

FILE COPY

RESOLUTION APPROVING ZONING PETITION EAC95-40(B)
DEVELOPMENT ORDER AMENDMENT
PETITION OF **GL HOMES OF BOYNTON BEACH ASSOCIATES III LTD.**
AND JOHN I. WHITWORTH
BY **KILDAY & ASSOCIATES, AGENT**
(**WORTHINGTON TRAILS VALENCIA LAKES**)

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 EAC95-40(B) was presented to the Board of County Commissioners at a public hearing conducted on April 24, 1997; 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 EAC95-40(B), the petition of GL Homes of Boynton Beach Associates III Ltd. AND John I. Whitworth, by Kilday & Associates, agent, for a Development Order Amendment /Expedited Application Consideration (EAC) to revise the Preliminary Development Plan (Master Plan) of Worthington Trails PUD 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 April 24, 1997, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Foster moved for the approval of the Resolution.

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

Burt Aaronson, Chair	--	Aye
Maude Ford Lee, Vice Chair	--	Absent
Ken Foster	--	Aye
Karen T. Marcus	--	Absent
Mary McCarty	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on April 24, 1997.

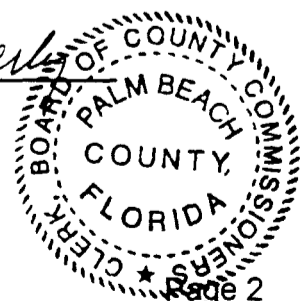
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNN, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



Petition EAC95-40(B)
Project No. 0662-000

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION: VALENCIA LAKES (OVERALL)

TRACTS 41 THROUGH 56, 73 THROUGH 88, 105 THROUGH 120, INCLUSIVE, BLOC 58 AND THE SOUTH 15 FEET OF THAT CERTAIN 30 FOOT STRIP OF LAND, LYING NORTH OF TRACTS 41 THROUGH 48 AND THAT CERTAIN 30 FOOT STRIP OF LAND, LYING SOUTH OF TRACTS 49 THROUGH 56 AND THAT CERTAIN 30 FOOT STRIP OF LAND, LYING SOUTH OF TRACTS 81 THROUGH 88, ALL ACCORDING TO THE PLAT OF PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

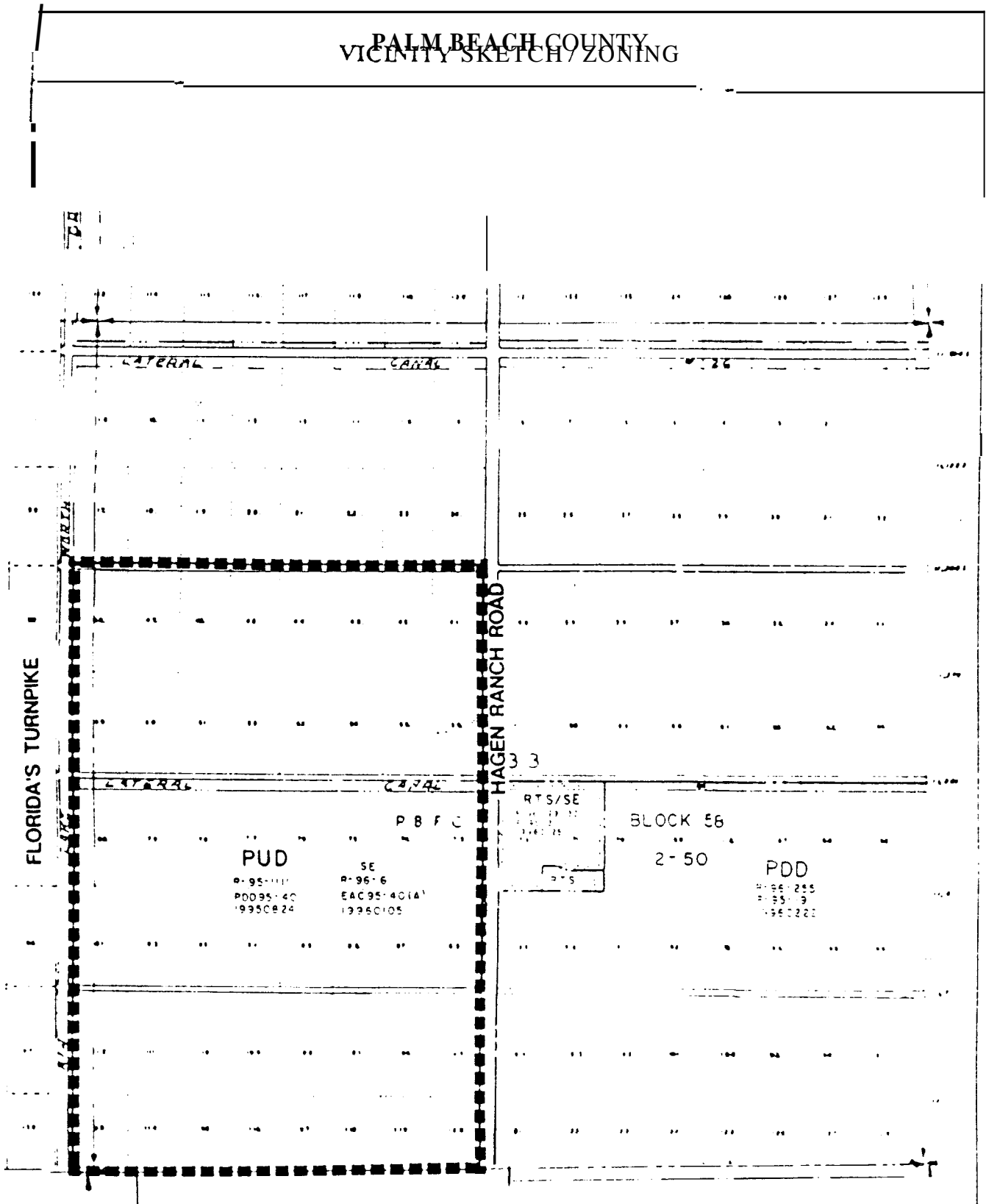
LESS AND EXCEPT FROM THE ABOVE DESCRIBED PARCEL: THE EAST 25.00 AND THE WEST 20 FEET LESS AND EXCEPT SAID TRACT 113.

SAID LANDS LYING, BEING AND SITUATED IN SECTION 32 AND 33, TOWNSHIP 45 SOUTH, RANGE 42 EAST AND SECTION 4 AND 5, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

CONTAINING 240.80 ACRES MORE OR LESS.

EXHIBIT B

PALM BEACH COUNTY
VICINITY SKETCH/ZONING



Petition Number 95-40
 Zoning Quad Page 50
 Date: 2-19-97



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. Previously Condition A.1 of Resolution **R-96-6**, **which** currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-95-1111 (Petition 95-40), 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 Resolution R-96-6 (Petition **95-40(A)**), 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. Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated February 19, 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. (ONGOING: ZONING)

B. ENVIRONMENTAL RESOURCES MANAGEMENT

1. A Closure Assessment Report **for** all Pollution storage tanks **on** the property shall be performed according to the Florida Department of **Environmental** Protection "Pollution Storage Tank Closure Assessment Requirements", June 1994. All Assessments reports shall **be** submitted to and receive approval **from** the Department of Environmental Resources Management prior to **DRC** Master, Site or Subdivision Plan certification. (Previously Condition B.1 of Resolution **R-96-6**, Petition **95-40(A)**) (**ERM**)

C. HEALTH

1. Reasonable precautions shall be taken during development to insure that unconfined particulates (dust particles) from the property do not become a nuisance to neighboring properties. (Previously Condition C.1 of Resolution **R-96-6**, Petition **95-40(A)**) (**HEALTH**)

2. Prior agriculture use of this property may have produced the potential to contaminate the soil and ground water with such chemicals as pesticides, fertilizers and herbicides. In order to assure no health or safety hazards exist on this property the Palm Beach County Public Health Unit requires that a Phase I and Phase II Environmental audit be conducted prior to final site plan approval. The Phase I and Phase II audit will be signed and sealed by a registered professional engineer or geologist. (Previously Condition C.2 of Resolution R-96-6, Petition 95-40(A) (HEALTH)

D. LAKE WORTH DRAINAGE DISTRICT

1. The following rights-of-way shall be required:

E-2-E The east **40'** of the west **60'** of Tracts **48, 49, 80, 81** and **112**, Block **58** and the west **60'** of Tract **113**, Block **58** and those portions of the rights-of-way shown on the receded plat lying between the above.

L-27 The north **70'** of Tracts **73-80** inclusive, Block **58**, less existing rights-of-way or north **50'** of Tracts **73-80** inclusive and narrow or fill in the physical canal by **20'** or petition the LWDD Board of Supervisors to abandon the canal. The second or third options will require approval by the Board of Supervisors.

All of the above tracts in-Block **58** are as shown on the Palm Beach Farms Company Plat **No.3** as recorded in Plat Book **2**, Pages **45-54** inclusive, public records of Palm Beach County, Florida. **All** additional required rights-of way may be conveyed by easement or quit claim deed. (LWDD)(Previously Condition D.1 of Resolution R-964, Petition 95-40(A)

2. The property owner shall purchase the surplus LWDD Canal **No. 27** located within their property prior to October **6, 1996**. (Previously Condition D.2 of Resolution R-96-6, Petition 95-40(A) (LWDD)

E. ENGINEERING

1. Prior to recordation of the first plat the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed additional right of way for the construction of a right turn lane on Hagen Ranch Road at the project's entrance road. This right-of-way shall be a minimum of **280** feet in storage length, twelve feet in width and a taper length of **50** feet or as approved by the County Engineer. This additional right of way shall be free of all encumbrances and encroachments and shall include "Comer Clips" where appropriate as determined by the County Engineer. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. (**BLDG** - Eng) (Previously Condition E.1 of Resolution R-96-6, Petition 95-40(A)

2. The Property owner shall construct a separate right turn lane, north approach and a left turn lane, south approach on Hagen Ranch Road at the project's entrance road. This construction shall be concurrent with the paving and drainage improvements with the first plat. Any and ~~a~~ 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. Permits required by Palm Beach County for this construction shall ~~be~~ **be** obtained prior to the issuance of the first ~~Building~~ **Building** Permit. Construction shall be completed prior to the issuance of the first Certificate ~~of~~ **of** Occupancy. (BLDG - Eng) (Previously ~~Condition E.2~~ **Condition E.2** of Resolution ~~R-96-6,~~ **R-96-6,** Petition ~~95-40(A).~~ **95-40(A).**)

3. On ~~or~~ **or** before October ~~1,1996,~~ **1,1996,** the property owner shall convey to Palm Beach County adequate road drainage ~~easement(s)~~ **easement(s)** through the project's internal drainage system to provide legal positive outfall for runoff from those segments of Hagen Ranch Road along the property frontage ~~and~~ **and** for a maximum ~~400 ft.~~ **400 ft.** distance each side of the property boundary ~~has~~ **has** along Hagen Ranch Road. Said easements shall be no less than ~~20~~ **20** feet in width. The drainage system within the project shall have sufficient ~~retention/detention~~ **retention/detention** capacity to meet the storm water discharge and treatment requirements ~~of~~ **of** the applicable Drainage District, as ~~well~~ **well** as the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road ~~Section(s)~~ **Section(s)** of the included segment. ~~If~~ **If** required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of ~~24~~ **24** inch closed piping system and appropriate ~~wingwall~~ **wingwall** ~~or~~ **or** other structures.

Elevation and location of all construction shall be approved by the County Engineer. Any and all excess ~~fill~~ **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~~ **fill** material (MONITORING - Eng) (Previously Condition E.3 of Resolution ~~R-96-6).~~ **R-96-6).**

4. 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~~ **or** as it may from time to time be amended. The Fair Share Fee for this project, Zoning Petition Number ~~95-40,~~ **95-40,** to be paid at the time of issuance of the Building Permit presently is:
 - a. **\$1,650.00** per approved single family dwelling unit
 - b. **\$1,155.00** per approved multi family dwelling.

Credit shall also be given for the previous farm uses which existed ~~onsite~~ **onsite** in accordance with Palm Beach County Fair Share Ordinance. (IMPACT ~~FEE~~ **FEE** COORD) (Previously Condition ~~E.4~~ **E.4** of Resolution ~~R-96-6,~~ **R-96-6,** Petition ~~95-40(A).~~ **95-40(A).**)

5. In order to comply with the mandatory Traffic Performance Standards, the Developer shall be restricted to the following phasing schedule:

- a. PHASE ONE: Phase One of the project is limited to **152** single-family units (the equivalent of **1,520** net trips) until construction commences for an additional left turn lane west approach (for dual lefts of appropriate length) on Boynton Beach Boulevard, at Jog Road. The design and construction of this improvement shall be funded by the Developer.
- b. PHASE TWO: Phase Two of the project is limited to **152** single-family units (the equivalent of **1,520** net trips) until construction commences for an additional left turn lane south approach (for dual lefts of appropriate length) on El Clair Ranch Road, at Boynton Beach Boulevard. The design and construction of this improvement shall be funded by the Developer.
- c. PHASE THREE: Phase Three the project is limited to **47** multi-family units and **164** single-family units (the equivalent of **1974** tpd) until construction commences on Jog Road from Boynton Beach Boulevard to Gateway Boulevard.
- d. PHASE FOUR: Phase Four of the project is limited to **47** multi-family units and **250** single-family units (the equivalent of **2,829** net trips) until construction commences on an additional left turn lane, east approach, on Boynton Beach Boulevard at Hagen Ranch Road and a second departure lane on Hagen Ranch Road to accept the dual left turn movement. The design and construction of this improvement shall be funded by the Developer.
- e. PHASE FIVE: Phase Five of the project is limited to **47** multi-family units and **550** single-family units (the equivalent of **5,829** net trips through **1999**) until construction commences on an additional right turn lane, south approach, on Hagen Ranch Road on Boynton Beach Boulevard. The design and construction of this improvement shall be funded by the Developer.

The mix of building permits, phasing, and/or roadway improvements specified herein, listed above may be adjusted, modified, and/or deleted 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. (BLDG - Eng) (Previously Condition E 5 of Resolution R-96-6, Petition 95-40(A))

6. The property owner shall provide for the acquisition by funding the right-of-way required for condition numbers **E5D & E5E** above and shall provide surety acceptable to the Office of the County Engineer and County Attorney. This developer shall enter into a written agreement with the Right of Way Acquisition Section on or before February **24, 1996**. Notification shall be given to Land Development Division. (MONITORING - Eng) (Prev. Cond. **E.6** of Reso. **R-96-6**, Pet. **95-40(A)**).
7. If any of the roadway improvements listed in condition **E5** or **E6** above are not classified as assured construction as defined in the **Traffic Performance Standards Ordinance**, then this property owner shall post the required acceptable surety to guarantee the construction. This surety shall be posted with the Office of the Land Development Division on or before February **24, 1996** in the amount of **110%** of a **Certified Cost Estimate** provided by the **Developer's** Engineer and approved by the County Engineer. (MONITORING - Eng) (Previously Condition E.7 of Resolution **R-96-6**, Petition **95-40(A)**)

8. The Property Owner shall fund the cost of signal installation if warranted as determined by the County Engineer at the project's entrance and Hagen Ranch Road. Should signalization **not** be warranted after 12 months of the final Certificate of Occupancy this property owner shall be relieved from this condition. (ENG - Bldg) (Previously Condition **E.8** of Resolution R-96-6, Petition 95-40(A).
9. Prior to issuance of the technical compliance for the proposed plat the property owner shall convey a roadway construction easement to Palm Beach County. This roadway construction easement shall contain an isosceles trapezoid connecting the required corner clips **across** this property owners road right of way. Construction within this easement shall conform to Palm Beach County Standards. (TC: ENG) (Previously Condition **E.9** of Resolution R-96-6, Petition 95-40(A).
10. The Property owner shall fund the construction of a pedestrian bike path **on** Hagen Ranch Road. The **limits** of this funding shall be from the project's south property line north to the entrance road to the existing Elementary school on Hagen Ranch Road south of Boynton Beach Boulevard. Funding for this bike path shall be completed prior to January 1, 1996. Funding shall be based upon 100% of the **Certified** Cost Estimate provided by the Developer's Engineer and approved by the County Engineer. If other developments request rezoning **and/or conditional** uses for planned developments prior to September 1, 2000, then the County Engineer shall consider a shared payment **refund** for monies paid toward this improvement. (MONITORING- Eng) (Previously Condition **E.10** of Resolution R-96-6, Petition 95-40(A)

F. PLANNING

1. A letter of identification and dedication from **Palm** Beach County Water Utilities Department (PBCWUD) of water supply sites shall be submitted to the Planning Division prior to certification of the master plan by the Development Review Committee. (DRC) (PLANNING / PBC'NUD) (Previously Condition F.1 of Resolution R-96-6, Petition 95-40(A)

G. PLANNED DEVELOPMENT

1. Street lights shall be provided pursuant to Section **6.8.A.23.d(1)** of the ULDC, subject to approval by the County Engineer. (ENG) (Previously Condition **G.1** of Resolution R-96-6, Petition 95-40(A)
2. Street trees shall be planted within **or** adjacent to all right-of-way pursuant to Section **6.8.A.23.d(3)** of the ULDC, subject to approval by the County Engineer. (ENG - Zoning) (Previously Condition **G.2** of Resolution R-96-6, Petition 95-40(A)
3. Street bike lanes shall be provided pursuant to Section 6.8.A.23.c **(4)** of the ULDC, subject to approval by the County Engineer. (ENG) (Previously Condition G.3 of Resolution R-96-6, Petition 95-40(A)
4. **All** utilities shall be underground pursuant to Section **6.8.A.23.c(5)** of the **ULDC**. (ENG) (Prev. Cond. G.4 of **Reso.** R-96-6, Pet. 95-40(A)

H. **PREM**

1. The property owner shall provide Palm Beach County Board of County Commissioners with a warranty deed by January 5, 1997, for a 4.82 acre civic site, in a location and form acceptable to Facilities, Development & Operations Department (FDO), and the County Attorney's office. Developer to Plat and dedicate the Civic site to Palm Beach County prior to conveying the deed, and shall have satisfied each of the following conditions prior to deed conveyance.
 - a. Developer to provide a title policy insuring marketable title to Palm Beach County for the civic site. Policy is subject to Property & Real Estate Management Department's (PREM) and County Attorney's approval. The title policy to be insured to Palm Beach County for a dollar value based on current market appraisal of the proposed civic site. The appraisal to be obtained by the Developer. The County to have the option, at their discretion, to release all or part of the Declarations of Covenants and Conditions of the P.U.D., as it would apply to the civic site.
 - b. **All** ad valorem real estate taxes and assessments for the year of closing shall be pro-rated at the day of acceptance of the deed for the civic site; acceptance date to be determined by PREM and the County Attorney's Office after receiving Board approval.
 - c. Civic site to be free and clear of all trash and debris at the time of acceptance of the warranty deed.
 - d. Developer shall provide all retention, detention, and drainage required for any future development of the proposed civic site by the County. Developer shall specifically address the following issues:
 - 1) The discharge of surface water from the proposed civic site into the Developer's water retention basins.
 - 2) As easement across Developer's property from the proposed civic site to the retention basins, if required.
 - e. By acceptance of these conditions developer agrees to allow the County to perform any on site inspections deemed appropriate to support the acquisition of the civic site.
 - f. Developer to prepare civic site to buildable grade under the direction of the Facilities Development & Operations Department.
 - g. Developer to provide water and sewer stubbed out to the property line. (Previously Condition H.1 of Resolution R-96-6, Petition 95-40(A) (DATE: **MONITORING - PREM**))
2. The property owner shall provide the County with a certified survey of the proposed civic site by October 5, 1996. Survey shall reflect the boundary and topographical areas of the site and the surveyor shall use the following criteria:

- a. The survey shall meet Minimum Technical Standards for a Boundary Survey as prescribed by **F.A.C. 21HH.6**.
 - b. **If** this parcel is a portion of Palm Beach Farms, sufficient data to make a mathematical overlay should be provided.
 - c. The survey should include a location of any proposed water retention area that will border the civic site. (Prev. Cond. li.2 of **Reso. R-96-6**, Petition 95-40(A) (DATE: MONITORING - Prerr))
3. The property owner shall provide PREM with an Environmental Assessment of the proposed civic site by October 5, 1996. The minimum assessment which is required is commonly called a "Phase I Audit". The audit shall describe the environmental conditions of the property and identify the past and current land use.

The assessment will include but not be limited to the following:

- 1) Review of property abstracts for all historical ownership data for evidence of current and past land use of the proposed civic site.
- 2) Review of local, state, and federal regulatory agency's enforcement and permitting records for indication of prior groundwater or soil contamination. Also, a review of the neighboring property that borders the proposed civic site will be required. The review shall include but not be limited to Palm Beach County Environmental Resources Management Department Records and Florida Department of Regulation Records.

The assessment shall reflect whether the civic site or any bordering property is on the following lists:

- a) EPA's National Priorities list (NPL)
 - b) Comprehensive Environmental Response Compensation and Liability Act System List (CERCLA)
 - c) Hazardous Waste Data Management System List (HWDMS).
- 3) Review of current and historical aerial photographs of the proposed civic site. Provide a recent aerial showing site and surrounding properties.
 - 4) The results of an on-site survey to describe site conditions and to identify potential area of contamination.
 - 5) Review of Wellfield Protection Zone maps to determine if property is located in a Wellfield Zone. (Previously Condition H.3 of **Reso. R-96-6**, Pet. 95-40(A) (DATE: MONITORING - PREM))
4. Prior to October 5, 1996, the Petitioner may request to exchange the required on-site dedication of land for cash of equal value or off-site land equal in acreage, however, this option shall be used only upon County approval. In addition, should the off-site land option be chosen, each PREM condition listed in numbers 1, 2 & 3 above will also apply. If the land off-site is of less cash value than the on-site dedication the petitioner shall contribute cash equal to the difference in values. Valuation of the on-site and off-site land shall be subject to the County appraisal process and be at the cost of the petitioner. If off-site land or cash contribution is accepted by Palm Beach County, the petitioner shall be deemed to have satisfied the intent of **ULDC 6.8B.6a (2)**. (Previously Condition H.4 of Resolution R-96-6, Petition 95-40(A) (DATE: MONITORING - PREM))

I. WATER UTILITIES

1. The Developer shall be required to dedicate three (3) public water supply well sites and necessary utility and access easements as stated in the ~~TAP-O~~ District Ordinance. The sites shall be located as close as possible to Hagen Ranch Road. (PBCWUD) (Previously Condition 1.1 of Resolution R-96-6, Petition ~~95-40(A)~~)
2. The well sites shall ~~be~~ identified as "public water supply well sites" on the Master Plan. (PBCWUD) (~~Prev. Cond. 12 of R-96-6, Pet. 95-40(A)~~)
3. The location of the required well sites must be approved by Palm Beach County Water Utilities Department prior to final master plan certification. (PBCWUD) (~~Prev. Cond. 13 of Reso. R-96-6, Pet. 95-10(A)~~)

J. BUS ACCESS/STOP

1. Prior to final certification of the master plan ~~or~~ site plan ~~by~~ the Development Review Committee, whichever occurs first, the petitioner shall amend the plan to indicate bus access and/or a bus stop on or adjacent to the subject property. Bus access and/or bus stops shall be located and constructed in a manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer. Bus stops, if required, shall include, at a minimum, a covered shelter, ~~continuous~~ paved pedestrian and bicycle access from the subject property ~~or~~ use, and bicycle rack. (Previously Cond. A.2 of Resolution R-96-6, Petition ~~95-40(A)~~) (DRC: **ZONING - School Board / Eng / Planning**)

K. COMPLIANCE

1. 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 conditions 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)** (Previously Cond.J.1 of R-96-6, Petition 95-40(A))