

Development Services Monthly Report

Development Activity

August 2022

Development Services

Planning

Building Inspections

Health & Code Compliance

Physical Address:

250 West First Street

Development at a Glance

for the month of August 2022

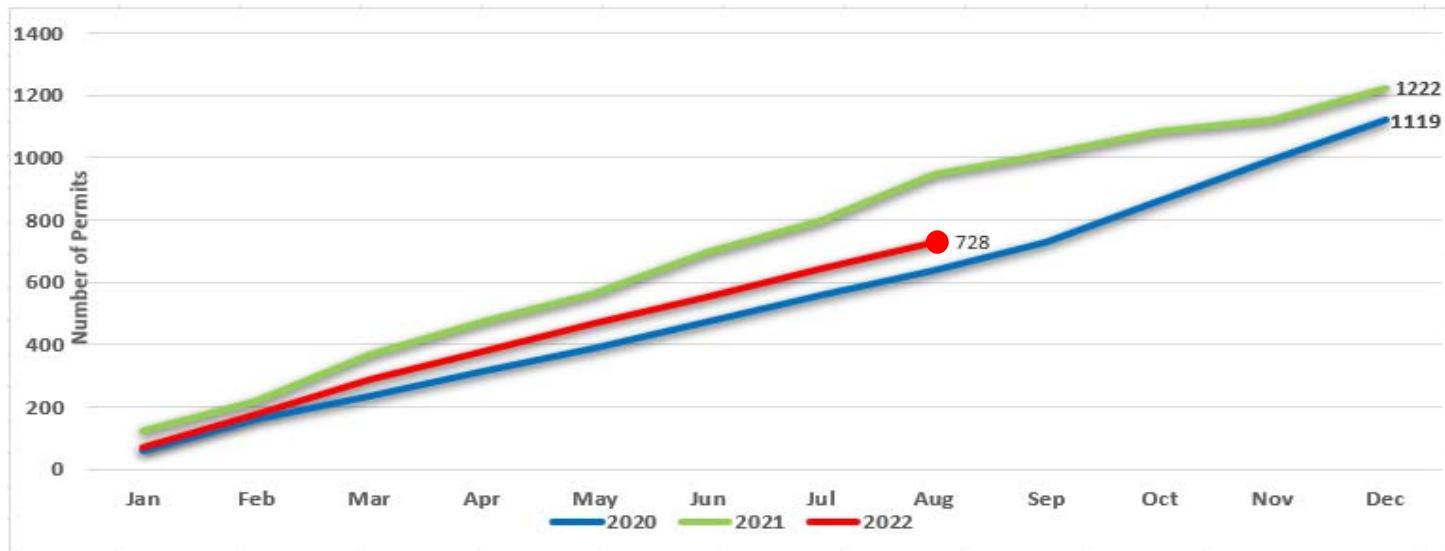
Single Family & Townhome Permits Issued – 85

Single Family & Townhome Permits Finaled – 102

Single Family & Commercial Inspections – 3,800

Certificates of Occupancy Issued – 16

Single Family Residential Permits Issued (Year-to-Date)

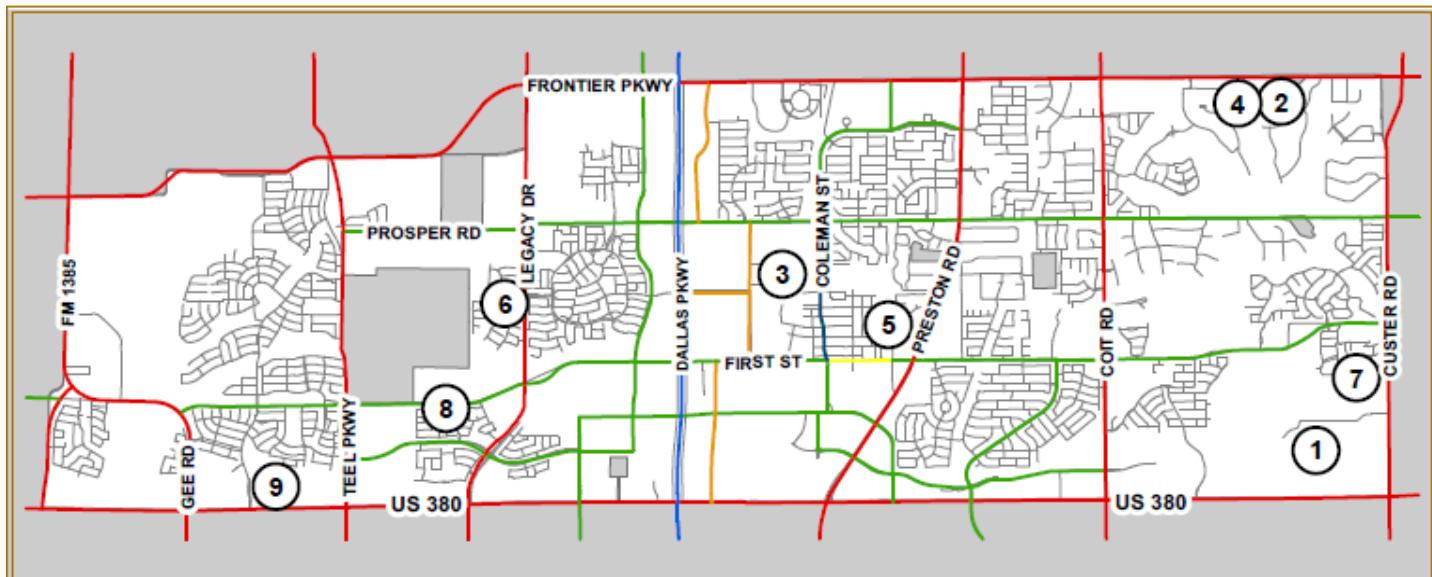


Single Family Residential Permits Issued by Quarter

	August	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Total
2020	82	232	241	255	391	1,119
2021	147	369	328	314	211	1,222
2022	85	289	266	—	—	728

PLANNING

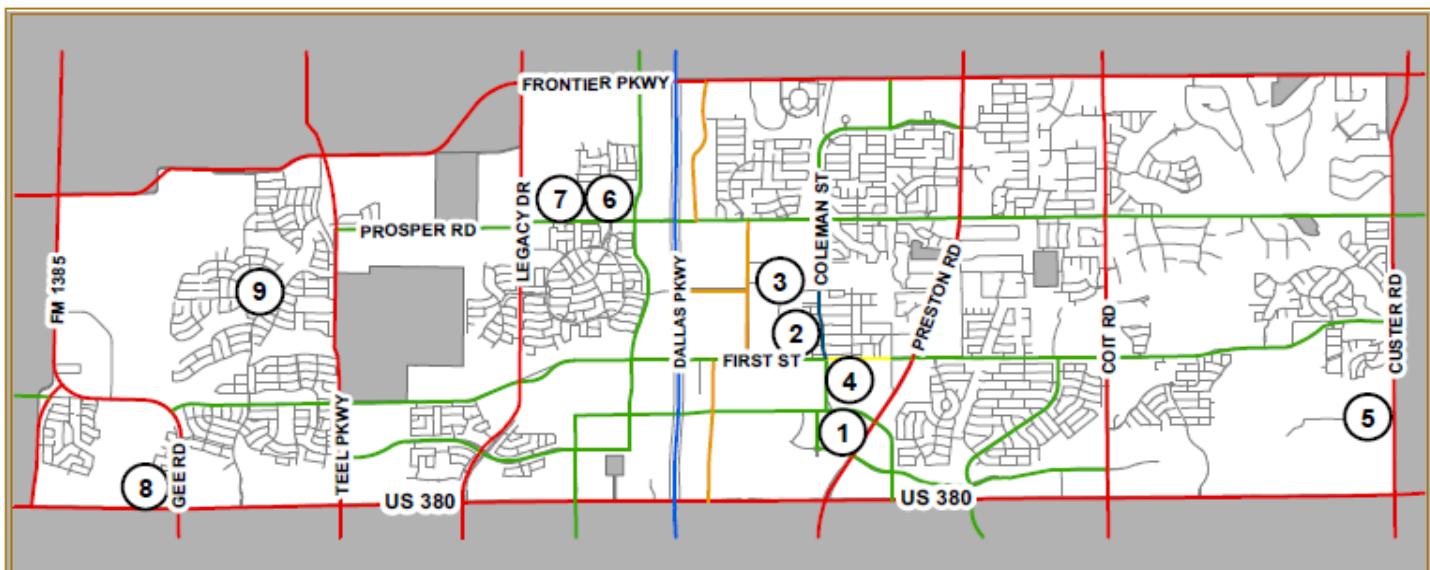
August 2022 Zoning and Development Applications



	Case Number	Project Title	Project Description
1	D22-0036	Rutherford Creek	A Preliminary Plat for Rutherford Creek, on 307 Residential Lots and 31 Common Lots, on 169.8± acres, located north of University Drive and west of Custer Road.
2	D22-0071	OM Frontier	A Conveyance Plat for OM Prosper Estates, Lots 1 and 2, Block A, on 21± acres, located south of Frontier Parkway and west of Custer Road
3	D22-0072	Crossland Phase 4 & 5	A Conveyance Plat for Crossland Phase 4 & 5, Lots 4, 5, 9, Block B on 15.6± acres, located south of Prosper Trail and east of Cook Road.
4	D22-0073	Twin Creeks	An Amending Plat for Twin Creeks, Lots 11-21, on 22.4± acres, located south of Frontier Parkway and west of Custer Road.
5	D22-0074	Windmill Hill PSP	A Preliminary Site Plan for Windmill Hill, Lots 1-3, Block A, on 11.8± acres, located south of Broadway Street and west of Preston Road.
6	D22-0075	Star Trail Amenity Center	A Site Plan for Star Trail Amenity Center, on 1.9± acres, located on the west corner of Starwood Drive and Savannah Ridge Trail.
7	D22-0076	Ladera	A Conveyance Plat for Ladera Prosper on 63.3± acres, south of First Street and west of Custer Road.
8	MD22-0007	Fishtrap	Consider a request to rename a segment of Fishtrap Road to First Street, between Gee Road and Legacy Drive.
9	MD22-0008	Cook's Children Sign Waiver	Consider a request for a sign waiver for Cook's Children located at 4200 W University Drive.
10	Z22-0015	Drive Through	Amend the zoning ordinance to include additional landscape standards for drive-throughs and add conditional development standards for car wash with drive-through and bank with drive-through.

	August 2021	August 2022	YTD 2021	YTD 2022
Submittals	16	10	112	102

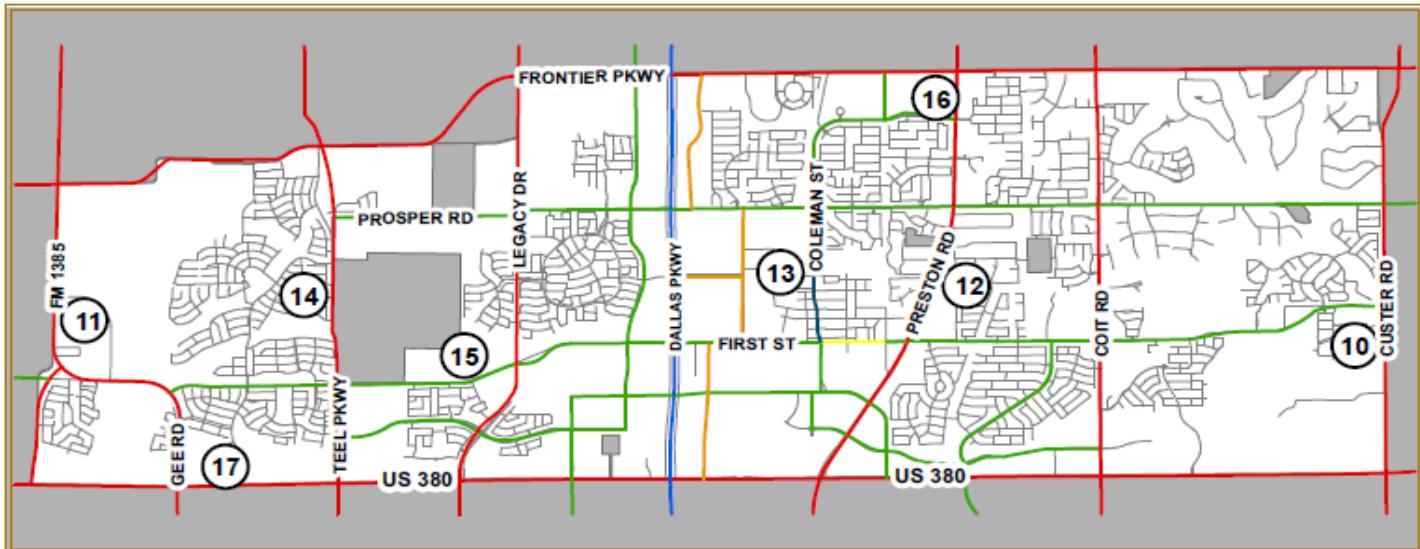
Shovel Ready—Non-Residential Project Status



	Name	Location/Address	Use	Status	Building Square Footage	Case #
1	Longhorn Steakhouse	840 South Preston Road	Sit-Down Restaurant	No building permit application Site Plan expires March 9, 2023	5,660	D19-0117
2	Broadway Retail	360 West Broadway	Retail/Restaurant	No building permit application Site Plan expires March 21, 2023	11,843	D21-0059
3	Prosper Business Park, Phase 4	780 Corporate Street	Office/Warehouse	Building permit under review Site Plan expires December 1, 2022	25,170	D21-0050
4	First Baptist Temp Building	SWC of Church and First Street	House of Worship	Extension of Temporary Building permit Site Plan expires August 16, 2022	5,146	D19-0031
5	Prosper Trails Memorial Park	2901 North Custer Road	Cemetery and Funeral Home	Building permit under review Site Plan expires January 6, 2023	7,978	D21-0056
6	CHC Prosper Trail	1840-1870 West Prosper Trail	Office	No building permit application Site Plan expires October 5, 2023	19,820	D22-0025
7	Prosper Tollway Office Park	1610-1660 West Prosper Trail	Office	No building permit application Site Plan expires October 5, 2023	28,500	D21-0124
8	Westfork Crossing, Lot 7	4890 West University Drive	Retail/Restaurant	No building permit application Site Plan expires December 7, 2023	16,956	D22-0041
9	Windsong Amenity Center No. 3	4261 Old Rosebud Lane	Amenity Center	No building permit application Site Plan expires January 19, 2023	4,893	D20-0106

Note 1: Shovel ready non-residential projects are those which have approved site plan applications by the Planning & Zoning Commission.
 Note 2: Projects with approved building permits may have engineering plans under review.

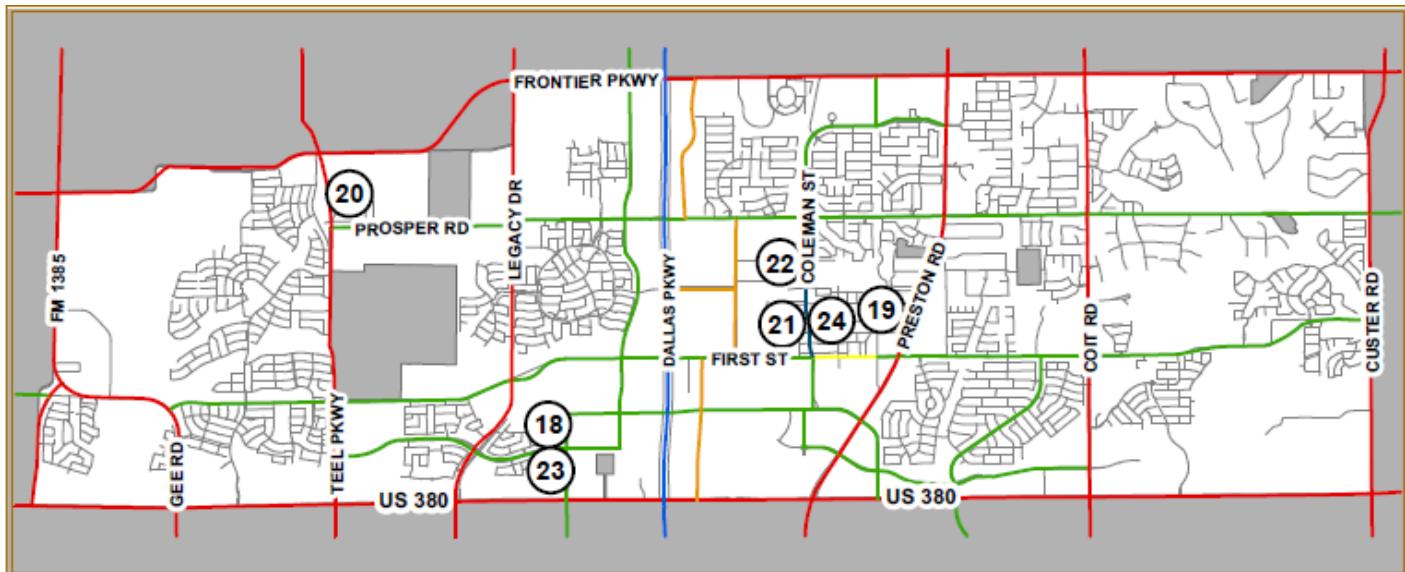
Shovel Ready—Non-Residential Project Status



	Name	Location/Address	Use	Status	Building Square Footage	Case #
10	Ladera Amenity Center	4320 Valencia Drive	Amenity Center	Building permit under review Site Plan expires December 21, 2023	4,703	D22-0051
11	Grace Chapel	300 Denton Way	House of Worship	No building permit application Site Plan expires January 20, 2024	16,000	D21-0111
12	North Preston Village Block A, Lot 4	710 North Preston Road	Retail	No building permit application Site Plan expires November 4, 2022	9,040	D19-0124
13	Prosper Business Park, Phase 5	650 Corporate Street	Office/Warehouse	Building permit under review Site Plan expires February 3, 2023	74,817	D21-0066
14	Prosper ISD Elementary No. 14	3830 Freeman Way	School/Temporary Building	Extension of Temporary Building permit, Site Plan expires August 16, 2022	1,536	D20-0034
15	Mav Addition Block A Lot 3	2760 West First Street	Multi-Tenant Building	Building permit under review Site Plan expires January 20, 2024	10,007	D22-0052
16	Victory at Frontier, Lot 5	2051 North Preston Road	Restaurant with Drive-Through	No building permit application Site Plan expires June 18, 2023	4,845	D21-0129
17	SWIG	4570 West University Drive	Restaurant with Drive-Through	Building permit approved Site Plan expires August 1, 2023	665	D21-0128

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Shovel Ready—Non-Residential Project Status



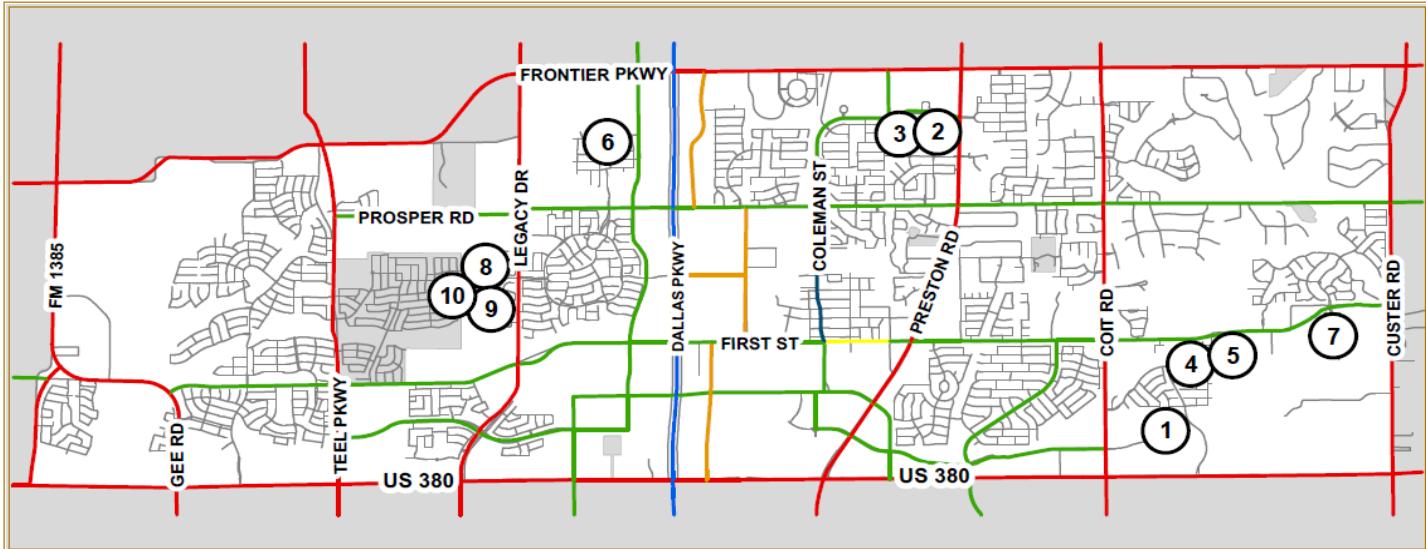
	Name	Location/ Address	Use	Status	Building Square Footage	Case #
18	Prosper Center Office	2120 Prairie Drive	Office	No building permit application Site Plan expires August 15, 2023	23,500	D21-0131
19	Preston Commons	181 North Preston Road	Retail/Medical Office	Building permit under review Site Plan expires September 1, 2023	9,005	D22-0007
20	Windsong Ranch Veterinary Office	1300 North Teel Parkway	Veterinary Office	No building permit application Site Plan expires December 21, 2023	4,040	D22-0044
21	Eagle Crossing, Phase 2	841 & 871 North Coleman Street	Office/Warehouse	No building permit application Site Plan expires September 1, 2023	72,700	D21-0091
22	Prosper Business Park	471 & 481 Industry Way	Office/Warehouse	Building permit under review Site Plan expires September 1, 2023	20,543	D22-0016
23	Holiday Inn	1100 Mahard Parkway	Hotel	Building permit under review Site Plan expires January 5, 2024	64,098	D22-0031
24	Prosper Counseling	102 East Third Street	Office	Building permit under review Site Plan expires January 5, 2024	798	D22-0057

Total Building Square Footage Under Construction

442,263

Note 1: Shovel ready non-residential projects are those which have approved site plan applications by the Planning & Zoning Commission.
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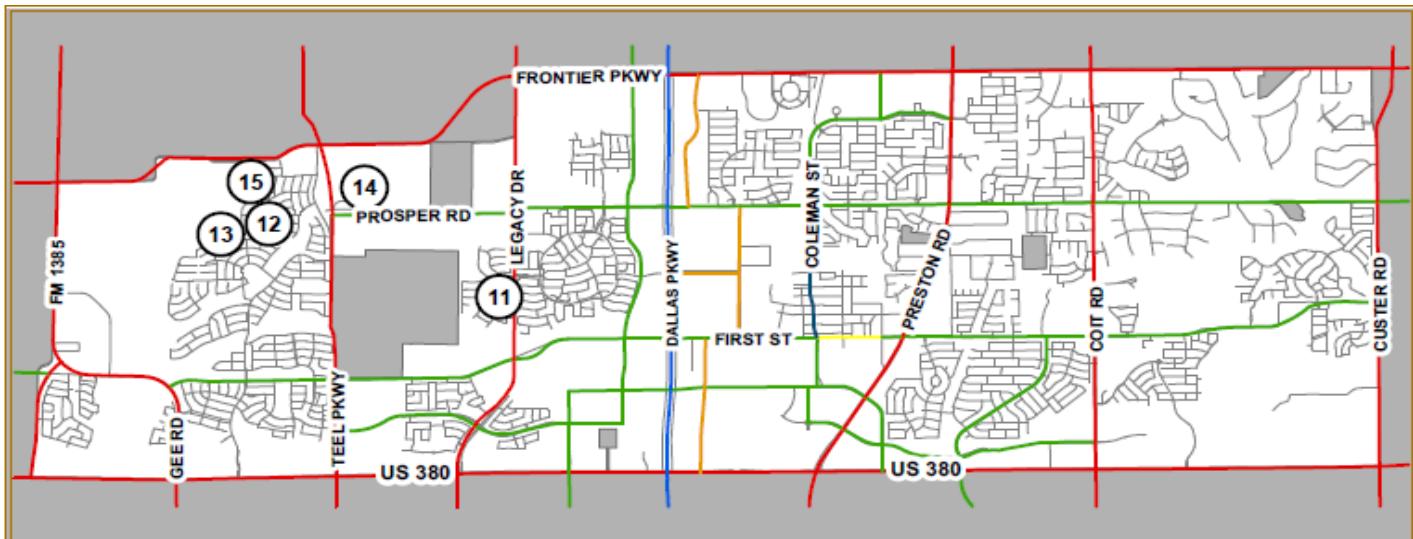
Under Construction & Shovel Ready—Residential Project Status



	Subdivision	Locations	Acres	Status	Number of Lots	Case #
1	Brookhollow West	NWC Richland Boulevard/ Lakewood Drive	43.2±	Shovel Ready	149	D22-0024
2	Cambridge Park Estates, Phase 1	SWQ Coleman Street/ Preston Road	42.3±	Under Construction	91	D19-0021
3	Cambridge Park Estates, Phase 2	SWQ Preston Road/ Coleman Street	42.5±	Shovel Ready	110	D21-0038
4	Lakewood, Phase 5	SEQ First Street/ Coit Road	40.8±	Shovel Ready	98	D21-0006
5	Lakewood, Phase 6	SEQ First Street / Coit Road	13.8±	Shovel Ready	41	D21-0022
6	Legacy Gardens, Phase 2	NWQ Prosper Trail/Dallas Parkway	45.6±	Shovel Ready	100	D22-0027
7	Malabar Hill	SWQ First Street/ Custer Road	45.0±	Shovel Ready	96	D20-0055
8	Star Trail, Phase 10	SWQ Prosper Road/ Legacy Drive	41.5±	Shovel Ready	80	D21-0060
9	Star Trail, Phase 11	SWQ Legacy Drive/ Prosper Trail	36.2±	Shovel Ready	122	D21-0069
10	Star Trail, Phase 12	NWQ Fishtrap Road / Legacy Road	29.0±	Shovel Ready	64	D21-0120

Note 1: Shovel ready residential projects are those which have approved final plat applications by the Planning & Zoning Commission.
 Note 2: Residential projects under construction are those in which public infrastructure (i.e. roads and water lines) are in the process of being constructed. Following completion of the infrastructure house permits may be issued and home construction may commence.

Under Construction & Shovel Ready—Residential Project Status

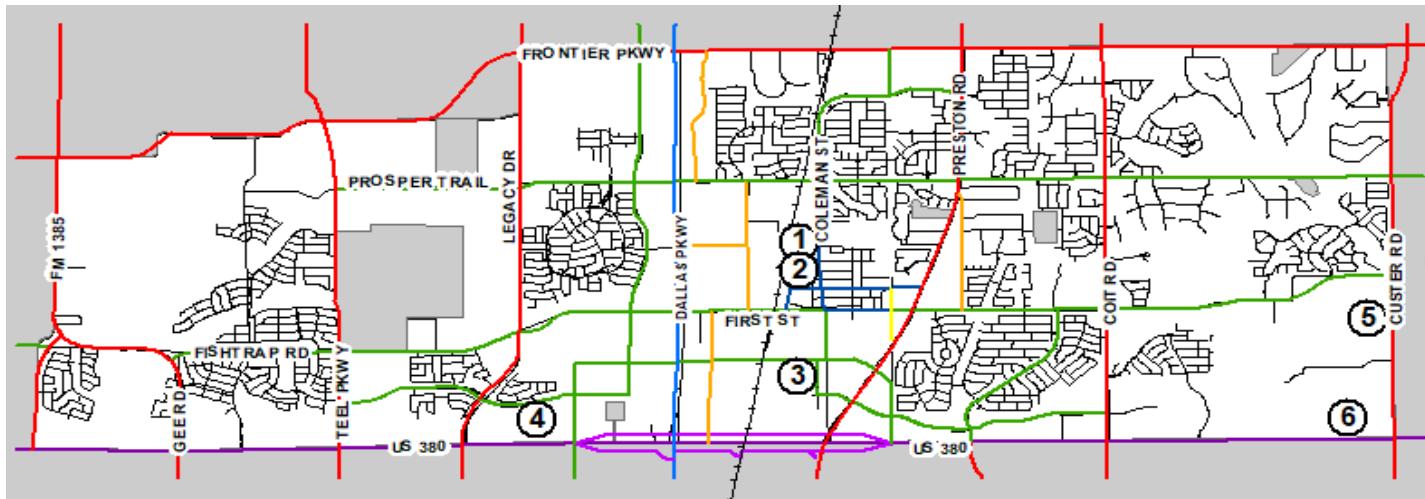


	Subdivision	Locations	Acres	Status	Number of Lots	Case #
11	Star Trail, Phase 13	NWQ Legacy Drive/ Fishtrap Road	40.0±	Shovel Ready	127	D21-0121
12	Windsong Ranch, Phase 6E	SWQ Teel Parkway/Parvin Road	29.2±	Shovel Ready	73	D22-0019
13	Windsong Ranch, Phase 7G	NWQ Windsong Road / Fishtrap Road	145.4±	Shovel Ready	54	D22-0055
14	Windsong Ranch, Phase 9	NEQ Prosper Trail/ Teel Parkway	49.5±	Shovel Ready	92	D21-0037
15	Windsong Ranch, Phase 10	SEQ Parvin Road/ Good Hope Road	29.5±	Shovel Ready	131	D21-0035
Total Number of Lots Under Construction / Shovel Ready						1,428

Note 1: Shovel ready residential projects are those which have approved final plat applications by the Planning & Zoning Commission.

Note 2: Residential projects under construction are those in which public infrastructure (i.e. roads and water lines) are in the process of being constructed. Following completion of the infrastructure house permits may be issued and home construction may commence.

Under Construction & Shovel Ready—Multifamily Projects



	Subdivision	Locations	Acres	Status	Number of Units	Case #
1	LIV Multifamily	400 West Fifth Street	8.9±	Shovel Ready	300	D21-0052
2	LIV Townhome-style Multifamily	400 West Fifth Street	5.3±	Shovel Ready	30	D21-0072
3	Gates of Prosper Multifamily, Phase 1	961 Gateway Drive	16.9±	Building permit has been issued	344	D21-0070
4	Alders at Prosper (Age Restricted)	2151 Prairie Drive	10.3±	Building permit has been approved	188	D21-0081
5	Ladera, Phase 1 (Age Restricted)	4320 Valencia Drive	32.6±	Shovel Ready	73	D21-0113
6	Brookhollow	4001 East University	25.2±	Building permit has been approved	300	D210103
Total Number of Lots Under Construction / Shovel Ready					1,235 Units	

Gates of Prosper Multifamily



LIV Multifamily

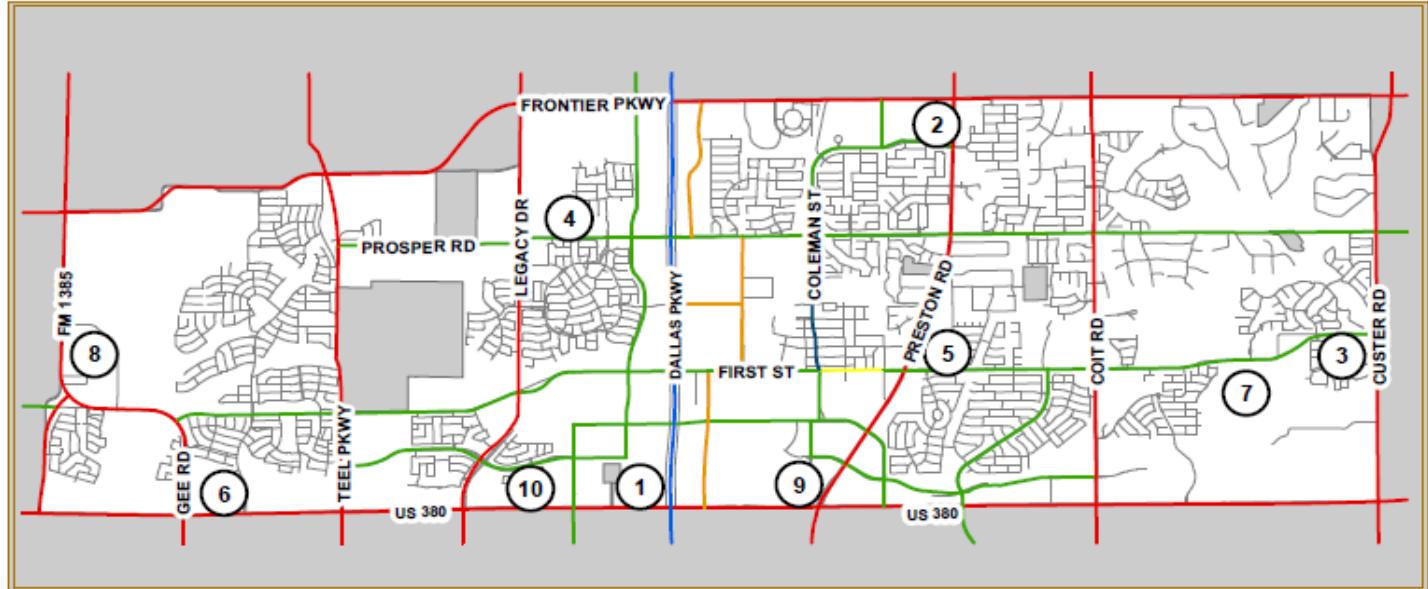
LIV Townhomes



Note 1: Shovel ready residential projects are those which have approved final plat applications by the Planning & Zoning Commission.

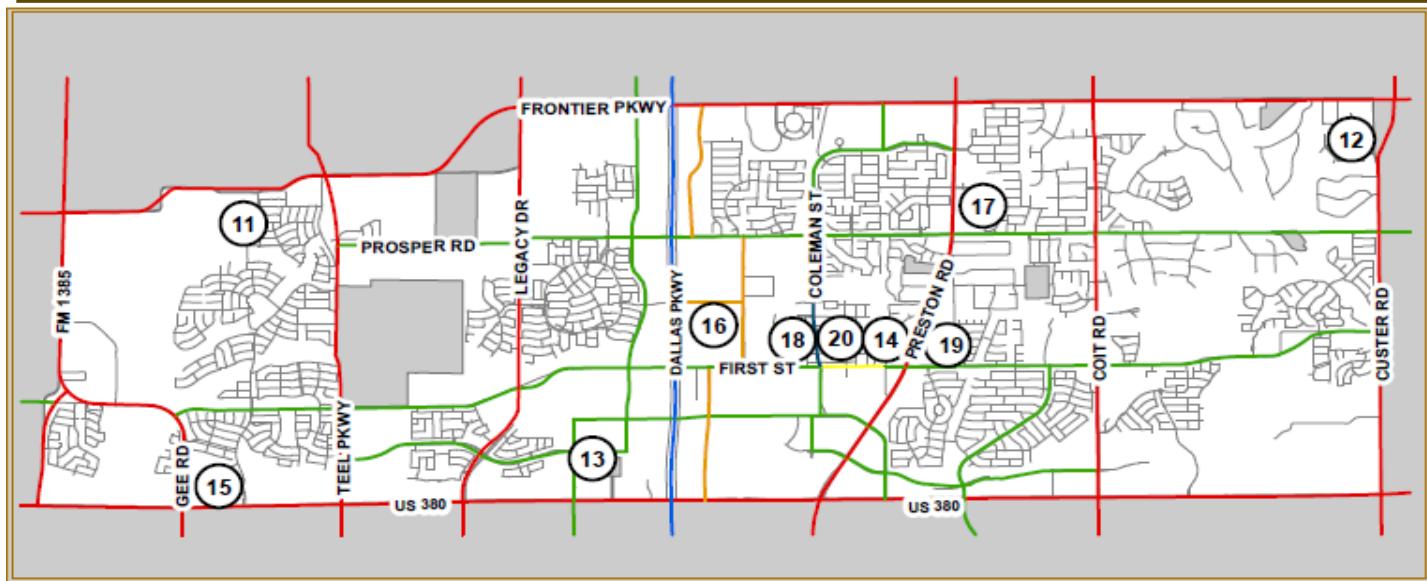
BUILDING INSPECTIONS

Current Non-Residential Construction Activity—Total of 1,640,520 Square Feet
Details for Each Project on Following Pages



	Case Number	Project Title	Project Address	Square Footage	Value
1	D19-0127	Cook Children's	4100 West University Drive	200,129	\$66,226,568
2	D20-0002	Victory at Frontier, Block A, Lot 4	2001 North Preston Road	19,000	\$800,000
3	D20-0045	Founders Academy of Prosper (High School)	4260 East First Street	48,731	\$5,249,056
4	D21-0099	Hope Fellowship Church Prosper	2000 West Prosper Trail	35,750	\$9,383,029
5	D20-0074	SHB Prosper	291 South Preston Road	57,024	\$803,854
6	D21-0122	Windsong Ranch Multi-tenant Building	4580 West University Drive	26,338	\$3,319,075
7	D20-0004	Prosper ISD High School No. 3	3500 East First Street	621,434	\$129,385,927
8	D20-0102	Denton ISD Middle School No. 9	200 Denton Way	178,917	\$62,500,000
9	D21-0078	Gates of Prosper, Phase 3	401 Gates Parkway	136,075	\$618,999
10	D19-0103	Prosper Ford	2200 West University Drive	92,523	\$10,327,775

BUILDING INSPECTIONS



	Case Number	Project Title	Project Address	Square Footage	Value
11	D21-0079	Windsong Ranch Maintenance Facility	1251 & 1221 Good Hope Road	8,000	\$1,045,964
12	D19-0129	Rhea's Mill Baptist Church	5733 North Custer Road	29,268	\$2,000,000
13	D21-0090	Encompass Health	1231 Mahard Parkway	49,694	\$19,373,251
14	D21-0011	Windmill Hill	150, 170, 230, 240 250, 260 & 270 South Preston Road	87,960	\$918,781
15	D21-0098	Salad and Go	4620 West University Drive	730	\$142,075
16	D21-0118	Prosper Central Fire Station	911 Safety Way	30,358	\$14,500,00
17	D22-0011	Salad and Go (Shops at Prosper Trail)	1320 North Preston Road	750	\$275,306
18	D22-0009	Prosper Wine House	209 West Broadway Street	12,052	\$1,469,791
19	D21-0134	Andy's Frozen Custard	1151 East First Street	2,562	\$250,059
20	D22-0046	Prosper Downtown Coffee	102 East Broadway Street	3,225	\$526,389



1. Cook Children's

4100 West University Drive

Valuation – \$66,226,568

Square Footage – 200,129

Permit Issued – November 30, 2020



2. Victory at Frontier (Multi-tenant Building)

2001 North Preston Road

Valuation – \$800,000

Square Footage – 19,000

Permit Issued – June 11, 2021

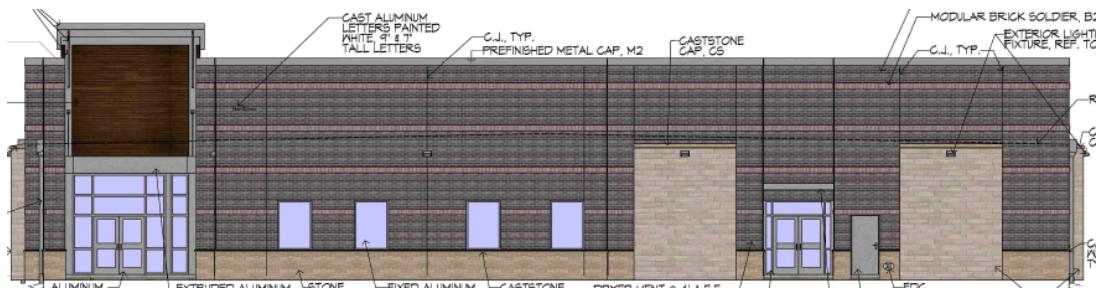
3. Founders Academy of Prosper (High School)

4260 East First Street

Valuation – \$5,249,056

Square Footage – 48,731

Permit Issued – April 26, 2022



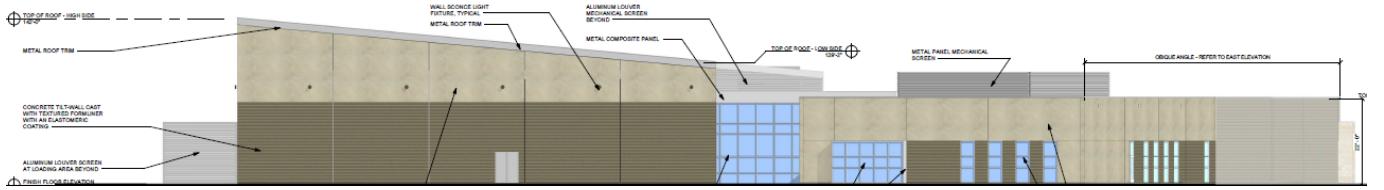
4. Hope Fellowship Church Prosper

2000 West Prosper Trail

Valuation – \$9,383,029

Square Footage – 35,750

Permit Issued – July 25, 2022



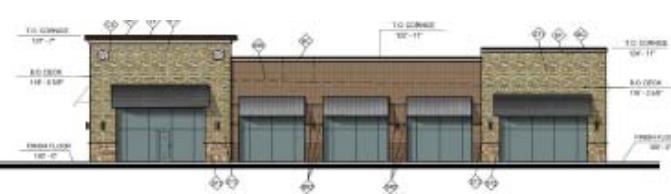
5. SHB Prosper

291 South Preston Road

Valuation – \$803,854

Square Footage - 57,024

Permit Issued – June 24, 2022



6. Windsong Ranch Multi-tenant Building

4580 West University Drive

Valuation – \$3,319,075

Square Footage – 26,338

Permit Issued – August 17, 2022



7. Prosper ISD High School No. 3

3500 East First Street

Valuation – \$129,385,927

Square Footage – 621,434

Permit Issued – August 19, 2021



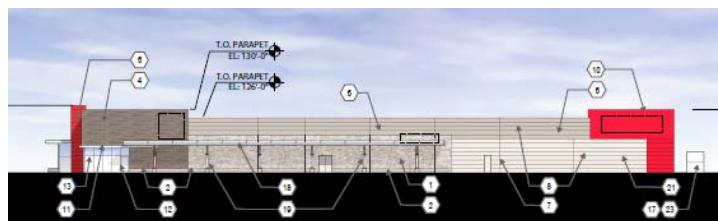
8. Denton ISD Middle School No.9

200 Denton Way

Valuation – \$62,500,000

Square Footage – 178,917

Permit Issued – June 16, 2021



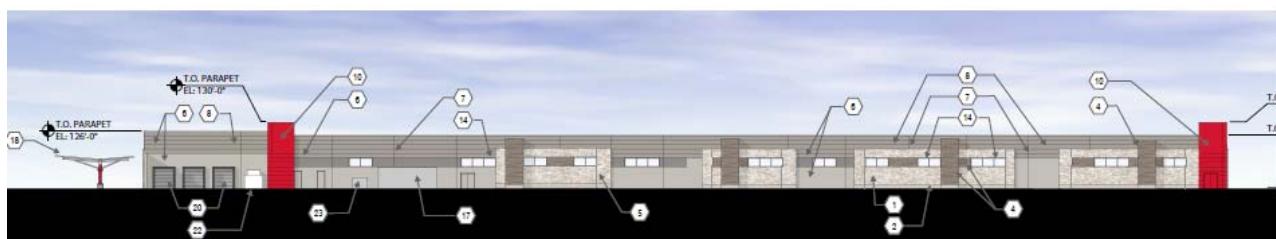
9. Gates of Prosper Phase 3

401 Gates Parkway

Valuation – \$16,151,204

Square Footage – 136,075

Permit Issued – August 18, 2022





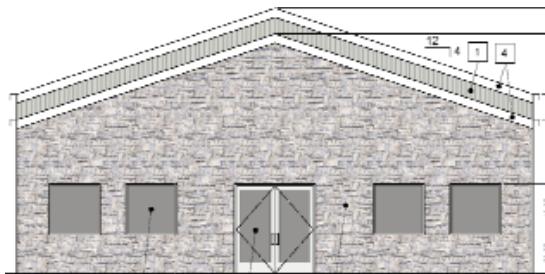
10. Prosper Ford

2200 West University Drive

Valuation – \$10,327,775

Square Footage – 92,523

Permit Issued – June 28, 2021



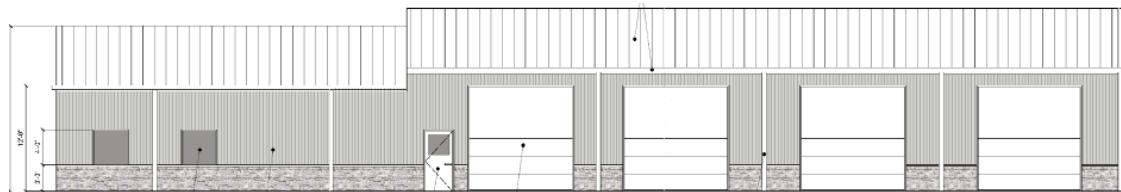
11. Windsong Ranch Maintenance Facility

1251 & 1221 Good Hope Road

Valuation – \$1,045,964

Square Footage – 8,000

Permit Issued – July 6, 2022



12. Rhea's Mill Baptist Church

5733 North Custer Road

Valuation – \$2,000,000

Square Footage – 29,268

Permit Issued – September 14, 2021



13. Encompass Health

1231 Mahard Parkway

Valuation – \$19,373,251

Square Footage – 49,694

Permit Issued – June 30, 2022



14. Windmill Hill

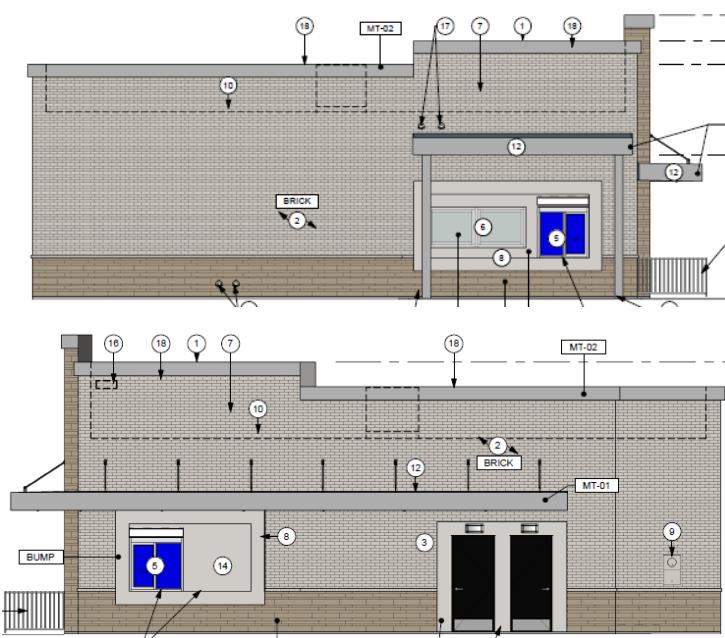
150,170,230,240,250,260 & 270

South Preston

Valuation – \$918,781

Square Footage – 7,956

Permit Issued – October 27, 2021



15. Salad and Go

4620 West University Drive

Valuation – \$142,075

Square Footage – 730

Permit Issued – February 16, 2022



16. Prosper Central Fire Station

911 Safety Way

Valuation – \$14,500,00

Square Footage – 30,358

Permit Issued – February 23, 2022



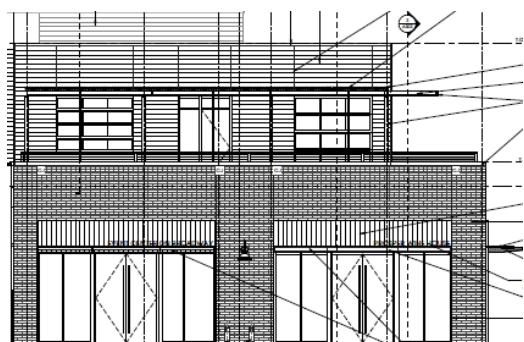
17. Salad and Go

1320 North Preston Road

Valuation – \$275,306

Square Footage – 750

Permit Issued – June 16, 2022



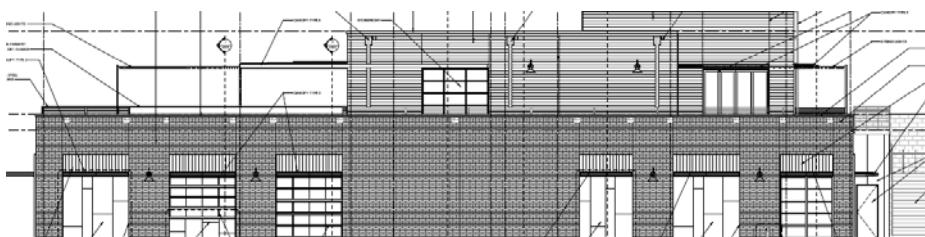
18. Prosper Wine House

209 West Broadway Street

Valuation – \$1,469,791

Square Footage – 12,052

Permit Issued – June 17, 2022



19. Andy's Frozen Custard

1151 East First Street

Valuation – \$250,059

Square Footage – 2,562

Permit Issued – August 29, 2022



20. Prosper Downtown Coffee

102 East Broadway Street

Valuation – \$526,389

Square Footage – 3,225

Permit Issued – August 01, 2022

Single Family Permits YTD by Subdivision

	Builders	Permits Issued August 2022	Permits Issued YTD	
Bryants Addition	MLD Custom Homes	0	2	
Falls of Prosper	Our Country Homes Harwood Homes Troy Miller Custom Homes	0	4	
Frontier Estates	Meritage Homes	12	65	
Gentle Creek Estates	Hewitt Custom Homes	0	1	
Greens at Legacy	Britton/Perry Homes	1	36	
Hills at Legacy	Unionmain Homes Chesmar Homes	2	46	
Lakes at Legacy	Shaddock Homes Grand Homes	2	36	
Lakewood	Tradition Homes Shaddock Homes Toll Brothers	0	15	
Legacy Garden	Drees Custom Homes Risland Homes	0	39	
Montclair	Our Country Homes	2	4	
Parks at Legacy	Britton/Perry Homes	0	1	
Saddle Creek	Hartill Homes JPA Development	0	2	
Star Trail	Highland Homes Britton Homes/Perry Homes MHI Homes American Legend Homes Toll Brothers	8	144	
Tanners Mill	First Texas Homes	0	6	
Twin Creek	Coats Homes	0	1	
Windsong Ranch	Southgate Homes Drees Custom Homes Belclaire Homes American Legend Homes	Trophy Signature Homes Shaddock Homes Tradition Homes Normandy Homes	58	288
Totals		85	690	

	Builders	Permits Issued August 2022	Permits Issued YTD
Windsong Ranch Townhomes	Grenadier Homes	0	38
Totals		0	38

HEALTH & CODE COMPLIANCE

Health & Code Compliance Inspections, August 2022

	August 2021	YTD 2021	August 2022	YTD 2022
Code Compliance Inspections	128	1,570	217	1,510
Citations Issued	2	20	3	38
Health Inspections	56	426	53	312

Health Inspection Results, August 2022

Business Name	Business Type	Address / Event Name	Score or Inspection	Pass/Fail
Murphy Express	Convenience Store	2331 East University Drive	N/A	Follow-Up
Circle K	Convenience Store	1411 East University Drive	97	Pass
Circle K	Convenience Store	1411 East University Drive	N/A	Follow-Up
CVS Pharmacy No. 10641	Convenience Store	2451 East University Drive	97	Pass
CVS Pharmacy No. 2876	Convenience Store	201 South Preston Road	97	Pass
CVS Pharmacy No. 2876	Convenience Store	201 South Preston Road	N/A	Follow-Up
Race Trac	Convenience Store	4870 West University Drive	88	Pass
Race Trac	Convenience Store	4870 West University Drive	N/A	Follow-Up

Health Inspection Results-Continued

Business Name	Business Type	Address / Event Name	Score or Inspection Purpose	Pass/Fail
Jerry's Wine and Spirits	Convenience Store	1281 East University Drive, Suite 10	100	Pass
7-Eleven	Convenience Store	1541 East University Drive	91	Pass
7-Eleven	Convenience Store	1541 East University Drive	N/A	Follow-Up
Fossil Creek Liquor No. 2	Convenience Store	2361 East University Drive, Suite 40	100	Pass
Tiff Treats Cookies Truck No. 1	Hot Truck	N/A	N/A	Pass
Tiff Treats Cookies Truck No. 2	Hot Truck	N/A	N/A	Pass
Neighbors Nourishing Neighbors	Pantry	474 North Hays Road, Suite E1	CO	Pass
Gloria's Latin Cuisine	Restaurant	1110 South Preston Road, Suite 10	83	Pass
Gloria's Latin Cuisine	Restaurant	1110 South Preston Road, Suite 10	N/A	Follow-Up
Peachwave Frozen Yogurt	Restaurant	1170 North Preston Road, Suite 150	N/A	Follow-Up

Health Inspection Results-Continued

Business Name	Business Type	Address / Event Name	Score or Inspection Purpose	Pass/Fail
Peachwave Frozen Yogurt	Restaurant	1170 North Preston Road, Suite 150	N/A	Follow-Up No. 2
Cook Children's Medical Center	Restaurant	4100 West University Drive	Preliminary CO	Fail
Honeylu's Coffee	Restaurant	1170 North Preston Road, Suite 130	N/A	Follow-Up
Dickey's BBQ	Restaurant	4325 East University Drive, Suite 40	N/A	Follow-Up
Shakertins Prosper	Restaurant	1140 South Preston Road, Suite 30	80	Pass
Maharaja Indian Cuisine and Bar	Restaurant	2361 East University Drive. Suite 90	N/A	Follow-Up
Dunkin	Restaurant	1921 Preston Road, Suite 10	N/A	Follow-Up
Dunkin	Restaurant	1921 Preston Road, Suite 10	N/A	Follow-Up No. 2
Yummi Sushi Inside Kroger	Restaurant	1250 North Preston Road	95	Pass
Legacy Bagels	Restaurant	2381 East University Drive, Suite 10	N/A	Follow-Up
Subway TigerMart No. 45	Restaurant	1099 North Preston Road	N/A	Follow-Up
Concetta Italian Kitchen	Restaurant	203 North Coleman Street	100	Pass

Health Inspection Results-Continued

Business Name	Business Type	Address / Event Name	Score or Inspection Purpose	Pass/Fail
Subway TigerMart No. 45	Restaurant	1099 North Preston Road	N/A	Follow-Up
Subway TigerMart No. 45	Restaurant	1099 North Preston Road	N/A	Follow-Up No. 2
Tiff's Treat	Restaurant	1070 South Preston Road, Suite 10	N/A	Follow-Up
Tiff's Treat	Restaurant	1070 South Preston Road, Suite 10	N/A	Follow-Up No. 2
Nothing Bundt Cakes	Restaurant	2381 East University Drive, Suite 90	N/A	Follow-Up
Chick-Fil-A	Restaurant	1091 South Preston Road	CO	Pass
SmashBurger	Restaurant	1111 South Preston Road, Suite 30	82	Pass
SmashBurger	Restaurant	1111 South Preston Road, Suite 30	N/A	Follow-Up
The Gin	Restaurant	206 West Broadway, Suite 2300	68	Fail
The Gin	Restaurant	206 West Broadway, Suite 2300	N/A	Follow-Up
The Gin	Restaurant	206 West Broadway, Suite 2300	N/A	Follow-Up No. 2

Health Inspection Results-Continued

Business Name	Business Type	Address / Event Name	Score or Inspection	Pass/Fail
Donutman	Restaurant	861 North Coleman Street, Suite 160	N/A	Follow-Up
Pie Five	Restaurant	11001 South Preston Road, Suite 10	84	Pass
Pie Five	Restaurant	11001 South Preston Road, Suite 10	N/A	Follow-Up
Smoothie King	Restaurant	841 South Preston Road, Suite 149	91	Pass
Sugar Boy Donuts	Restaurant	1180 North Coit Road, Suite 60	81	Pass
Sugar Boy Donuts	Restaurant	1180 North Coit Road, Suite 60	N/A	Follow-Up
Donut Bliss	Restaurant	1361 East University Drive, Suite 40	93	Pass
Donut Bliss	Restaurant	1361 East University Drive, Suite 40	N/A	Follow-Up
Papa John's East	Restaurant	2111 East University Drive, Suite 80	94	Pass
Papa John's West	Restaurant	4740 West University Drive, Suite 130	93	Pass
Donuts Plus	Restaurant	1049 North Preston Road, Suite 30	92	Pass
Donuts Plus	Restaurant	1049 North Preston Road, Suite 30	N/A	Follow-Up
Windsong Ranch Café	Restaurant	1001 South Windsong Parkway	N/A	Follow-Up

Note: Routine inspections will be recorded as a score from 0 to 100, with 100 being the highest score. Non-compliance deductions are in 3 point, 2 point or 1 point deductions. These point values are set by the Department of State Health Services. A score is not assessed for a Certificate of Occupancy inspection (CO), since only the equipment is being inspected. Temporary Food Vendors and Mobile Food Establishments are not scored, but rather pass or fail. Pools are not scored, but rather pass or fail.