution R-2005-0382, Control No. 1995-022)

#### UTILITIES

1. If any relocation/modifications to the County's existing facilities are required that are a direct or indirect result of the development, the developer shall pay for the complete design and construction costs associated with these relocations/modifications. (ONGOING/ /PBCWU)
2. Prior to final site plan approval by the Development Review Officer (DRO), the PBCWUD shall review and approve the proposed access and maintenance for the existing lift station and other County owned utility facilities. (DRO: DRO -



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 S.1. of Resolution R-2005-0382, Control No. 1995-022)
2. Condition S.2. of Resolution R-2005-0382, Control No. 1995-022 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 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. (MONITORING)

Is hereby amended to read:

- 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 Article 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Departmental administrative actions made pursuant to this condition may be appealed as 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 Circuit Court, Appellate Division, 15<sup>th</sup> Judicial Circuit of Florida. (ONGOING: MONITORING - Zoning)