

RESOLUTION NO. R-2015- 1534

RESOLUTION APPROVING ZONING APPLICATION DOA-2015-00315
(CONTROL NO. 1998-00012)
a Development Order Amendment
APPLICATION OF Preparatory Wellington
BY Miller Land Planning, AGENT
(Wellington Preparatory School)

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, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) (ULDC), have been satisfied;

WHEREAS, Zoning Application DOA-2015-00315 was presented to the Board of County Commissioners at a public hearing conducted on October 22, 2015;

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 (Development Review Procedures) of the Palm Beach County ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County 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 BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.2.B for a Development Order Amendment ; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County 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 DOA-2015-00315, the application of Preparatory Wellington, by Miller Land Planning, Agent, for a Development Order Amendment for the General Daycare to reconfigure the Site Plan, and to delete Conditions of Approval (Architectural), 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 as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on October 22, 2015, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Taylor moved for the approval of the Resolution.

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

Commissioner Shelley Vana, Mayor	-	Aye
Commissioner Mary Lou Berger, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Melissa McKinlay	-	Absent
Commissioner Priscilla A. Taylor	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on October 22, 2015.

Filed with the Clerk of the Board of County Commissioners on October 26th, 2015.

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: 
COUNTY ATTORNEY


BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL 1:

Tract A, PLANET KIDS NO. III, according to the Plat thereof, as recorded in Plat Book 91, Pages 98 and 99, of the Public Records of Palm Beach County, Florida.

PARCEL 2:

Commencing at the Northeast corner of Tract 55, Block 25, The Palm Beach Farms Co Plat No. 3, according to the plat thereof recorded in Plat Book 2, Pages 45-54, of the Public Records of Palm Beach County, Florida; running thence along the Northerly line of Tract 55, Block 25, South 89°04'24" West, 330 feet to the point and place of beginning; running thence South 00°55'36" East, 270.00 feet; running thence South 89°04'24" West, 35.00 feet; running thence North 00°55'36" West, 270.00 feet to the North line of Tract 55, Block 25 mentioned above; running thence North 89°04'24" East, 35.00 feet to the point and place of beginning.

PARCEL 3:

Commencing at the Northeast corner of Tract 55, Block 25, The Palm Beach Farms Co Plat No. 3, according to the plat thereof recorded in Plat Book 2, Pages 45-54, of the Public Records of Palm Beach County, Florida; running thence along the Northerly line of Tract 55, Block 25, South 89°04'24" West, 195.00 feet to the point and place of beginning; running thence South 89°04'24" West, 170.00 feet; running thence North 00°55'36" West, 85.00 feet; running thence North 89°04'24" East, 170.00 feet; running thence South 00°55'36" East, 85.00 feet to the point and place of beginning.

PARCEL 4:

Being a portion of Tract 44, Block 25, The Palm Beach Farms Co Plat No. 3, according to the map or plat thereof as recorded in Plat Book 2, Pages 45-54, of the Public Records of Palm Beach County, Florida, being described as follows:

Begin at the Southeast corner of said Tract 44; thence South 89°29'19" West, along the South line of said Tract 44, a distance of 194.75 feet; thence North 00°05'23" West, 85.00 feet; thence North 89°29'19" East, along a line parallel and 85.00 feet North of the said South line of Tract 44, 195.00 feet; thence South 00°04'43" East, along the East line of said Tract 44, 85.00 feet to the Point of Beginning.

Said lands lying and situate in Palm Beach County, containing 179,260 square feet (4.1152 acres), more or less.

EXHIBIT B
VICINITY SKETCH

Location Map

NTS

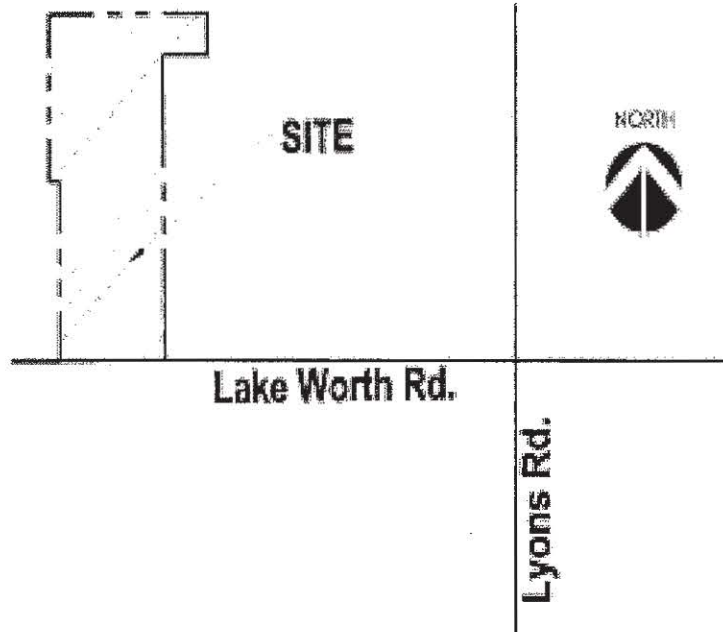


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment General Daycare

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2014-375, Control No.1998-00012, which currently states:

The approved Preliminary Site Plan is dated January 9, 2014. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission.

Is hereby amended to read:

The approved Preliminary Site Plan is dated July 9, 2015. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

2. Prior to DRO site plan application, the site plan shall be revised to indicate the required landscaping along the outdoor play area. The site plan shall also be revised to indicate the required foundation planting along the front and the sides of the buildings. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous ALL PETITIONS Condition 2 of Resolution R-2014-375, Control No.1998-00012)

3. Prior to DRO site plan application, the shaded canopy of the north building shall be relocated to provide the twenty five (25) foot rear setback as required by the ULDC. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous ALL PETITIONS Condition 3 of Resolution R-2014-375, Control No.1998-00012)

4. Previous ALL PETITIONS Condition 4 of Resolution R-2014-375, Control No.1998-00012, which currently states:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2013-0645 (Control 1998-012), 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.

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2014-0375 (Control 1998-00012), 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: MONITORING - Zoning)

ARCHITECTURAL REVIEW

1. Similar architectural character and treatment, including but not limited to color (earth tones and pastel colors), material, fenestration and roof lines, shall be provided on all sides of the building. (BLDG/PMT/DRO: ZONING - Zoning) (Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2014-375, Control No.1998-00012)

2. Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2014-375, Control No.1998-00012, which currently states:

The maximum height for all structures, including all air conditioning and mechanical equipment, measured from finished grade to highest point, shall not exceed twenty five (25) feet.

Is hereby amended to read:

The maximum height for all structures, including all air conditioning and mechanical equipment, measured from finished grade to highest point, shall not exceed thirty-five (35) feet. (BLDGPMT/DRO: ZONING - Zoning)

3. All air conditioning and mechanical equipment shall be screened from view on all sides by a visually opaque barrier consistent with the color, character and architectural style of the principal structure or equivalent landscape material. (BLDGPMT/CO/ONGOING: ZONING - Zoning) (Previous ARCHITECTURAL REVIEW Condition 3 of Resolution R-2014-375, Control No.1998-00012)

ENGINEERING

1. Prior to issuance of a Drainage Review or Building Permit for the additional parking area, the Property Owner shall create the revised legal lot of record in accordance with Article 11 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering) (Previous ENGINEERING Condition 1 of Resolution R-2014-375, Control No.1998-00012)

2. Landscaping in adjacent median

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 all Lake Worth Road Right-of-Way. This permit, to be completed by the Property Owner, shall name Palm Beach County as the Applicant. As part of this permit process, the Property Owner shall enter into a Right of Way, Landscape Maintenance, Removal, and Indemnification Agreement. When landscaping is permitted by the Florida Department of Transportation, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards. The Property Owner shall also be responsible to supplement any existing landscape material previously planted in this median and all new landscape material shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the Property Owner. Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED]

b. All required median landscaping, including an irrigation system if required, shall be installed at the Property Owner's expense. All existing landscape material shall also be the perpetual maintenance obligation of the Property Owner and its successors, heirs or assignees or duly established Property Owner's Association and/or Homeowners Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed prior to the issuance of a Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering) [Note: COMPLETED]

c. Declaration of Covenants and Restriction Documents evidencing this obligation shall be established or amended as required and shall be approved and recorded prior to the issuance of a Building Permit. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2014-375, Control No.1998-00012)

3. Prior to final approval of the Site Plan by the DRO, the Property Owner shall clearly delineate the limits of the detention areas. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2014-375, Control

No. 1998-00012)

4. The Property Owner shall obtain written permission from the easement beneficiary for encroachments at the east side of the building prior to issuance of the first Building Permit. (BLDGPMPT: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2014-375, Control No. 1998-012)

HEALTH

1. Architectural plans for the day care facility must be submitted to the Environmental Health Section, Palm Beach County Health Department in accordance with Rule 10D-24FAC prior to issuance of a building permit. (BLDGPMPT: HEALTH DEPARTMENT - Building Division) [Note: COMPLETED] (Previous HEALTH Condition 1 of Resolution R-2014-375, Control No.1998-00012)

LANDSCAPE - GENERAL

1. All canopy trees required to be planted on site by this approval shall meet the following minimum standards at installation:

- a. Tree height: twelve (12) 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; and,

d. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (BLDGPMPT/ONGOING: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 1 of Resolution R-2014-375, Control No.1998-00012)

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. (BLDGPMPT/ONGOING: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 2 of Resolution R-2014-375, Control No.1998-00012)

3. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location. (BLDGPMPT/ONGOING: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 3 of Resolution R-2014-375, Control No.1998-00012)

LANDSCAPE - INTERIOR

4. Foundation planting or grade level planters shall be provided along the front and side facades of all structures to consist of the following:

- a. The minimum width of the required landscape areas shall be five (5) feet;
- b. The length of the required landscaped areas shall be no less than 50% of the total length of the applicable exterior side of the structure; and,
- c. Landscape areas shall be planted with a minimum of one (1) tree or palm every twenty (20) linear foot of building facade and appropriate ground cover. (DRO/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - INTERIOR Condition 5 of Resolution R-2014-375, Control No.1998-00012)

LANDSCAPE - INTERIOR-LANDSCAPING ALONG THE NORTH OUTDOOR PLAY AREA

5. Landscaping and buffering along the entire perimeter of the outdoor play area shall include:

- a. A six (6) foot high black, vinyl coated chain link fence. (BLDGPMPT/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - INTERIOR Condition 6 of Resolution R-2014-375, Control No.1998-00012)

6. Landscaping along the south side (seventy (70) feet) of the outdoor play area shall include: (all planting shall be installed on the exterior side of the required fence)

- a. One (1) native canopy tree planted every twenty (20) feet on center; and

- b. Canopy trees around outdoor play area to be a minimum height of fourteen (14) feet at installation; and
Thirty six (36) 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 seventy two (72) inches. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - INTERIOR Condition 7 of Resolution R-2014-375, Control No.1998-00012)

LANDSCAPE - INTERIOR-LANDSCAPING ALONG THE SOUTH OUTDOOR PLAY AREA

7. Landscaping and buffering along the entire perimeter of the outdoor play area shall include:

- a. A six (6) foot high black, vinyl coated chain link fence. (BLDG/PMT/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - INTERIOR Condition 8 of Resolution R-2014-375, Control No.1998-00012)

8. Landscaping along the north side (fifty (50) feet) and the west side (ninety (90) feet) of the outdoor play area shall include: (all planting shall be installed on the exterior side of the required fence)

- a. One (1) canopy tree planted every twenty (20) feet on center; and
b. Canopy trees around outdoor play area to be a minimum height of fourteen (14) feet at installation; and
c. Thirty six (36) 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 seventy two (72) inches. (BLDG/PMT/ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous LANDSCAPE - INTERIOR Condition 9 of Resolution R-2014-375, Control No.1998-00012)

9. Previous LANDSCAPE-PERIMETER-LANDSCAPING ALONG THE NORTH, EAST AND WEST PROPERTY LINES Condition 10 of Resolution R-2014-375, Control No.1998-00012, which currently states:

LANDSCAPE - PERIMETER-LANDSCAPING ALONG NORTH, EAST AND WEST PROPERTY LINES (ABUTTING RESIDENTIAL)

Landscaping and buffering along the above property lines shall include:

- a. A minimum ten (10) foot wide landscape buffer strip; and
b. One (1) native canopy tree planted every twenty (20) feet on center;
c. One (1) palm or pine tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location; and
d. Thirty six (36) 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 seventy-two (72) inches.
e. Canopy trees around outdoor play area to be a minimum height of fourteen (14) feet at installation.

Is hereby amended to read:

LANDSCAPE - PERIMETER-LANDSCAPING ALONG WEST PROPERTY LINE (ABUTTING RESIDENTIAL)

Landscaping and buffering along the above property lines shall include:

- a. A minimum ten (10) foot wide landscape buffer strip; and
b. One (1) native canopy tree planted every twenty (20) feet on center;
c. One (1) palm or pine tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location; and
d. Thirty six (36) 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 seventy-two (72) inches.
e. Canopy trees around outdoor play area to be a minimum height of fourteen (14) feet at installation. (ONGOING: ZONING - Zoning)

LANDSCAPE - PERIMETER-LANDSCAPING ALONG NORTH AND EAST PROPERTY

LINES (ABUTTING RESIDENTIAL)

10. Landscaping and buffering along the above property lines shall include:
- a. A minimum fifteen (15) foot wide landscape buffer strip along the eastern 85 foot property line that abuts residential and the eastern 240 feet of the north property line;
 - b. One (1) native canopy tree planted every twenty (20) feet on center;
 - c. One (1) palm or pine tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location; and
 - d. Thirty six (36) 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 seventy-two (72) inches.
 - e. Canopy trees around outdoor play area to be a minimum height of fourteen (14) feet at installation. (ONGOING: ZONING - Zoning)

LANDSCAPE - PERIMETER-LANDSCAPING ALONG SOUTH PROPERTY LINE (ABUTTING LAKE WORTH ROAD)

11. Landscaping and buffering along the south property line shall include:
- a. A minimum twenty (20) foot wide landscape buffer strip; and
 - b. An undulating berm with an average height of three foot high measured from finished grade to top of berm; and
 - c. One (1) native canopy tree planted every thirty (30) feet on center;
 - d. One (1) palm or pine tree for each thirty (30) linear feet of frontage. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location; and
 - e. Twenty four (24) inch high shrub or hedge material shall be planted at the plateau of the berm , spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36)inches. (ONGOING: ZONING - Zoning) (Previous LANDSCAPE - PERIMETER Condition 11 of Resolution R-2014-375, Control No.1998-00012)

LIGHTING

1. All outdoor lighting and security 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. (ONGOING: CODE ENF - Zoning) (Previous LIGHTING Condition 1 of Resolution R-2014-375, Control No.1998-00012)
2. All outdoor lighting fixtures shall not exceed twenty (20) feet in height, measured from finished grade to highest point. (BLDG/PMT/ONGOING: BUILDING DIVISION - Zoning) (Previous LIGHTING Condition 2 of Resolution R-2014-375, Control No.1998-00012)
3. All outdoor lighting shall be extinguished no later than 10:00 p.m., excluding security lighting only. (ONGOING: CODE ENF - Code Enforcement) (Previous LIGHTING Condition 3 of Resolution R-2014-375, Control No.1998-00012)
4. The lighting conditions contained in Conditions L. 2 and L.3 shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: ZONING - Zoning) (Previous LIGHTING Condition 4 of Resolution R-2014-375, Control No.1998-00012)

PARKING

1. Bus parking is permitted in designated Bus parking spaces only. (ONGOING: CODE ENF - Code Enforcement) (Previous PARKING Condition 1 of Resolution R-2014-375, Control No.1998-00012)

SIGNS

1. Freestanding sign fronting on Lake Worth Road shall be limited as follows:
 - a. Maximum sign height, measured from finished grade to highest point - eight (8) feet;
 - b. Maximum sign face area per side - 80 square feet;
 - c. Maximum number of signs - one (1); and
 - d. Style - monument style only. (BLDG/PMT/ONGOING: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 1 of Resolution R-2014-375, Control No.1998-00012)

2. No off-premise signs or relocated billboards shall be permitted on the site. (ONGOING: ZONING - Zoning) (Previous SIGNS Condition 2 of Resolution R-2014-375, Control No.1998-00012)

3. Previous SIGNS Condition 3 of Resolution R-2014-375, Control No.1998-00012, which currently states:

Wall signs shall be limited to the south and west facades of the Day Care building and the south facade of the School building only.

Is hereby amended to read:

Wall signs shall be limited to the south and west facades of the building . (BLDG/PMT/ONGOING: BUILDING DIVISION - Zoning)

USE LIMITATIONS - DAY CARE

1. The Day Care center shall be limited to a maximum of three hundred and fifty (350) children at one time. (ONGOING: HEALTH DEPARTMENT - Health Department) (Previous USE LIMITATIONS - DAY CARE Condition 1 of Resolution R-2014-375, Control No.1998-00012)

2. The minimum setback for the outdoor play/recreational equipment shall be twenty five (25) feet from all residentially zoned or used property lines. (ONGOING: ZONING - Zoning) (Previous USE LIMITATIONS - DAY CARE Condition 2 of Resolution R-2014-375, Control No.1998-00012)

3. The outdoor play areas shall not be used for activities after 7:00 p.m. or before 8:00 a.m. daily. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS - DAY CARE Condition 3 of Resolution R-2014-375, Control No.1998-00012)

USE LIMITATIONS

1. Outdoor speakers or public address systems shall not be permitted on site. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2014-375, Control No.1998-00012)

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.