

**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**

Application No.: EAC-2022-00852
Application Name: Green Cay
Control No./Name: 1997-00095 (Winsberg Farms PUD)
Applicant: Palm Beach County
Owners: Palm Beach County
Agent: Gentile Glas Holloway O'Mahoney & Assoc Inc., Pat Lentini & Emily O'Mahoney
Telephone No.: (561) 575-9557
Project Manager: Jerome Ottey, Senior Site Planner

TITLE: a Development Order Amendment (Expedited Application Consideration) **REQUEST:** to modify Conditions of Approval on 270.43 acres

APPLICATION SUMMARY: Proposed is an amendment for the 270.43-acre Green Cay Development. The site was last approved by the Board of County Commissioners (BCC) on June 22, 2005 for a Development Order Amendment to modify Conditions of Approval.

The request will modify Conditions of Approval relating to the minimum standards for Canopy and Palm Trees for the Civic Pods within the development. This amendment will affect Pods A, B and C which are currently approved as Public Civic areas for a Public Park and Fire Station. There are no additional changes proposed to the Master or Site Plan and access remains from Flavor Pict Road.

SITE DATA:

Location:	Southwest corner of Flavor Pict Road and Jog Road
Property Control Number(s)	00-42-46-03-18-003-0000; 00-42-46-03-18-001-0000 00-42-46-03-18-002-0000
Future Land Use Designation:	Commercial Low, with an underlying 8 units per acre (CL/8); High Residential (HR-8); and, Utilities and Transportation (UT)
Zoning District:	Residential Planned Unit Development District (PUD)
Total Acreage:	270.43 acres
Affected Acreage:	170.42 acres
Tier:	Urban/Suburban
Overlay District:	N/A
Neighborhood Plan:	West Boynton Community Plan
CCRT Area:	N/A
Municipalities within 1 Mile	N/A
Future Annexation Area	N/A
Commission District	District 5, Vice Mayor Maria Sachs

RECOMMENDATION: Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibit C.

ACTION BY THE ZONING COMMISSION (ZC): No action was required by the ZC.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received 27 contacts from the public regarding this application, seeking additional information about the application.

PROJECT HISTORY:

There have been three previous approvals for this site. On March 26, 1998, application PDD-1997-00095 was approved to allow an Official Zoning Map Amendment for a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) Zoning District, as part of R-1998-0423. Resolution R-2000-1707 approved Application DOA-1997-00095 to allow a Development Order Amendment to modify the Conditions of Approval, add/relocate access and add a use, on October 26, 2000. The most recent approval on this site was a Development Order Amendment to modify/delete Conditions of Approval on May 26, 2005 as part of application DOA-2005-00025, approved by Resolution R-2005-1050.

DEVELOPMENT ORDER AMENDMENT (EXPEDITED APPLICATION CONSIDERATION)

FINDINGS:

Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

When considering a Development Order application for a Rezoning to a PDD or a TDD, a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF), or a Development Order Amendment, the BCC and ZC shall utilize the Standards a – h listed in Article 2.B.7.B, Standards. The Standards and Staff Analyses are indicated below. A Conditional Use, Rezoning to PDD or TDD, or Development Order Amendment that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

a. Consistency with the Plan – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

○ *Consistency with the Comprehensive Plan:* The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Prior Land Use Amendments:* The overall site was the subject of a prior land use amendment known as Winsberg Farm (97-94 UT 1), which amended the land use from Low Residential, 3 units per acre (LR-3) to the following: High Residential, 8 units per acre (HR-8) on 90.2 acres; Commercial Low, with an underlying 8 units per acre (CL/8) on 15 acres; and, Utilities and Transportation (U/T) on 185 acres. The amendment was adopted via Ordinance 1997-029 and subject to the following conditions:

1. The following uses shall not be permitted on the subject 290.2 acres:
 - a. Gas stations;
 - b. Fast food restaurants;
 - c. Adult entertainment enterprises;
 - d. Communication transmission towers.
2. The total commercial building area limited to no more than 120,000 square feet, with no single store to exceed 20,000 square feet.
3. Height of buildings in areas designated HR-8 shall be limited to no more than 3 stories.
4. Entrance signs shall be monument type.
5. All lighted signs and parking lot signs shall be non-intrusive with respect to the surrounding communities.
6. A six (6) foot high earthen berm shall be placed along the northern and eastern ends of the commercial area.
7. Sufficient landscaping shall be installed at the top of the berm to effectively screen the commercial buildings.

The subject EAC application seeks only to amend prior Zoning landscaping conditions of approval related specifically to the Public Civic Pods A, B and C as identified on the approved Final Master Plan (FMP). As such, the application has no impact to the adopted Ordinance conditions listed above. Any subsequent changes to the plans shall require review by Planning staff for consistency with the ordinance conditions.

○ *Intensity:* As the application only seeks to amend prior Zoning conditions of approval, there are no changes to the previously approved 27,737 sq. ft. (0.0037 FAR) of building area for public civic uses within the affected Pods.

○ *Special Overlay District/Neighborhood Plan/Planning Study Area:* The site is located within the boundaries of the West Boynton Community Plan (WBCP), which is administered by the Coalition of Boynton West Residential Association (COBWRA). To date, no letters have been received from the community group.

b. Consistency with the Code – *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

The subject development was originally approved by the BCC in 1998 as a Planned Unit Development, following the adoption of Ordinance 97-29 to modify the future land use. The proposed development at that time consisted of 272.93-acre Residential development, with 706 dwelling units within 89.29 acres, and 173.55 acres developed as civic areas that were to be constructed as wetlands. These Wetlands were similar to the Wakodahatchee Wetland area across Jog Road and southeast of the site. As part of the proposed wetlands the development was conditioned to provide a 50 foot Type A Preservation and Mitigation landscape buffer, that included native vegetation, along all properties lines labeled as Public

Civic. The Unified Land Development Code (ULDC), at the time of this approval had four types of perimeter landscape buffers. The Type A buffer was related to preservation and mitigation of natural areas, and were to be designed in conjunction with the requirements of Vegetation Protection and Preservation, and the primary purpose of the buffer was to preserve or mitigate wetlands and other native, non-invasive plant species. The buffer was to be supplemented with trees and shrubs in accordance with the requirements of PUDs, as shown below. This buffer was required pursuant to requirements for a Planned Unit Development, and consideration of the proposed wetlands that were to be create. As part of the approved plans, a Regulating Plan indicated a detail of the Type A buffer that was to be planted.

**TABLE 6.8-3
PERIMETER LANDSCAPE AREA REGULATIONS**

Perimeter Landscape Use	Minimum Width and Planting Requirements			Maximum Tree Spacing	Minimum Design Elements
	Width	Trees	Shrubs		
(A) Preservation or Mitigation of Native Vegetation	50'	1/400 s.f.	1/250 s.f.	40 LF*	-Native -Trees -Shrubs

○ *Landscape/Buffering* – The Applicant requests an amendment to modify Conditions of Approval specific to interior landscaping and trees and palms within the 50 foot Type A Preservation and Mitigation Landscape Buffer as indicated on the Final Master Plan (FMP) in Figure 3. The 50 foot Type A Preservation and Mitigation Buffer was a Code requirement per Ordinance No. 1992-020 originally intended to preserve or mitigate wetlands, and other native and non-native plant species. Specifically for the subject site, the Type A Preservation and Mitigation Buffer intends to protect the created Wetlands on Pods A, B and C as indicated in Figure 3 as the site is currently being utilized for agricultural activities.

The Applicant states in their Justification Statement that the intent is to install trees and palms within the Type A Preservation Buffers at varying heights, less than required by Art. 7. The planting of trees and palms at the reduced height will aid in the provision of newly created ecosystems and a restorative landscape, in an effort to restore degraded areas of the site. Article 7 of the Code does not allow for required landscaping to be installed at heights less than 12 feet for trees and eight (8) feet minimum height of clear trunk or six (6) feet of grey wood for palms. Pursuant to Art 7.D.2.a.1., Average Height, Canopy trees are allowed to be planted with an overall average height of 12 feet, with 25 percent having a minimum height of eight feet.

If this project were to be submitted today as a new request and not an amendment, the Code requires 15-foot wide Type 2 Incompatibility Buffers along the south property line of the Wetlands, and the property lines of Pods A, B and C that abut the Residential Pod E (Figure 3). Along the west property line, an eight foot Compatibility Buffer would be required as the subject development abuts a Utility/Public Use. As the 50 foot Type A Preservation and Mitigation Buffer exceeds the width requirements of required landscape buffers in the Code, the Conditions of Approval related to the affected landscaping within the Type A Preservation and Mitigation Buffers are therefore, being modified. Modifications include the allowance of trees and palms to be planted at minimum heights required per Art. 7, for the quantify that equates to the aforementioned Compatibility and Incompatibility Buffers. The remaining quantity for the Type A Preservation and Mitigation Buffer, that was required at the time of the original approval may be planted at varied heights.

Other required trees and palms proposed to be planted within the landscape buffer along the eastern property line of Pod C and interior to the site, such as within landscape islands and foundation planting, will be planted according to the requirements of Art. 7. The modification of the Conditions of Approval is consistent, and will not conflict with the Code as landscaping required by current Code will be installed according to the height requirements of Art. 7, with landscaping beyond the requirements of current Code, planted at the requested varied heights.

c. Compatibility with Surrounding Uses – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.*

The subject site is surrounded to the north, east and south by residential uses, and a Utility use to the west. The modification to the Conditions of Approval for landscaping will not affect the consistency of the Civic Pod with the adjacent land uses, as the Pod is not changing. The modification will not remove required vegetation from the buffers, but modifies the heights of the installed supplemented material to enhance the development of the created wetlands.

d. Design Minimizes Adverse Impact – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.*

With the modification to the Conditions of Approval for perimeter landscaping around the wetlands, the landscape buffer along the eastern property line of Pod C will consist of trees planted at a minimum 12 feet high and palms planted with a minimum eight (8) feet of clear trunk or six (6) feet of grey wood, per Art. 7.D.2. Trees, Palms, and Pines. Required shrubs will also be planted at a minimum 3 feet high with the 50 foot Preservation Buffer along the north, south and west property lines of Pods A, B, and C will provide a wider landscaped area than what is required by Code. With the modifications to the Conditions of Approval, minimum tree and palm heights required per Art. 7 will be implemented within the areas of the 50 foot buffer that satisfy the requirements for Compatibility and Incompatibility buffer as mentioned under *Consistency with the Code* above. The proposed vegetation within the landscape buffers and the wider buffer width, specifically within the 50 foot Preservation and Mitigation Buffer will offset any potential visual and intensity impacts on adjacent lands. Trees and Palms intended to be planted internal to the site at less than 14 feet will have no effect on adjacent lands.

e. Design Minimizes Environmental Impact – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

- *Vegetation Protection:* This property has been cleared for agricultural production.
- *Wellfield Protection Zone:* Portions of the property is located within a Wellfield Protection Zone 2,3 and 4.
- *Irrigation Conservation Concernsa and Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93 15.
- *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

f. Development Patterns – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*

This application to modify Conditions of Approval to reduce the height at installation of trees and palms within the Type A Preservation and Mitigation Buffer and vegetation internal to the site has no effect on the development pattern of the area. No changes are proposed to structures, layout or the overall design of the site.

g. Adequate Public Facilities – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

ENGINEERING COMMENTS:

Staff has reviewed this application and have no comment. The proposed request will not modify prior conditions of approval for Engineering, or create any impacts related to concurrency for legal positive outfall or traffic performance standards.

PALM BEACH COUNTY HEALTH DEPARTMENT:

This project has met the requirements of the Florida Department of Health.

SCHOOL IMPACTS:

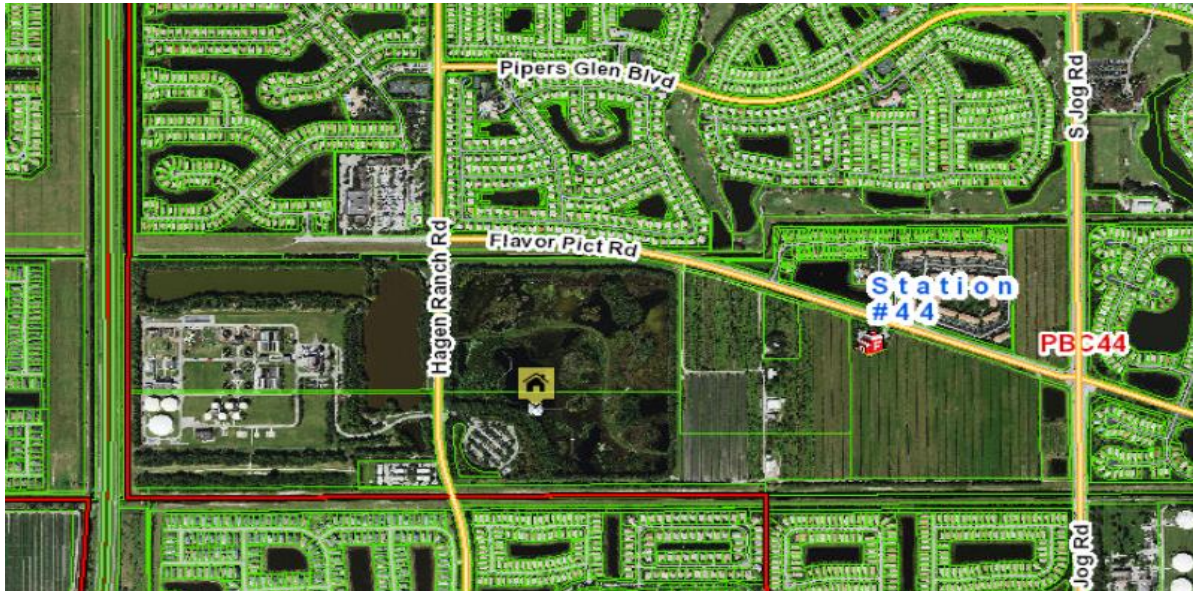
The School Board has no comment regarding this non-residential application.

PARKS AND RECREATION:

The Parks and Recreation Department supports the proposed modification to use smaller trees in order to save costs on this important project that will provide environmental education and wildlife habitat.

FIRE PROTECTION:

Staff has reviewed this application and have no comment. The subject development is within the boundaries of PBC Fire Station No 44.



h. Changed Conditions or Circumstances – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

As mentioned, the Type A Preservation and Mitigation Buffer was intended to preserve and protect existing native vegetation. The Applicant states in their Justification Statement that there is no native vegetation on site to preserve as the site has been engaged in active agriculture. The Parks and Recreation, and PBC Water Utilities Departments are working to create new ecosystems and a restorative landscape through the development of Wetlands according to the Final Site Plan (Figure 4). There have, however, been significant obstacles in their efforts due to restrictions related to the minimum tree and palm heights required at planting per the Conditions of Approval. This demonstrated changed condition and circumstance has necessitated the modification to the Conditions of Approval.

CONCLUSION: Staff has evaluated the standards listed under Article 2.B.7 and determined that there is balance between the need for change and the potential impacts generated by the Development Order Amendment (Expedited Application Consideration). Therefore, Staff is recommending approval subject to the Conditions of Approval as indicated in Exhibit C.

CONDITIONS OF APPROVAL

EXHIBIT C-

Development Order Amendment (Expedited Application Consideration)

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2005-1050, Control No.1997-00095, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-98-423 (Petition), R-98-424 (Petition 97-95), R-98-869 (Petition 97-95*), R-00-1707 (Petition 97-95A) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 2.E of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING-Zoning)

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolutions R-1998-0423, R-1998-0424, R-1998-0869, R-2000-1707, R-2005-1050, 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, unless expressly modified. (ONGOING: MONITORING – Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2005-1050, Control No. 1997-00095, 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 master plan is dated February 11, 2005. 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 site design approved by the Board of County Commissioners. The approved Master Plan and Site Plan are dated August 21, 2020. 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. (DRO: ZONING - Zoning)

BUILDING AND SITE DESIGN

1. The maximum height for all structures, measured from finished grade to highest point, shall not exceed thirty-five (35) feet, except as permitted in Section 6.5.H.5 of the ULDC. (BLDG PERMIT: BLDG Zoning/Planning) (Previous Condition B.1 of Resolution R-2000-1707, Petition 1997-95(A))

2. The minimum setback for all residential structures adjacent to the north property line shall be forty (40) feet. Setbacks may include the required landscape buffer. (DRO: ZONING - Zoning) (Previous Condition B.2 of Resolution R-2000-1707, Petition 1997-95(A))

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. (CO: BLDG - Zoning) (Previous Condition B.3 of Resolution R-2000-1707, Petition 1997-95(A))

4. 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. (BLDG PERMIT/ONGOING: BLDG/CODE ENF - Zoning/Planning) (Previous Condition B.4 of Resolution R-2000-1707, Petition 1997-95(A))

ENVIRONMENTAL

1. Excavation of a mined lake (water management tract) shall not be constructed within Zone 1 or 300 feet of a proposed or existing potable water supply. Separations shall be measured from the top of bank. No exfiltration trench is permitted in Wellfield Protection Zones 1 or 2. Regulated substances are prohibited in a Wellfield Zone 1. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) (Previous ENVIRONMENTAL Condition 1 of Resolution R-2005-1050, Control No.1997-00095)

LANDSCAPE - GENERAL

1. Previous LANDSCAPE - GENERAL Condition 1 of Resolution R-2005-1050, Control No.1997-00095, which currently states:

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.

Is hereby amended to read:

All canopy trees required to be planted on site by this approval, except on individual residential lots and within the Type A Preservation and Mitigation Landscape Buffer of Public Civic Pods A, B and C, 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)

2. Previous LANDSCAPE - GENERAL Condition 2 of Resolution R-2005-1050, Control No.1997-00095, which currently states:

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 or grey wood, whichever is greater;
- 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.

Is hereby amended to read:

All palms required to be planted on site by this approval, except on individual residential lots and within the Type A Preservation and Mitigation Landscape Buffer of Public Civic Pods A, B and C, shall meet the following minimum standards at installation:

- a. Palm heights: twelve (12) feet clear trunk or grey wood, whichever is greater;
- 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)

LANDSCAPE - INTERIOR-LANDSCAPING ALONG THE NORTH AND SOUTH PROPERTY LINES (INTERIOR TO THE PUD AND ABUTTING FLAVOR PICT ROAD

1. Landscaping and buffering along the north and south property lines shall be upgraded to include:

- a. A minimum twenty-five (25) foot wide landscape buffer strip;
- b. A minimum one to three foot high undulating berm with an average height of two (2) feet measured from the top of curb;
- c. one (1) canopy tree for each twenty-five (25) linear feet of frontage with a maximum spacing of forty (40) feet on center;
- d. 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. A group of three (3) palms shall not be substituted for a perimeter canopy tree; 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 H.1 of Resolution R-2000-1707, Petition 1997-95(A)) (Previous LANDSCAPE - INTERIOR Condition 1 of Resolution R-2005-1050, Control No.1997-00095)

LANDSCAPE - PERIMETER-LANDSCAPING ALONG ALL PROPERTY LINES FOR THE CONSTRUCTED WETLANDS

1. Previous LANDSCAPE - PERIMETER Condition 1 of Resolution R-2005-1050, Control No.1997-00095, which currently states:

Prior to master plan approval by the DRC the perimeter buffer area along all property lines labeled as Public Civic shall be amended to indicate a fifty (50) foot wide Type A preservation and mitigation landscape buffer for native vegetation protection. The preservation buffer may include the land and vegetation dedicated for the constructed wetlands. The petitioner may submit a landscape betterment plan as an alternative subject to approval by the Development Review Committee (DRC).

Is hereby amended to read:

1. Prior to Final Master Plan approval by the Development Review Officer (DRO), the Site and Regulating Plans shall be amended to comply with the revised conditions of Approval. The perimeter buffer area along all property lines labeled as Public Civic shall be amended to indicate a fifty (50) foot wide Type A preservation and mitigation landscape buffer (as required by the 1992 ULDC, Supplement 4) for native vegetation protection. The preservation buffer may include the land and vegetation dedicated for the constructed wetlands. (DRO: ZONING - ZONING)

2. The Type A Preservation and Mitigation Buffers shall be planted as follows:

- a. Width: Minimum 50 feet;
- b. Quantity Trees: Minimum 1 tree for each 400 sq. ft.;
- c. Quantity of Shrubs: 1 shrub for each 250 sq ft;
- c. Heights of Trees: Of the minimum quantity described above under b., there shall be a minimum of 1 tree for each 20 lineal feet planted at the minimum heights pursuant to Art 7.D.2.A. The remaining quantity described above under b. may be planted at varied heights;
- d. Heights of Palms: Shall be installed at the minimum heights described in Art 7.D.2.B.
- e. Heights of shrubs: Shall be a mix of small, medium, and large heights described pursuant to Art 7.D.3. (CO: LANDSCAPE - Zoning)

LANDSCAPE - PERIMETER-LANDSCAPING ALONG EAST PROPERTY LINE (ABUTTING COMMERCIAL)

1. Landscaping and buffering along the east property line shall be upgraded to include:

- a. A minimum fifteen (15) foot wide landscape buffer strip;
- b. One (1) 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 supersede the requirement for a canopy tree in that location; and,
- d. 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. (CO: LANDSCAPE - Zoning) (Previous Condition I.1 of Resolution R-2000-1707, Petition 1997-95(A))

LANDSCAPE - PERIMETER-LANDSCAPING ALONG NORTH PROPERTY LINE (ACROSS FROM RESIDENTIAL)

1. Landscaping and buffering along the north property line shall include:

- a. A minimum twenty (20) foot wide landscape buffer strip;
- b. A minimum one to three foot high undulating berm with an average height of two (2) feet measured from the top of curb;
- c. One (1) 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 spaced no more than twenty four (24) inches on center and maintained at a minimum height of thirty six (36) inches planted on the plateau of the berm. (CO: LANDSCAPE - Zoning) (Previous Condition G.1 of Resolution R-2000-1707, Petition 1997-95(A))

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. (CO: BLDG PERMIT - Eng) (Previous Condition K.1 of Resolution R-2000-1707, Petition 1997-95(A))

2. 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. (CO: LANDSCAPE - Eng) (Previous Condition K.2 of Resolution R-2000-1707, Petition 1997-95(A))

3. 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. (CO: BLDG PERMIT - Eng) (Previous Condition K.3 of Resolution R-2000-1707, Petition 1997-95(A))

4. All utilities shall be underground, pursuant to Section 6.8.A.23.d(5) of the ULDC. (PLAT: ENG - Zoning) (Previous Condition K.4 of Resolution R-2000-1707, Petition 1997-95(A))

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 K.5 of Resolution R-2000-1707, Petition 1997-95(A))

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) [Note Completed] (Previous Condition L.1 of Resolution R-2000-1707, Petition 1997-95(A))

2. The subject development shall post a notice of annual boundary school assignments for students from this development. The District will provide an 11" X 17" sign to be posted in a clear and visible location in all sales offices and models. (ONGOING: SCHOOL BOARD-School Board) (Previous Condition L.2 of Resolution R-2000-1707, Petition 1997-95(A))

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: MONITORING - 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: MONITORING - Zoning)

DISCLOSURE

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

Figure 1 - Land Use Map



Figure 2 - Zoning Map

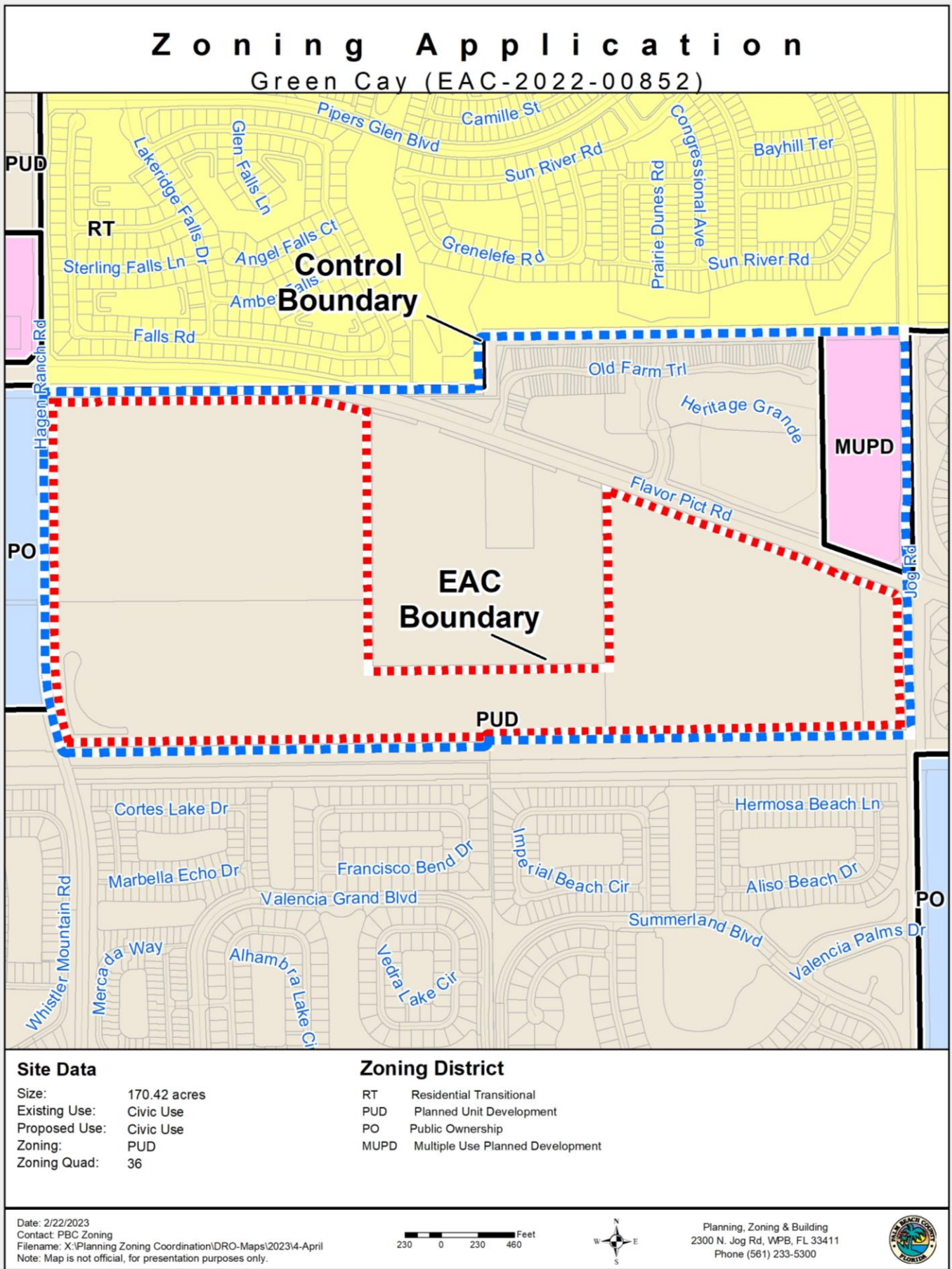


Figure 3 – Final Master Plan dated August 21, 2020



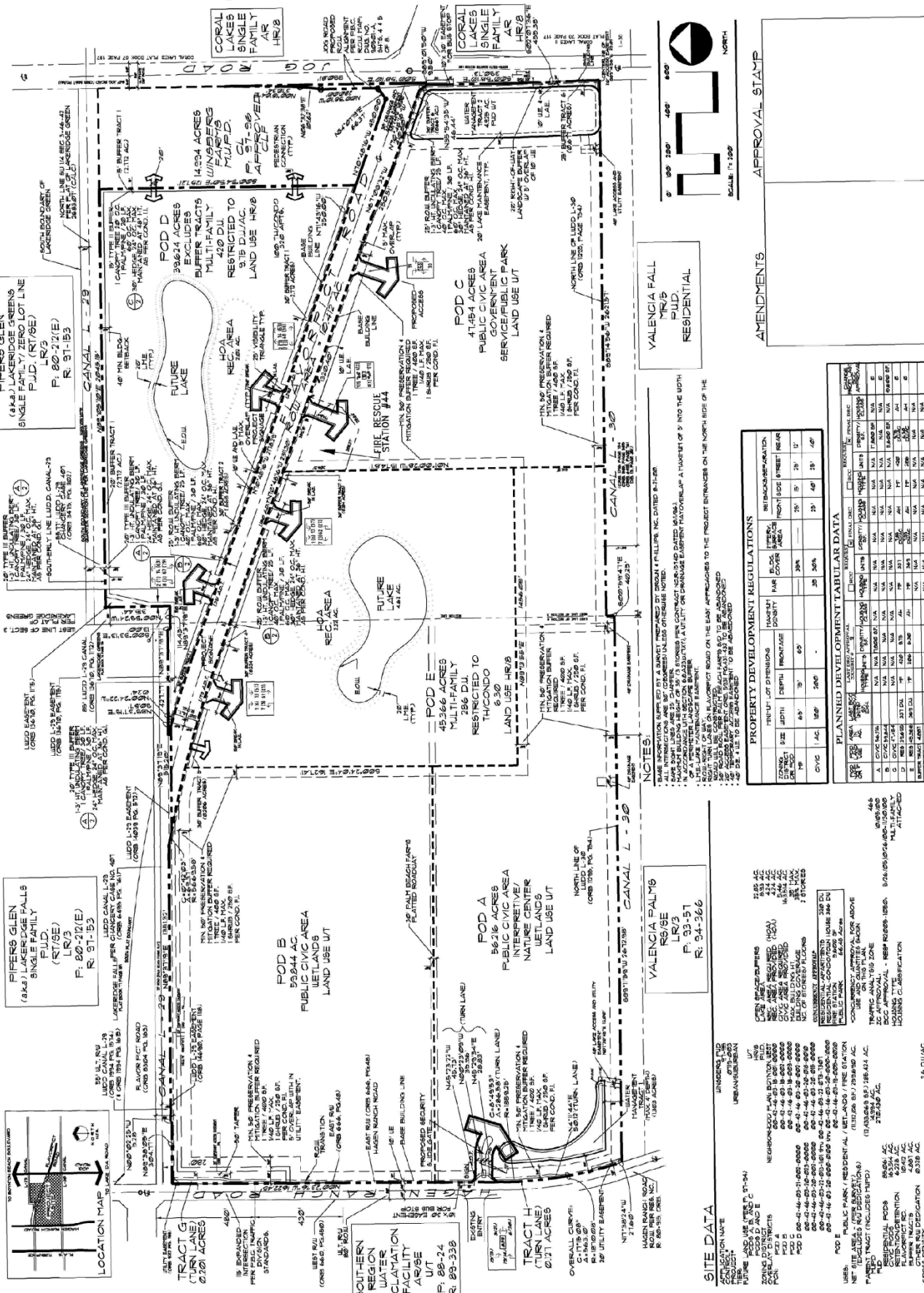
WINSBURG
FARMS P.U.D.
PREPARED FOR CH2M HILL
PALM BEACH COUNTY, FLORIDA

HRP CN
O CUVGT
RNC P

Corporate Business Center
1280 N. Orange Ave., Ste. 215
West Palm Beach, FL 33409
Tel: 561-831-1111
Fax: 561-831-1112
WWW.LANDDESIGN.COM

DATE: 08/21/2020
DRAWN BY: J. HARRIS
CHECKED BY: K. ZIMMERMAN
APPROVED BY: K. ZIMMERMAN
PROJECT NO.: 18-0001-0001
SHEET NO.: 1 OF 1
PROJECT NAME: WINSBURG FARMS P.U.D.
PREPARED FOR: CH2M HILL

SHEET #
FMP-1 OF 1



NOTES:
1. BASE INFORMATION SUPPLIED BY A MARKET RESEARCH FIRM DATED 04/20/20
2. BASE INFORMATION IS SUBJECT TO THE CONTRACT AND SHALL BE VALID FOR 90 DAYS
3. SITE PLAN IS BASED ON THE CONTRACT AND SHALL BE VALID FOR 90 DAYS
4. THIS PLAN IS SUBJECT TO THE CONTRACT AND SHALL BE VALID FOR 90 DAYS
5. THIS PLAN IS SUBJECT TO THE CONTRACT AND SHALL BE VALID FOR 90 DAYS
6. THIS PLAN IS SUBJECT TO THE CONTRACT AND SHALL BE VALID FOR 90 DAYS
7. THIS PLAN IS SUBJECT TO THE CONTRACT AND SHALL BE VALID FOR 90 DAYS
8. THIS PLAN IS SUBJECT TO THE CONTRACT AND SHALL BE VALID FOR 90 DAYS
9. THIS PLAN IS SUBJECT TO THE CONTRACT AND SHALL BE VALID FOR 90 DAYS
10. THIS PLAN IS SUBJECT TO THE CONTRACT AND SHALL BE VALID FOR 90 DAYS

PROPERTY DEVELOPMENT REGULATIONS

ZONING DISTRICT	MIN. LOT DIMENSION	MIN. LOT AREA	MIN. FRONT SETBACK	MIN. SIDE SETBACK	MIN. REAR SETBACK	MIN. FRONT YARD OPEN SPACE	MIN. FRONT SIDE OPEN SPACE	MIN. REAR YARD OPEN SPACE	MIN. SIDE OPEN SPACE	MIN. REAR OPEN SPACE	MIN. OVERALL OPEN SPACE	MIN. OPEN SPACE PERCENTAGE	MIN. OPEN SPACE PERCENTAGE PER LOT	MIN. OPEN SPACE PERCENTAGE PER TRACT	MIN. OPEN SPACE PERCENTAGE PER PHASE	MIN. OPEN SPACE PERCENTAGE PER SUBDIVISION	MIN. OPEN SPACE PERCENTAGE PER PHASE PER LOT	MIN. OPEN SPACE PERCENTAGE PER PHASE PER TRACT	MIN. OPEN SPACE PERCENTAGE PER PHASE PER SUBDIVISION	MIN. OPEN SPACE PERCENTAGE PER PHASE PER PHASE
POD A																				
POD B																				
POD C																				
POD D																				
POD E																				

SITE DATA

LOCATION NAME	AREA (AC)	PERCENTAGE	REMARKS
POD A	56.16	100%	Public Civic Area
POD B	59.84	100%	Public Civic Area
POD C	41.84	100%	Public Civic Area
POD D	39.67	100%	Multi-Family
POD E	48.36	100%	Multi-Family
Tract A	14.63	100%	Single Family
Tract B	2.20	100%	Turn Lane
Other	2.20	100%	Other
TOTAL	201.00	100%	Total Site Area

PLANNED DEVELOPMENT TABULAR DATA

TRACT	AREA (AC)	PERCENTAGE	REMARKS
POD A	56.16	100%	Public Civic Area
POD B	59.84	100%	Public Civic Area
POD C	41.84	100%	Public Civic Area
POD D	39.67	100%	Multi-Family
POD E	48.36	100%	Multi-Family
Tract A	14.63	100%	Single Family
Tract B	2.20	100%	Turn Lane
Other	2.20	100%	Other
TOTAL	201.00	100%	Total Site Area

VALENCIA PALMS
LR/3
F. 93-51
R. 94-366

TRACT	AREA (AC)	PERCENTAGE	REMARKS
POD A	56.16	100%	Public Civic Area
POD B	59.84	100%	Public Civic Area
POD C	41.84	100%	Public Civic Area
POD D	39.67	100%	Multi-Family
POD E	48.36	100%	Multi-Family
Tract A	14.63	100%	Single Family
Tract B	2.20	100%	Turn Lane
Other	2.20	100%	Other
TOTAL	201.00	100%	Total Site Area

VALENCIA FALL
NR/3
PUD
RESIDENTIAL

TRACT	AREA (AC)	PERCENTAGE	REMARKS
POD A	56.16	100%	Public Civic Area
POD B	59.84	100%	Public Civic Area
POD C	41.84	100%	Public Civic Area
POD D	39.67	100%	Multi-Family
POD E	48.36	100%	Multi-Family
Tract A	14.63	100%	Single Family
Tract B	2.20	100%	Turn Lane
Other	2.20	100%	Other
TOTAL	201.00	100%	Total Site Area

APPROVAL STAMP

AMENDMENTS

Exhibit D – Disclosure of Ownership

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Krystin Berntsen, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

- 1. Affiant is the [] individual or [x] Deputy Director [position - e.g., president, partner, trustee] of Palm Beach County (Utilities Department) [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 2633 Vista Parkway West Palm Beach Fl 33411
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Krystin Ber
Krystin Berntsen, Affiant
(Print Affiant Name)

CI
5/16/2022

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [x] physical presence or [] online notarization, this 19th day of May, 2022 by Krystin Berntsen (name of person acknowledging). He/she is personally known to me or has produced Personally known (type of identification) as identification and did/did not take an oath (circle correct response).

Claudia Coyne
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: 6/13/2024

NOTARY'S SEAL OR STAMP

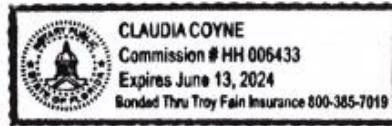


EXHIBIT "A"

PROPERTY

TRACTS A, B AND C, OF PLAT BOOK 102 PAGES 93 THROUGH 97, RECORDED IN PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
	Palm Beach County 2633 Vista Parkway West Palm Beach FL 33411

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