

RESOLUTION NO. R-2003-0321

RESOLUTION APPROVING ZONING PETITION DOA1997-085A
DEVELOPMENT ORDER AMENDMENT
PETITION OF MEADOWLAND DEVELOPMENT CORPORATION
BY HELEN LAVALLEY, AGENT
(GATEWAY GARDENS PUD)

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 DOA1997-085A was presented to the Board of County Commissioners at a public hearing conducted on February 27, 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 made the following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
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 DOA1997-085A, the petition of Meadowland Development Corporation, by Helen LaValley, agent, for a Development Order Amendment to a Planned Unit Development to add land area, add units and to modify/delete conditions 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 February 27, 2003, 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 McCarty and, upon being put to a vote, the vote was as follows:

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

The Chair thereupon declared that the resolution was duly passed and adopted on February 27, 2003.

Filed with the Clerk of the Board of County Commissioners on 31 day of March, 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

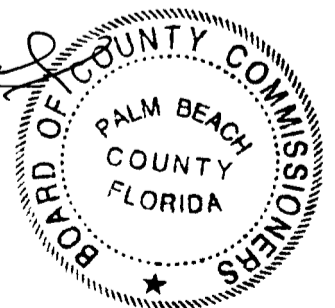


EXHIBIT A
LEGAL DESCRIPTION

ALL OF THE PLAT OF LITTLE RIVER GLEN P.U.D. AS RECORDED IN PLAT BOOK 94 PAGES 130 AND 131, IN THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH ALL OF THE PLAT OF GATEWAY GARDENS P.U.D. AS RECORDED IN PLAT BOOK 84 PAGES 20 THROUGH 23 IN THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA.

EXHIBIT B
VICINITY SKETCH

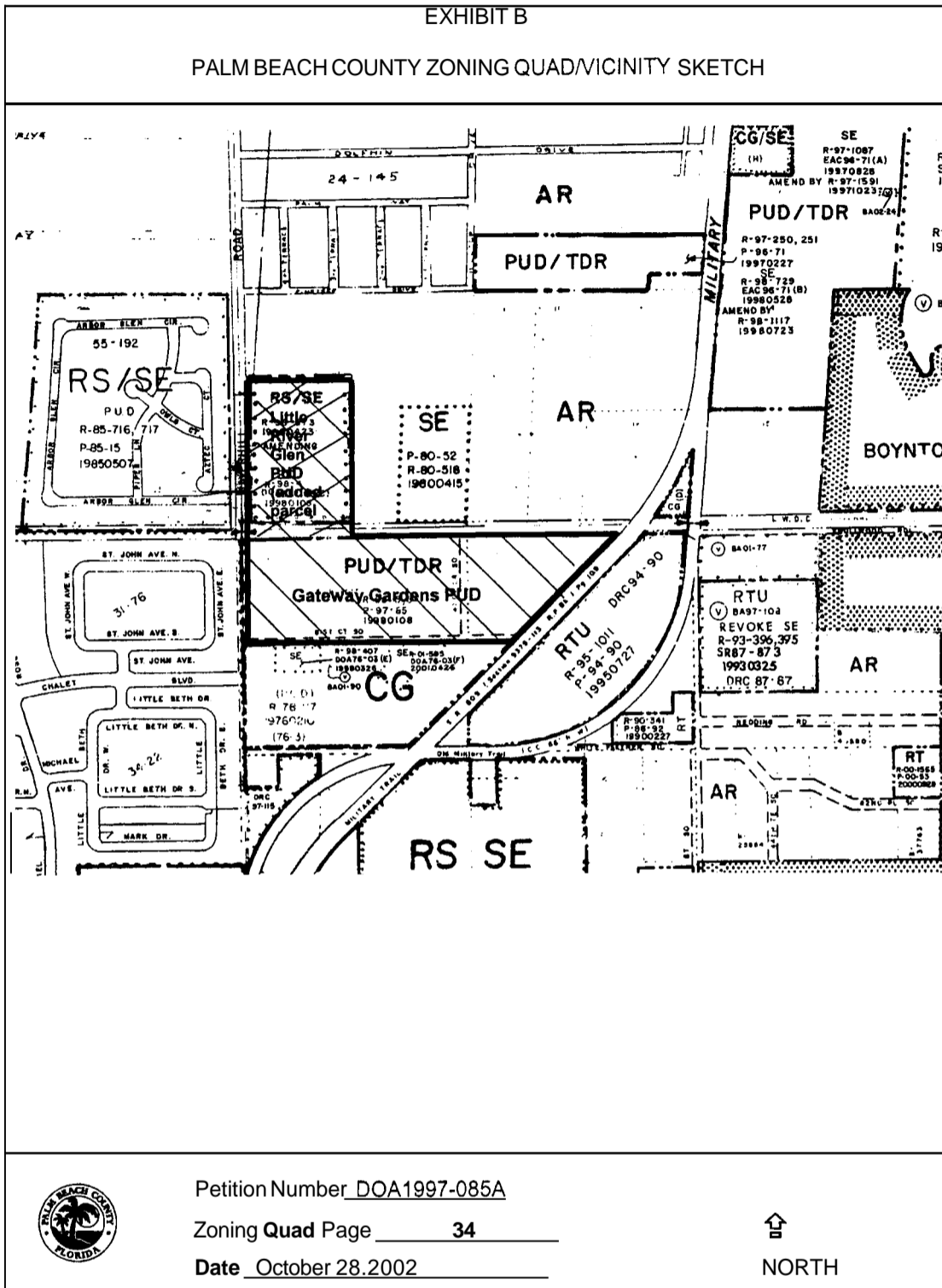


EXHIBIT C

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. Condition A.2 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolutions **R-86-132** (Petition **85-149**), **R-89-1039** (Petition **85-149(A)**), **93-145 (SR85-149)**, and **R-94-944(SR85-149.3)** 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.

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-98-0005 (Petition 97-085), R-98-0573 (Petition 85-149) 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-1998-0005, Petition PDD1997-085, 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 October **23, 1997**. **All** modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC.

Is hereby amended to read:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved preliminary development plan is dated October 15, 2002. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING – Zoning)

3. Condition A.3 of Resolution R-1998-0573, Petition DOA1985-149C, 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 October **1, 1997**. **All** modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval ~~or~~ are in accordance with the ULDC.

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

6. ARCHITECTURAL CONTROL FOR CIVIC POD (CHURCH)

1. Architectural character and treatment which is compatible and harmonious with abutting development shall be provided on all sides of the building. (BLDG PERMIT: BLDG – Zoning) (Previous Condition 6.1 of Resolution R-1998-0005, Petition PDD1997-085)

2. All air conditioning and mechanical equipment shall be roof mounted and screened from view on all sides in a manner consistent with the color, character and architectural style of the principle structure. (BLDG PERMIT: BLDG – Zoning) (Previous Condition 6.2 of Resolution R-1998-0005, Petition PDD1997-085)

3. Interior and exterior storage areas shall be screened from view and integrated into the building design to make it compatible with the building architecture. (BLDG PERMIT: BLDG – Zoning) (Previous Condition 6.3 of Resolution R-1998-0005, Petition PDD1997-085)

4. Condition 6.2 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

Prior to December 4, 2002, the temporary access for the wholesale nursery shall be removed.

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

5. Condition B.3 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

All shadehouses shall be setback a minimum of twenty-five (25) feet from the north and east property lines.

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

6. Condition 6.4 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

The existing pond shall be limited to a maximum area of .8 acre.

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

7. Condition 6.5 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

The maximum height for all enclosed or partially enclosed accessory structures of the temporary wholesale nursery (i.e. shadehouses, stuppyhouses, greenhouses, etc.) shall be fifteen (15) feet, measured from finish grade to the highest point.

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

8. Condition B.6 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

All air conditioning and mechanical equipment shall be screened from view on all sides by a visually opaque barrier.

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

9. Condition B.7 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or cut vegetation, such as dumpsters and trash compactors, shall not be located within one-hundred (100) feet of the east property line.

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

C. BUILDING AND SITE DESIGN FOR CIVIC POD (CHURCH)

1. The church shall be limited to 120 seats and a total gross enclosed floor area of 27,500 square feet. (DRC: ZONING – Zoning) (Previous Condition C.1 of Resolution R-1998-0005, Petition PDDI997-085)
2. All areas or receptacles for the storage and disposal of trash, garbage, recyclable material or vegetation, such as dumpsters and trash compactors, shall not be located within fifty (50) feet of the west property line of the civic pod. (DRC/ONGOING: ZONING/CODE ENF – Zoning) (Previous Condition C.2 of Resolution R-1998-0005, Petition PDDI997-085)
3. 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) (Previous Condition C.3 of Resolution R-1998-0005, Petition PDDI997-085)
4. All outdoor lighting fixtures shall not exceed twenty (20) feet in height, measured from finished grade to highest point. (CO: BLDG – Zoning) (Previous Condition c.4 of Resolution R-1998-0005, Petition PDD1997-085)
5. All outdoor lighting shall be extinguished no later than 9:00 p.m., excluding lighting for holiday services and security lighting only. (ONGOING: CODE ENF – Zoning) (Previous Condition C.5 of Resolution R-1998-0005, Petition PDD1997-085)
6. 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 C.6 of Resolution R-1998-0005, Petition PDD1997-085)

D. HEALTH

1. Reasonable precautions shall be exercised during the site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties. (ONGOING: CODE ENF – Health) (Previous Condition C.1 of Resolution R-1998-0573, Petition DOA1985-149C)
2. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site for the PUD. (ONGOING: CODE ENF/HEALTH – Health) (Previous Condition C.3 of Resolution R-1998-0573, Petition DOA1985-149C)
3. Water service is available to the property. Therefore no well shall be permitted on the site to provide potable water for the PUD. (ONGOING: CODE ENF/HEALTH – Health) (Previous Condition C.4 of Resolution R-1998-0573, Petition DOA1985-149C)
4. Condition C.5 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

For the temporary wholesale nursery operation, application and engineering plans to construct an onsite sewage treatment and disposal system (OSTDS) in accordance with Rule 10D-6FAC and Palm Beach County ECR-I must be submitted to the Palm Beach County Health Department prior to final site plan review.

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

5. Condition C.6 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

For the temporary wholesale nursery operation, application and engineering plans to construct a limited use commercial well in accordance with Rule 10D-4 FAC and Palm Beach County ECR-II must be submitted to the Palm Beach County Health Department prior to final site plan review.

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

6. Condition C.7 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

For the temporary wholesale nursery operation, all necessary precautions will be taken to prevent leaching into the soil or ground water of any toxic or hazardous materials such as pesticides, fertilizers and herbicides. Any such materials shall be stored on an impervious surface sufficiently bermed to prevent runoff.

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

E. ENGINEERING

1. Prior to January 1, 1999 or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for Haverhill Road, 40 feet from centerline along the project's entire frontage, free of all encumbrances and encroachments. 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. Right-of-way conveyances shall also include "Corner Clips" where appropriate at intersections as determined by the County Engineer. (DATE/BLDG PERMIT: MONITORING – Eng) (COMPLETED) (Previous Condition E.1 of Resolution R-1998-0005, Petition PDD1997-085)
2. Prior to the issuance of the first building permit the property owner shall convey a temporary roadway construction easement to Palm Beach County at the Projects Entrance Road(s). This roadway construction easement shall contain an isosceles trapezoid connecting the required corner clips across this property owners road right of way. Construction by the applicant within this easement shall conform to Palm Beach County Standards. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (BLDG PERMIT: MONITORING – Eng) (COMPLETED) (Previous Condition E.2 of Resolution R-1998-0005, Petition PDD1997-085)
3. Prior to issuance of a building permit the property owner shall convey a temporary roadway construction easement along Haverhill 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) (COMPLETED) (Previous Condition E.3 of Resolution R-1998-0005, Petition PDD1997-085)

4. On or before January 1, 1999, the property owner shall convey to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Haverhill Road along the property frontage; and a maximum 800 feet of these adjacent roadway(s). The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient retention/detention and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. (DATE: MONITORING – Eng) (COMPLETED) (Previous Condition E.4 of Resolution R-1998-0005, Petition PDD1997-085)

5. LANDSCAPE WITHIN MEDIAN OF COUNTY MAINTAINED ROADWAYS

- 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 Military Trail right of way. When permitted by Palm Beach County Department of Engineering and Public Works, 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 PRMT: MONITORING – Eng) (COMPLETED) (Previous Condition E.a of Resolution R-1998-0005, Petition PDD1997-085)

- 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 on or before the issuance of a Certificate of Occupancy. (CO: MONITORING – Eng) (COMPLETED) (Previous Condition E.b of Resolution R-1998-0005, Petition PDD1997-085)

C. Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to issuance of a building permit to reflect this obligation. (BLDG PERMIT: MONITORING – Eng) (COMPLETED) (Previous Condition E.c of Resolution R-1998-0005, Petition PDD1997-085)

6. The property owner shall construct a pedestrian pathway from the south property line of the subject property to the south property line of the adjacent property to the north (Zoning Petition **85-149**). Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (DATE: MONITORING – ENG) (COMPLETED) (Previous Condition E.5 of Resolution R-1998-0005, Petition PDD1997-085)

7. The property owner shall convey for the ultimate right of way of Haverhill Road, **40** feet from centerline within **90** days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first building permit. [Completed] (Previous Condition E.2 of Resolution R-1998-0573, Petition DOA1985-149C)

8. Condition E.3 of Resolution R-1998-0573, Petition DOA1985-149C which currently states:

The property owner shall construct a left turn lane north approach and a right turn lane south approach on Haverhill Road at the project's entrance road, concurrent with the construction of the project's entrance road onto Haverhill Road for the PUD. (ENG)

Is hereby deleted. REASON: [Superceded by new Eng. Condition E.16.]

9. Condition E.4 of Resolution R-1998-0573, Petition DOA1985-149C which currently states:

The developer shall construct a pedestrian pathway along Haverhill Road from this project's south property line to the projects north property line subject to approval by the County Engineer. Construction shall commence concurrent with the construction of the paving and drainage improvements for the first plat and shall be completed prior to the issuance of the first building permit for the PUD. (BLDG PERMIT: MONITORING – Eng)

Is hereby deleted. REASON: [Superceded by new Eng. Condition E.16.]

10. Condition E.5 of Resolution R-1998-0573, Petition DOA1985-149C which currently states:

The Developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is **\$44,944.00** (559 trips x **\$80.40** per trip) (IMPACT FEE COORDINATOR)

Is hereby deleted. REASON: [Impact Fees are Code Required.]

11. Condition E.6 of Resolution R-1998-0573, Petition DOA1985-149C which currently states:

Based on the Traffic Performance Standards (Category "B"), the Developer shall contribute an additional **\$23,055.00** plus the impact fee of **\$33,125.00** toward Palm Beach County's existing Roadway Improvement Program, these total funds of (\$56,180.00) to be paid prior to December 1, 1988 or prior to certification of the Master Plan whichever shall first occur.

If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of **\$23,055.00** shall be credited toward Fair Share Fee. (DRC: ENG)

Is hereby deleted. REASON: [Impact Fees are Code Required.]

12. The project entrance road shall be aligned with Arbor Glen PUD concurrent with the Master Plan approved for the PUD. (DRC: ENG) (Previous Condition E.7 of Resolution R-1998-0573, Petition DOA1985-149C)
13. The property owner shall install signalization if warranted as determined by the County Engineer at Haverhill Road and Le Chalet Boulevard. Should signalization not be warranted after **12** months of the final Certificate of Occupancy, this property owner shall be relieved from this condition. (CO: MONITORING - Eng) (Previous Condition E.13 of Resolution R-1998-0573, Petition DOA1985-149C)
14. If required by the County Engineer, the property owner shall convey to Palm Beach County, an adequate road drainage easement through the project's internal surface water management system to provide legal positive outfall for all runoff from those segments of Haverhill Road along the property frontage and for maximum **400** foot Haverhill Road. Said easements shall be no less than **20** feet in width. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge and treatment requirements of the applicable County Water Control District and South Florida Water Management for the combined runoff from the project and District the ultimate Thoroughfare Plan Road Sections (**s**) of the included segment. If required and approved by the County Engineer, the property owner shall construct within the proposed drainage easements a minimum of **24** inch closed piping system and appropriate wingwall or other structures. Elevation and location of all construction shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. (ENG) (Previous Condition E.15 of Resolution R-1998-0573, Petition DOA1985-149C)
15. Prior to issuance of a building permit the property owner shall convey a temporary roadway construction easement along Haverhill 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.16 of Resolution R-1998-0573, Petition DOA1985-149C)
16. The Property owner shall construct a) left turn lane north approach b) right turn lane south approach on Haverhill Road at the project's north entrance road c) pedestrian pathway along Haverhill Rd. from tropical Garden Dr. to the North property lines of the previous Little River Glen PUD.

- a) This construction shall be concurrent with the paving and drainage improvements for the north 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 100th Building Permit. (BLDG PERMIT: Monitoring – Eng)
- c) Construction shall be completed prior to the issuance of the 120th Certificate of Occupancy. (CO: MONITORING – Eng)

F. LANDSCAPING - STANDARD

- 1. All canopy trees required to be planted on site by this approval, except on individual residential lots, shall meet the following minimum standards at installation:
 - a. Tree height: fourteen (14) feet.
 - b. Trunk diameter: 3.5 inches 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.
 - d. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE – Zoning) (Previous Condition D.1 of Resolution R-1998-0005, Petition PDD1997-085 and Condition D.1 of Resolution R-1998-0573, Petition DOA1985-149C)
- 2. All palms required to be planted on site by this approval, except on individual residential lots, 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 D.2 of Resolution R-1998-0005, Petition PDD1997-085 and Condition D.2 of Resolution R-1998-0573, Petition DOA1985-149C)
- 3. A group of three or more palm or pine trees may not supersede the requirement for a perimeter canopy tree in that location. (CO: LANDSCAPE – Zoning) (Previous Condition D.3 of Resolution R-1998-0005, Petition PDD1997-085 and Condition D.3 of Resolution R-1998-0573, Petition DOA1985-149C)
- 4. All native vegetation within the common open space areas and buffers shall be preserved and incorporated into the project design. (DRC: LANDSCAPE – Zoning) (Previous Condition D.4 of Resolution R-1998-0573, Petition DOA1985-149C)

G. LANDSCAPING ALONG EAST AND WEST PROPERTY LINES (ALONG RIGHT-OF WAYS)

- 1. Landscaping and buffering along the east and west property lines shall be upgraded to include:
 - a. A minimum twenty (20) foot wide landscape buffer strip along the east property line and a fifteen (15) foot wide landscape buffer strip along the west property line;
 - 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 with a maximum spacing of sixty (60) feet on center between clusters;
- d. A two (2) foot undulating berm, measured from the top of the curb; and,
- e. 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 F.I of Resolution R-1998-0005, Petition PDD1997-085)

- 2. Condition F.I of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

Prior to the issuance of the first Certificate of Occupancy for the temporary wholesale nursery operation, landscaping and buffering along the west 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 with a maximum spacing of sixty (60) feet on center between clusters;
- d. A minimum one (1) to three (3) foot high undulating berm, with an average height of two (2) feet, measured from the top of the curb; and
- e. 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 forty-eight (48) inches.

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

H. LANDSCAPING ALONG NORTH PROPERTY LINE (ALONG LWDD L-20 CANAL)

- 1. Landscaping and buffering along the north property line shall include:
 - a. A minimum twenty (20) foot wide landscape buffer strip. A fifty (50) percent width reduction may be permitted subject to DRC approval of the final preliminary development plan;
 - b. One (1) canopy tree planted every twenty (20) feet on center;
 - c. One (1) palm for each twenty-five (25) linear feet of property line with a maximum spacing of fifty (50) feet on center between clusters; and,
 - d. Twenty four (24) inch high shrub or hedge material. Shrub or hedge material shall be spaced no more than twenty four (24) inches on center and maintained at a minimum height of forty-eight (48) inches. (CO: LANDSCAPE – Zoning) (Previous Condition G.I of Resolution R-1998-0005, Petition PDDI997-085)

I. LANDSCAPING ALONG NORTH AND EAST PROPERTY LINES OF 12.04 ACRE ADDITION (ABUTTING RESIDENTIAL)

- 1. Condition G.I of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

Prior to the issuance of the first Certificate of Occupancy for the PUD or January 1, 2008, whichever comes first, 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 continuous two (2) foot high berm measured from top of curb;
- c. One (1) canopy tree planted every thirty (30) feet on center;

- d. One **(1)** palm for each twenty (20) linear feet of property line with a maximum spacing of sixty (60) feet on center between clusters; and,
- e. Thirty **(30)** inch high shrub or hedge material installed at the plateau of the berm. Shrub or hedge material shall be spaced no more than twenty four (24) inches on center and maintained at a minimum height of thirty six **(36)** inches.

Is hereby amended to read:

Landscaping along the north and east property lines of the 12.04 acre Little River Glen addition shall be upgraded to include:

- a. A minimum twenty (20) foot wide landscape buffer strip;
 - b. A continuous two (2) foot high berm measured from top of curb;
 - c. One (1) canopy tree planted every thirty (30) feet on center;
 - d. One (1) palm for each twenty (20) linear feet of property line with a maximum spacing of sixty (60) feet on center between clusters; and,
 - e. Thirty (30) inch high shrub or hedge material installed at the plateau of the berm. Shrub or hedge material shall be spaced no more than twenty-four (24) inches on center and maintained at a minimum height of thirty six (36) inches. (CO: LANDSCAPE – Zoning)
2. Condition G.2 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

Prior to the issuance of the first building permit for the nursery operation, the property owner shall post surety for the cost and installation of the landscaping contained in Condition G.1 for the east buffer. The surety shall be posted until December **31**, 2008 or the eradication of the existing Australian pines to the east of the property and the installation of the required buffer, whichever comes first.

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

3. Condition G.3 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

Prior to the issuance of the first Certificate of Occupancy for the **PUD**, 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 continuous two (2) foot high berm measured from top of curb;
- c. One **(1)** canopy tree planted every thirty **(30)** feet on center;
- d. One **(1)** palm for each twenty (20) linear feet of property line with a maximum spacing of sixty (60) feet on center between clusters; and,
- e. Thirty **(30)** inch high shrub or hedge material installed at the plateau of the berm. Shrub or hedge material shall be spaced no more than twenty four (24) inches on center and maintained at a minimum height of thirty six **(36)** inches.

Is hereby deleted. [REASON: Superseded by new condition 1.1.]

4. Condition G.4 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

Prior to the issuance of the first Certificate of Occupancy for the **PUD**, landscaping and buffering along the south property line shall be upgraded to include:

- a. A minimum fifteen (15) foot wide landscape buffer strip, no reductions shall be permitted;
- b. One (1) canopy tree planted every thirty (30) feet on center;
- c. One (1) palm for each twenty (20) linear feet of property line with a maximum spacing of sixty (60) feet on center between clusters; and,
- d. Thirty (30) inch high shrub or hedge material installed at the plateau of the berm. Shrub or hedge material shall be spaced no more than twenty four (24) inches on center and maintained at a minimum height of thirty six (36) inches.

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

J. LANDSCAPING ALONG SOUTH PROPERTY LINE

- 1. Landscaping and buffering along the south property line shall include:
 - a. A minimum fifteen (15) foot wide landscape buffer strip. No reductions shall be permitted;
 - b. a continuous two (2) foot high berm measured from 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 (30) linear feet of property line with a maximum spacing of sixty (60) feet on center between clusters; and,
 - e. Twenty four (24) inch high shrub or hedge material installed on the plateau of the berm. Shrub or hedge material shall be spaced no more than twenty four (24) inches on center and maintained at a minimum height of thirty six (36) inches. (CO: LANDSCAPE – Zoning) (Previous Condition H.1 of Resolution R-1998-0005, Petition PDD1997-085)

K. LIGHTING FOR TEMPORARY WHOLESALE NURSERY

- 1. Condition 1.1 of Resolution R-1998-0573, Petition DOA1985-149C, 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.

Is hereby deleted. [REASON: No longer applicable.]
- 2. Condition 12 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

All outdoor lighting fixtures shall not exceed twenty (20) feet in height, measured from finished grade to highest point.

Is hereby deleted. [REASON: No longer applicable.]
- 3. Condition 13 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

All outdoor lighting shall be extinguished no later than 7:00 p.m., excluding security lighting only.

Is hereby deleted. [REASON: No longer applicable.]
- 4. Condition 14 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material.

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

L. LWDD

1. Prior to the issuance of the first building permit, the property owner shall convey to the Lake Worth Drainage District an Easement over the North 45' of that portion of the referenced project in the NE 3, NW 3 of Sec 13/45/42 for the right-of-way for Lateral 20 Canal. (BLDG PERMIT: MONITORING – LWDD) (Previous Condition 1.1 of Resolution R-1998-0005, Petition PDD1997-085)
2. The petitioner shall convey to the Lake Worth Drainage District the south thirty-five (35) feet of the subject property for the required right of way of Lateral Canal No. 20, by Quit Claim Deed ~~or~~ an Easement Deed in the form provided by said District, within ninety (90) days of approval of the resolution by the Board of County Commissioners. [Completed by ORB 7433, Page 12211 (Previous Condition H.1 of Resolution R-1998-0573, Petition DOA1985-149C)]

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 Palm Tran. (DRC: ZONING – Zoning) (Previous Condition J.1 of Resolution R-1998-0005, Petition PDD1997-085 and Condition J.1 of Resolution R-1998-0573, Petition DOA1985-149C)
2. 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 the issuance of a building permit for the 30th unit. 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. (BLDG PERMIT: MONITORING – Eng) (Previous Condition J.2 of Resolution R-1998-0005, Petition PDD1997-085C and Condition J.2 of Resolution R-1998-0573, Petition DOA1985-149C)

N. PARKS AND RECREATION

1. Any parcel of land used to satisfy minimum recreation requirements shall adhere to the following dimensions.
 - a. Minimum parcel size shall be seven thousand five hundred (7,500) square feet exclusive of easements.
 - b. Minimum parcel width shall average seventy five (75) feet with no dimension less than fifty (50) feet.
 - c. Minimum parcel depth shall average one hundred (100) feet with no dimension less than seventy five (75) feet.

- d. The Parks and Recreation Department may waive this condition when considering location, abutting land uses, accessibility, recreation facilities to be offered and the recreation parcels function in the overall recreation and open space network of the development. (DRC: PARKS – Parks) (Previous Condition K.1 of Resolution R-1998-0005, Petition PDD1997-085 and Condition K.3 of Resolution R-1998-0573, Petition DOA1985-149C)

O. PLANNED UNIT DEVELOPMENT

1. Condition L.1 of Resolution R-1998-0005, Petition PDD1997-085 and Condition L.1 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

Street lights shall be provided pursuant to Section **6.8.A.23.d(1)** of the ULDC, subject to approval by the County Engineer.

Is hereby amended to read:

Decorative street lights shall be provided pursuant to Section **6.8.A.16.c.(1)** of the ULDC, subject to approval by the County Engineer. (CO: BLDG – Eng)

2. Condition L.2 of Resolution R-1998-0005, Petition PDD1997-085 and Condition L.2 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

Street trees shall be planted in or adjacent to all rights-of-way, pursuant to Section **6.8.A.23.d(3)** of the ULDC, subject to approval by the County Engineer.

Is hereby amended to read:

Street trees shall be required within the street tracts or right-of-ways of the subject development consistent with the requirements of the Engineering Department, and the following criteria:

- a. Along one side of all internal PUD streets, forty (40) feet in width or greater;
- b. Along both sides of all internal PUD streets, fifty (50) feet in width or greater;
- c. **All** Final Subdivision Applications shall include roadway cross-section sketches showing street trees. (DRC:ZONING/ENG – Zoning/Land Dev)

3. Condition L.3 of Resolution R-1998-0005, Petition PDD1997-085 and Condition L.3 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

Bike lanes shall be provided in or adjacent to all rights-of-way over fifty (50) feet in width, pursuant to Section **6.8.A.23.d(4)** of the ULDC, subject to approval by the County Engineer.

Is hereby amended to read:

Street bike lanes shall be provided in or adjacent to all streets over fifty (50) feet in width, pursuant to Section **6.8.A.16.c(4)** of the ULDC and subject to approval by the County Engineer. (CO: BLDG – Eng)

4. Condition L.4 of Resolution R-1998-0005, Petition PDD1997-085 and Condition L.4 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

All utilities shall be underground, pursuant to Section **6.8.A.23.d(5)** of the ULDC.

Is hereby amended to read:

All utilities shall be underground, in accordance with Section 6.8.A.16.c.(5) of the ULDC. (PLAT: ENG – Zoning)

5. All property included in the legal description of the petition shall be subject to a Declaration of Restrictions and Covenants acceptable to the County Attorney's office which shall, among other things, provide for: formation of a single "master" property owner's association, automatic voting membership in the master association by any party holding title to any portion of the subject property, and assessment of **all** members of the master association for the cost of maintaining all common areas.

The property shall not be subjected to the Declaration of Restrictions in phases. Approval of the Declaration must be obtained from the County Attorney's office prior to the issuance of the first building permit, or recordation of the first plat for any portion of the planned development, whichever occurs first. (BLDG PERMIT/PLAT: MONITORING/ENG – Co Att) (Previous Condition L.5 of Resolution R-1998-0005, Petition PDD1997-085 and Condition L.5 of Resolution R-1998-0573, Petition DOA1985-149C)

6. Condition L.6 of Resolution R-1998-0005, Petition PDD1997-085, which currently states:

Flexible regulations or administrative deviations shall only be permitted **for** pods which have lots abutting open space areas such as a lake, park, perimeter buffers, and canals. Pods which support lots that are back-to-back will not be eligible for these reductions.

Is hereby deleted. [REASON: Flexible regulations are not being requested, and Administrative Deviations are subject to Development Review Committee Approval.]

P. PLANNING

1. Prior to final master plan certification by the Development Review Committee (DRC), the Planning Division shall ensure that this Preliminary Development Plan (PDP) conforms with the plan presented to the BCC including those recommendations of the West Boynton Area Community Plan incorporated onto the PDP dated October 15, 2002 (Rec.# 35 and 37) regarding shaded pedestrian pathways and vehicular and pedestrian connections. The pedestrian pathway notation on the PDP that currently reads "proposed pedestrian access to civic parcel" shall be amended to read "mulched pedestrian connection to civic parcel". In addition, the pedestrian pathway notation at the northern property line on the PDP that currently reads "proposed pedestrian access" shall be amended to read "mulched pedestrian connection to the property line." (DRC: PLANNING – Planning)
2. Prior to the issuance of the 157th building permit, the petitioner shall provide mulched pedestrian access to the civic parcel (with a break in the buffer) at the location shown on the master plan that shall read "mulched pedestrian connection to civic parcel". (BLDG PERMIT: MONITORING/PLANNING – Planning)
3. Prior to the issuance of the 157th building permit, the petitioner shall provide pedestrian access shown at the northern property line (with a break in the buffer) at the location shown on the master plan that shall read "mulched pedestrian connection to the property line". (BLDG PERMIT: MONITORING/PLANNING – Planning)

4. Prior to final master plan certification by the Development Review Committee (DRC), in order to comply with Recommendation 35 from the West Boynton Area Community Plan, the applicant shall provide street cross-section details of the existing landscaping to indicate landscaped and shaded sidewalks for pedestrian circulation for all internal sidewalks shown in this project. (DRC: PLANNING – Planning)
5. Prior to final master plan certification by the Development Review Committee (DRC), the Preliminary Development Plan (PDP) shall include cross section details of the existing landscaping to indicate landscaped pathways/sidewalks along the sidewalks along Military Trail and Haverhill Road in order to provide shade/canopy for these sidewalks. (DRC: PLANNING/LANDSCAPE – Planning)

Q. SCHOOL BOARD

1. The petitioner shall post in a clear and visible location in all sales offices and model homes a sign provided by the School Board of Palm Beach County which indicates that school age children in the development may not be assigned to the most proximate public school because of overcrowding, racial balancing, or other School Board policies. (ONGOING: SCHOOL BOARD – School Board) (Previous Condition M.I of Resolution R-1998-0005, Petition PDD1997-085 and Condition M.I of Resolution R-1998-0573, Petition DOA1985-149C)

R. SIGNS

1. All freestanding signs (i.e. point of purchase, entrance wall, directory) for the civic pod (church) shall be limited as follow:
 - a. Maximum sign height, measured from finished grade to highest point - eight (8) feet;
 - b. Maximum sign face area per side - 56 square feet;
 - c. Maximum number of signs - one (1);
 - d. Location - Within twenty-five (25) feet of the civic pod access driveway from Military Trail; and,
 - e. Style - monument style only. (CO: BLDG – Zoning) (Previous Condition N.I of Resolution R-1998-0005, Petition PDD1997-085)
2. Condition N.I of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

Freestanding point of purchase signs for the temporary wholesale nursery use fronting on Haverhill Road shall be limited as follows:

- a. Maximum sign height, measured from finished grade to highest point - six (8) feet;
- b. Maximum sign face area per side - 40 square feet;
- c. Maximum number of signs - one (1);
- d. Location - within twenty (20) feet of the temporary access for the wholesale nursery; and,
- e. Style - monument style only.

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

S. USE LIMITATIONS FOR CIVIC POD (CHURCH)

1. All services shall be held within the church and the hours of operation shall be limited to 7:00 am. - 9:00 p.m., excluding holiday services. (ONGOING: CODE ENF) (Previous Condition 0.1 of Resolution R-1998-0005, Petition PDD1997-085)

2. Accessory outdoor uses such as temporary sales events, (i.e. Christmas tree and pumpkin sales, rummage sales, bake sales, etc.), shall be limited to a maximum of three (3) events per year and shall be setback a minimum of 100 feet from all perimeter property lines. No temporary amusements or special events, (i.e. carnivals, circuses, auctions, or tent revivals, etc.) are permitted on the site. (ONGOING/SPECIAL PERMIT: CODE ENF – Zoning) (Previous Condition 0.2 of Resolution R-1998-0005, Petition PDDI997-085)

3. Condition 0.1 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

The gross building area for the wholesale nursery shall be limited to a 5,000 square foot storage building, inclusive of a 720 square foot office

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

4. Condition 0.2 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

The use of the site as a wholesale nursery operation shall cease on December 4, 2002. All structures associated with the nursery use shall be removed from the site. A maximum of one (1) two (2) year time extension will be allowed for the temporary wholesale nursery operation.

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

5. Condition 0.3 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

The hours of operation and loading activities shall be limited from 7:00 am. to 7:00 p.m. daily.

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

6. Condition 0.4 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

The operation of heavy machinery or refrigerated vehicles shall be prohibited.

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

7. Condition 0.5 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

Repair or maintenance of vehicles shall not be permitted on site.

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

8. Condition 0.6 of Resolution R-1998-0573, Petition DOA1985-149C, which currently states:

The following shall not be permitted on the site:

 - a. Retail sales;
 - b. Chipping and mulching;
 - c. Log cutting; and,
 - d. Mobile home, RV or trailer as an office or residence. (ONGOING: CODE ENF) (Previous Condition 0.6 of Resolution R-1998-0573, Petition DOA1985-149C)

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

9. Condition 0.7 of Resolution R-1998-0573, Petition DOA1985-149C), which currently states:

Prior to final site plan approval by the Development Review Committee, a water use permit shall be obtained from the South Florida Water Management District.

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

T. 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)
2. Condition P.I of Resolution R-1998-0005, Petition PDDI997-085 and Condition P.I of Resolution R-1998-0573, Petition DOA1985-149C, 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; 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 majority vote of the Code Enforcement Board 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.

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 for writ of certiorari to the Fifteenth Judicial Circuit. (ONGOING: MONITORING – Zoning)