

RESOLUTION NO. R-2019- 0381

RESOLUTION APPROVING ZONING APPLICATION EAC-2018-02356
(CONTROL NO. 2005-00535)
an Expedited Application Consideration
APPLICATION OF Lennar Homes LLC,
The Groves by Lennar Homeowners Association
BY Urban Design Kilday Studios, AGENT
(Sabal Grove)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code (ULDC), Ordinance 2003-067, Supplement 24, have been satisfied;

WHEREAS, Zoning Application EAC-2018-02356 was presented to the Board of County Commissioners at a public hearing conducted on March 25, 2019;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, the recommendations of the various County Review Agencies, and the recommendation of the Zoning Commission;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for an Expedited Application Consideration ;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application EAC-2018-02356, the Application of Lennar Homes LLC, The Groves by Lennar Homeowners Association, by Urban Design Kilday Studios, Agent, for an Expedited Application Consideration to delete Conditions of Approval (Planning), on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on March 25, 2019, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner McKinlay moved for the approval of the Resolution.

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

Commissioner Mack Bernard, Mayor	-	Aye
Commissioner Dave Kerner, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Gregg K. Weiss	-	Aye
Commissioner Robert S. Weinroth	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Melissa McKinlay	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on March 25, 2019.

Filed with the Clerk of the Board of County Commissioners on April 4th, 2019.

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 R. BOCK,
CLERK & COMPTROLLER

BY: [Signature]
COUNTY ATTORNEY

BY: [Signature]
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

SABAL GROVE

2005 LEGAL DESCRIPTION:

(From Resolution R-2006-0921)

A PORTION OF LOT 2, TRACT 37, AS SHOWN ON THE GOVERNMENT PLAT OF THE HIATUS BETWEEN TOWNSHIPS 44 AND 45 SOUTH, RANGE 42 EAST, TOGETHER WITH A PORTION OF THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST; THENCE S.88°30'01"E. ALONG THE SOUTH LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, A DISTANCE OF 1817.31 FEET; THENCE S.01°29'59"W., A DISTANCE OF 54.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF LANTANA ROAD (STATE ROAD 812), AS RECORDED IN OFFICIAL RECORD BOOK 5781, PAGE 1178 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S.88°30'01"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 178.32 FEET TO A POINT OF CURVE TO THE LEFT HAVING A RADIUS OF 2,907.79 FEET AND A CENTRAL ANGLE OF 04°11'42"; THENCE EASTERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, A DISTANCE OF 212.90 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 2,821.79 FEET AND A CENTRAL ANGLE OF 00°25'14"; THENCE EASTERLY ALONG THE ARC OF SAID RIGHT-OF-WAY LINE, A DISTANCE OF 20.72 FEET; THENCE S.01°29'59"W. ALONG THE WEST LINE OF MILITARY AND LANTANA M.U.P.D.-PLAT NO. 1, AS RECORDED IN PLAT BOOK 85, PAGES 3 AND 4 OF SAID PUBLIC RECORDS, AND THE SOUTHERLY PROJECTION THEREOF, A DISTANCE OF 513.97 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE S.89°26'48"W. ALONG SAID NORTH LINE, A DISTANCE OF 347.60 FEET; THENCE S.00°33'12"E., A DISTANCE OF 52.14 FEET; THENCE S.89°26'48"W., A DISTANCE OF 29.85 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE EAST ONE-HALF OF THE NORTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE S.00°15'58"E. ALONG SAID EAST LINE, A DISTANCE OF 679.21 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF CONCEPT HOMES, AS RECORDED IN PLAT BOOK 45, PAGES 158 AND 159 OF SAID PUBLIC RECORDS; THENCE S.89°36'03"W. ALONG SAID NORTH LINE, A DISTANCE OF 332.70 FEET; THENCE N.00°18'00"W. ALONG THE EAST LINE OF BRYNTESON NURSERY, P.U.D. WILLOUGHBY FARMS, AS RECORDED IN PLAT BOOK 86, PAGES 198 THROUGH 204 OF SAID PUBLIC RECORDS, A DISTANCE OF 730.45 FEET; THENCE N.89°26'48"E. ALONG SAID EAST LINE, A DISTANCE OF 298.36 FEET; THENCE N.01°29'59"E. ALONG SAID EAST LINE, A DISTANCE OF 519.50 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.

CONTAINING 456,443 SQUARE FEET OR 10.479 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

SABAL GROVE
2005 LEGAL DESCRIPTION:
(From 2005 Survey)

DESCRIPTION:
PARCEL A

THE EAST ½ OF THE NE ¼ OF THE NW ¼ OF THE NW ¼ OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, SAID PROPERTY LYING AND BEING SITUATE IN PALM BEACH COUNTY, FLORIDA

PARCEL B

A CERTAIN 5.00 ACRE PARCEL OF LAND BEING A PART OF LOT 2, TRACT 37, AS SHOWN ON THE GOVERNMENT PLAT OF THE HIATUS BETWEEN TOWNSHIPS 44 AND 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING SPECIFICALLY DESCRIBED AS FOLLOWS:

FROM THE SW CORNER OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, RUN (BEARINGS SITED HEREIN ARE IN A MERIDIAN ASSUMING SOUTH 87 DEGREES 56' 38" EAST ALONG THE SOUTH LINE OF SAID SW ¼ OF SAID SECTION 36) SOUTH 87 DEGREES 56' 38" EAST, ALONG THE SOUTH LINE OF THE SW ¼ OF SECTION 36 AND ALONG THE CENTERLINE OF THE 80 FOOT WIDE RIGHT-OF-WAY OF LANTANA ROAD (SR. #812), A DISTANCE OF 1817.31 FEET; THENCE SOUTH 01 DEGREE 03' 22" WEST, A DISTANCE OF 40 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID LANTANA ROAD AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; AND FROM SAID POINT OF BEGINNING RUN BY THE FOLLOWING NUMBER OF COURSES:

1. SOUTH 87 DEGREES 56' 38" EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 145.41 FEET; THENCE
2. EASTERLY, CONTINUING ALONG THE SOUTH SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF A 2904.93 FOOT RADIUS CURVE, CONCAVE NORTHERLY AND HAVING A CENTRAL ANGLE OF 05 DEGREES 16' 04" AND BEING TANGENT WITH THE LAST DESCRIBED COURSE, AN ARC DISTANCE OF 267.08 FEET; THENCE
3. SOUTH 02 DEGREES 03' 22" WEST, A DISTANCE OF 530.73 FEET, MORE OR LESS, TO A POINT IN THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST; THENCE
4. SOUTH 90 DEGREES 00' 00" WEST, ALONG THE SAID NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 1, A DISTANCE OF 412.39 FEET; THENCE
5. NORTH 02 DEGREES 03' 22" EAST, A DISTANCE OF 533.26 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA.
CONTAINING 437,525 SQUARE FEET OR 10.044 ACRES, MORE OR LESS.
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

EXHIBIT B
VICINITY SKETCH

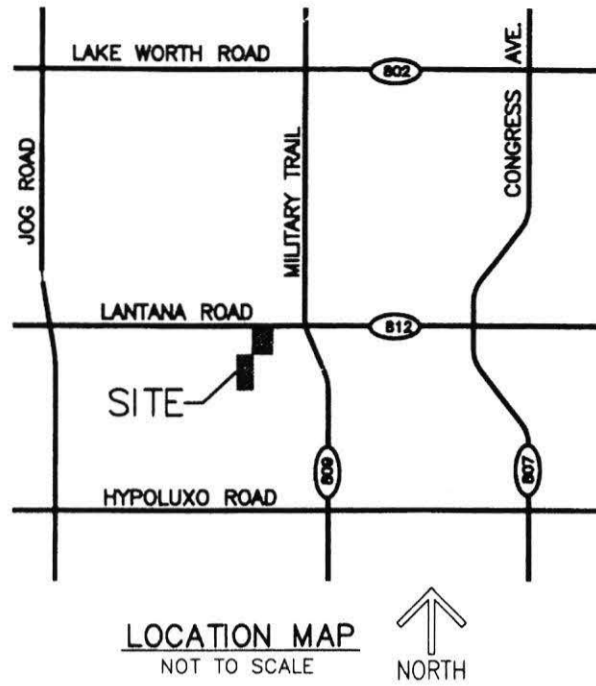


EXHIBIT C

CONDITIONS OF APPROVAL

Expedited Application Consideration

ALL PETITIONS

1. Development of the site is limited to the site design approved by the Board of County Commissioners. The approved site plan is dated March 10, 2006. All modifications must be approved by the Board of County Commissioners or Zoning Commission unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (DRO: ZONING - Zoning) (Previous ALL PETITIONS Condition 1 of Resolution R-2006-922, Control No.2005-00535)

2. Prior to DRO final site plan approval, the applicant shall have the approved variances, pursuant to BA-2006-210, labeled on the approved site plan. [Note: COMPLETED] (Previous ALL PETITIONS Condition 2 of Resolution R-2006-922, Control No.2005-00535)

3. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2006-0922 (Control 2005-00535), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners or Zoning Commission, unless expressly modified. (ONGOING: ZONING - Zoning)

ENGINEERING

1. Previous ENGINEERING Condition 1 of Resolution R-2006-922, Control No.2005-00535, which currently states:

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

a. No Building Permits for the site may be issued after May 25, 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.

Is hereby amended to read:

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 September 2, 2026. 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 - Engineering)

2. Landscape Within the Median of Lantana Road

a. The petitioner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of Lantana 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 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.

c. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy.

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 Lantana 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.

3. The concurrency approval is subject to the project aggregation rule set forth in the Traffic Performance Standards Ordinance

(ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 3 of Resolution R-2006-922, Control No.2005-00535)

HEALTH

1. Prior to the issuance of a building permit, the property owner shall submit the results of a pre-demolition asbestos containing materials (ACM) survey of the building(s) on the site to the Palm Beach County Health Department. (BLDGPM: MONITORING - Health Department) [Note: COMPLETED] (Previous HEALTH Condition 1 of Resolution R-2006-922, Control No.2005-00535)

2. Prior to the final site plan approval by the Development Review Officer, the property owner shall provide documentation that clearly and accurately shows the location of all buildings, septic tank systems, and wells on the site. (DRO: HEALTH DEPARTMENT - Health Department) [Note: COMPLETED] (Previous HEALTH Condition 2 of Resolution R-2006-922, Control No.2005-00535)

3. Prior to the issuance of a building permit, the property owner shall be in receipt of a letter issued by the Florida Department of Environmental Protection (FDEP) stating that a determination of No Further Action has been issued for the contaminated site, or that contamination assessment and clean-up of the site are addressed satisfactorily, and development may proceed subject to any institutional and/or engineering controls approved by FDEP

LETTER FROM FLA. DEPT OF ENV. PROTECTION: "NO FURTHER ACTION OR"
(BLDGPM: MONITORING - Health Department) [Note: COMPLETED] (Previous HEALTH Condition 3 of Resolution R-2006-922, Control No.2005-00535)

LANDSCAPE – GENERAL - STANDARD

1. Prior to the issuance of a building permit, the property owner shall submit a Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with all landscape related conditions of approval as contained herein. (BLDGPM: ZONING - Zoning) [Note: COMPLETED] (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2006-922, Control No.2005-00535)

LANDSCAPE - GENERAL

2. Provide landscape focal points within all cul-de-sacs. Prior to final approval by the Development Review Officer (DRO) the landscape focal points shall be subject to review and approval by the Landscape Section. (DRO: ZONING - Zoning) [Note: COMPLETED]

(Previous LANDSCAPE - GENERAL Condition 2 of Resolution R-2006-922, Control No.2005-00535)

ZONING - LANDSCAPING-LANDSCAPING ALONG THE SOUTH 328 FEET OF THE WEST PROPERTY LINE (ABUTING SINGLE FAMILY RESIDENTIAL)

3. A minimum of fifty (50) percent of all trees to be planted in the landscape buffer shall meet the following minimum standards at installation:

- a. tree height: fourteen (14) feet;
- b. trunk diameter: three and one-half (3.5) inches measured at four and one-half (4.5) feet above grade;
- c. canopy diameter: seven (7) feet diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of three and one-half (3.5) feet in length; and,
- d. credit may be given for existing or relocated trees provided they meet ULDC requirements. (BLDGPMT: ZONING - Zoning) [Note: COMPLETED] (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-2006-922, Control No.2005-00535)

PALM TRAN

1. The location of an easement for a Bus Stop Boarding and Alighting Area, subject to the approval of Palm Tran shall be shown on the Master Plan and/or site plan prior to final approval of the Development Review Officer (DRO). The purpose of this easement is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. (DRO: DEVELOPMENT REVIEW OFFICER - Palm-Tran) [Note: COMPLETED] (Previous MASS TRANSIT Condition 1 of Resolution R-2006-922, Control No.2005-00535)

2. Prior to Plat Recordation, the property owner shall convey and/or dedicate to Palm Beach County an easement for a Bus Stop Boarding and Alighting Area in a form with terms and conditions approved by Palm Tran. Supporting documentation, including but not limited to, a location sketch, legal description, affidavit of ownership, attorney title opinion and other related documents as deemed necessary by Palm Tran. (PLAT: ENGINEERING - Monitoring) [Note: COMPLETED] (Previous MASS TRANSIT Condition 2 of Resolution R-2006-922, Control No.2005-00535)

PLANNING

1. Previous PLANNING Condition 1 of Resolution R-2006-922, Control No.2005-00535, which currently states:

Prior to final approval by the Development Review Officer (DRO), the property owner shall record in the public records of Palm Beach County a restrictive covenant, in a form acceptable to the Palm Beach County Attorney, which includes the following:

- a. Guarantees the attainability of the seven (7) designated workforce housing dwelling units for a period of ten years (ownership) to moderate income (>80% - 120% median income) households, with the unit sales prices determined by Palm Beach County's Housing and Community Development Department; and
- b. Guarantees that these units shall not be further restricted beyond the requirement that the occupants qualify for the income limits. (DRO: PLANNING - Planning)

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

2. Previous PLANNING Condition 2 of Resolution R-2006-922, Control No.2005-00535, which currently states:

Prior to final site plan approval by the Development Review Officer (DRO), the site plan shall indicate the following information on the site plan, consistent with the locations indicated on the site plan dated March 10, 2006:

- a. The minimum required seven (7) workforce housing units will be equitably distributed through the development area, no concentration of units in one building or area shall occur;
- b. units are required to be provided as seven (7) workforce housing units to moderate

income households; and

c. the minimum required seven (7) workforce housing units shall include similar variation in bedroom and floor area options as the market rate units. (DRO: PLANNING - Planning)

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

3. Previous PLANNING Condition 3 of Resolution R-2006-922, Control No.2005-00535, which currently states:

The property owner shall include in sales documents as well as written brochures, sales contracts, Master Plans and related Site Plans a disclosure statement identifying and notifying future residents of this development, that the project has a minimum of seven (7) workforce housing dwelling units and any residents wishing to reside in a unit that has been earmarked as an attainable housing unit shall qualify for eligibility. Every deed of sale for each of the attainable units shall contain a restriction guaranteeing the property is sold and occupied by a qualified income household only, for a period of ten years (ownership) twenty years (rental). The property owner is responsible for disclosure of the location of these attainable units prior to the sale of any units. On an annual basis, beginning June 1, 2007, the property owner/homeowner association shall submit an annual report to the Planning Division documenting compliance with the Attainable Housing declaration of restrictive covenants, the sales document disclosure, and the deed of sale restriction. (DATE: MONITORING - Planning)

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

SCHOOL BOARD

1. Prior to the issuance of the first Certificate of Occupancy (CO), the school bus shelter shall be constructed by the petitioner in a location and manner acceptable to the Palm Beach County School Board. Provisions for the bus shelter shall include, at a minimum, a covered area, continuous paved pedestrian and bicycle access from the subject property or use, to the shelter. Maintenance of the bus shelter(s) shall be the responsibility of the residential property owner. (CO: MONITORING - School Board) [Note: COMPLETED] (Previous SCHOOL BOARD (PARCEL 1) Condition 1 of Resolution R-2006-922, Control No.2005-00535)

2. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"

School age children may not be assigned to the public school closest to their residences. School Board policies regarding levels of service or other boundary policy decisions affect school boundaries. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD - School Board) (Previous SCHOOL BOARD Condition 2 of Resolution R-2006-922, Control No.2005-00535)

SITE DESIGN

1. Prior to final approval by the Development Review Officer (DRO), the site plan shall be revised to:

- a. provide decorative pavers within the t-intersection; and,
- b. provide fountain within the lake tract.

(DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 1 of Resolution R-2006-922, Control No.2005-00535)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause

the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: ZONING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: ZONING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.