

PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION

Application No.: CB-2021-01183
Application Name: Universal BioCarbon, Inc.
Control No./Name: 2013-00353 (Florida Sugar and Molasses Exchange)
Applicant: U S Sugar Corp
Universal BioCarbon, Inc. - Michael Milicevic
Owners: U S Sugar Corp
Agent: BSC Engineering, Inc - Brenda Clark
Universal BioCarbon, Inc - Michael Milicevic
Telephone No.: (954) 254-6866 , (813) 240-9330
Project Manager: Donna Adelsperger, Site Planner II

TITLE: a Class B Conditional Use REQUEST: to allow Chipping and Mulching

APPLICATION SUMMARY: Proposed is a Class B Conditional Use for Universal Biocarbon. The 28.74 acre site is currently being used for Chipping and Mulching use with a Composting facility.

The Class B Conditional Use request is for Chipping and Mulching use on 2.07 acres of the 28.74 acre site. A subsequent administrative application will include a request for a Composting use on 7.23 acres within the overall site. A total of 24 parking spaces will be provided, 2 more than the minimum required 22 spaces. Access to the site is from Guava Lane and Old Connors Highway.

SITE DATA:

Location:	South side of Connors Hwy, approximately 1.6 miles east of the intersection of Connors Highway and US 441
Property Control Number(s)	00-37-42-03-00-000-9000
Existing Future Land Use Designation:	Agricultural Production (AP)
Existing Zoning District:	Agricultural Production District (AP)
Overall Acreage	549.27 acres
Affected Acreage of Class B:	28.74 acres
Tier:	Glades
Overlay District:	N/A
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile	Pahokee
Future Annexation Area	N/A
Commission District	District 6, Commissioner Melissa McKinley

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

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received one phone call regarding the proposed use contacts from the public regarding this application.

The individual wanted to know what was to be chipped on the site, would any of the material contains contamination; as well as concerns regarding protected wildlife in the area.

PROJECT HISTORY: Universal Biocarbon is located on a portion of 535-acres owned by US Sugar. This area was previously the location for US Sugar farm workers housing. The homes have since been removed, however the internal roads remain. The Applicant will utilize these roads to maneuver within the proposed development. The development is currently under Code Enforcement action for operating the Chipping and Mulching use along with the Composting facility without the proper approvals. This violation will be resolved if the Applicant receives the approval from the Zoning Commission as well as the Development Review Officer.

The Applicant has obtained the necessary permits from Florida Department of Environmental Protection (FDEP) and will continue to operation within their permit requirements.

SURROUNDING LAND USES:

NORTH:

FLU Designation: Agricultural Production (AP)
Zoning District: Agricultural Production District (AP)
Supporting: Agriculture

SOUTH:

FLU Designation: Agricultural Production (AP)
Zoning District: Agricultural Production District (AP)
Supporting: Agriculture

EAST:

FLU Designation: Agricultural Production (AP)
Zoning District: Agricultural Production District (AP)
Supporting: Agriculture

WEST:

FLU Designation: Agricultural Production (AP)
Zoning District: Agricultural Production District (AP)
Supporting: Agriculture

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.*

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

o *Relevant Comprehensive Plan Policies:* The Historic Preservation Element (HPE) of the Comprehensive Plan identifies the Goals, Objectives, and Policies associated with the identification, preservation, protection, and awareness of historic and cultural resources within the County. More specifically, HPE Policy 1.3-c requires the County to review development applications for potential location of historic or culturally significant resources. The Policy reads as follows:

Policy 1.3-c: The County shall continue to review all applications for public and private development and redevelopment within its jurisdiction, and evaluate impacts to potential and identified historic and cultural resources in a timely and efficient manner through the development review processes.

The Applicant submitted a Historic and Archaeological Resource Review request to the County Archaeologist. In a response letter dated February 16, 2022, the County Archaeologist concluded that structures identified as historic or architecturally significant resources exist on or within 500 feet of the subject property. The letter goes on to state that a Certificate to Dig (CTD) will be required given the potential historical significance. Staff are recommending Conditions of Approval with the subject Class B request relating to completion of the CTD process, including commencement of on-site investigation and submission of a final report to the County Archaeologist, as well as an on-going Condition requiring halt of development and notification to the County Archaeologist should artifacts be discovered during development. Article 9 of the Unified Land Development Code (ULDC) establishes the regulatory processes and requirements associated with the aforementioned CTD and Conditions.

o *Intensity:* The maximum Floor Area Ratio (FAR) for non-residential projects with an Agricultural Production (AP) future land use designation in the Glades Tier is 0.10 (1,251,799.64 surveyed sq. ft. of leased area or 28.74 acres x 0.10 maximum FAR = 125,179.96 sq. ft. maximum). The requests for Chipping and Mulching and Composting Uses do not include any buildings or square footage, and as a result there is no FAR proposed. The proposed use will instead occupy 2.07-acres for Chipping and Mulching, and 7.23-acres for Composting. Thus, the requested intensity is consistent with the AP future land use designation.

o *Special Overlay District/ Neighborhood Plan/Planning Study Area:* The site is not located within any neighborhood plans, overlays or planning study areas as identified in the Comprehensive Plan.

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.*

- *Code Enforcement:* The site is currently under Code Enforcement action for operating without the proper approvals. This request, if approved, will resolve the Code Enforcement issue.
- *Property Development Regulations:* The parcel is zoned AP and meets the minimum property development regulations for lot size. The location of the proposed Chipping and Mulching, and Composting uses, is located on a portion of the overall parcel. There are no proposed structures at this time, other than portable restrooms, associated with the proposed use. The other structures that exist on the overall parcel are for the Bonefide Agricultural use (sugar cane production). The use is located on a lot greater than five acres (28.72 acres).
- *Use Specific Regulations:*
 - *Approval Process:* The proposed use is not accessory to a Bona Fide Agricultural Use, and thus requires the Conditional Use B approval.
 - *Access:* Access to the site is from a collector/arterial roadway. Trucks delivering yard waste will access the facility through Conners Highway. Upon entering the UBC Facility 1, delivery trucks will be directed to the Receiving, Sorting and Processing Area where the chipping / mulching operations are performed.
 - *Recycling Plant:* There is no proposed Recycling Plant associated with the use.
 - *Outdoor Storage:* The chipping and mulching area is located in the South portion of the UBC Facility 1. The area is more than 50 feet from the Facility Boundary. The yard waste materials, upon receipt, will be stockpiled prior to chipping. The unground yard waste materials will not remain in the stockpiles for more than 45 days. The stockpiles will not extend more than 15 feet above the existing ground surface (as determined by poles located around the site). Height will be monitored and maintained by site personnel.
 - *Hours of operation:* The operations, in general, will be conducted between 6:00 am and 6:00 pm, Monday through Saturday. The facility will be gated to control access during non-operating hours. The gate is located to allow a minimum of 100 ft driveway length.
 - *Operations:* The facility operations are further described in the Preliminary Site Plan. The UBC Facility 1 design and operations will be performed in accordance with the requirements of Chapter 62-709 of the Florida Administrative Code (FAC).
 - *Waste Volume:* The facility is sized to receive approximately 800 cubic yards of yard waste on a daily basis.
 - *Dust Control:* The facility is equipped with a water truck that will be used to control dust at the facility on an as needed basis.
 - *SWA Permit:* Upon approval of this application, UBC will apply for a permit from Palm Beach County Solid Waste Authority (SWA).

Staff is proposing two Conditions of Approval, Use Limitations 1 and 2, that limits the type of material that can be brought to the site as well as specific items/material that cannot be chipped or used in the composting use.

- *Composting Facility:* A Composting Facility is also proposed for this development. The Composting use is an administrative approval, and the location of the use has been indicated on the proposed site plan. The composting operations have been designed to comply with the requirements of this article. An Administrative Application will be submitted for the approval of the composting use within the AP Zoning District as part of the Development Review Officer Expedited Review (DROE) approval.
- *Parking:* A total of 22 parking spaces are required and 25 spaces are being provided on site.
- *Landscape/Buffering:* The location of the use is internal to the overall parcel. A Right of way buffer will be provided along Conner's Highway. An eight foot wide compatibility buffer is also proposed for the lease area of the parcel. This meets the requirement for buffering between all compatible uses. The compatibility buffer will consist of canopy trees and rows of shrubs. There are existing overhead electrical lines however no easements for those lines.
- *Signs:* A Master Sign Plan is required at time of Application, and the Applicant did not submit, nor described in the Justification Statement. The Applicant is proposing no signage.

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 proposed Utility uses are generally consistent with the uses surrounding the site. The overall site to the southwest has a rail system running for the purposes of Transshipment of agricultural product, as well as some offices and storage structures for U.S. Sugar along Conners Highway on the parcel to the east. The other areas

for Agriculture are setback and separated from the proposed use by drainage canals and roadways.

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.*

The site plan utilizes a network of roadways that exist from the prior residential use. These roadways create the boundaries for the pile areas for both uses. The layout allows circulation around the piles and access for fire rescue. The location of the use is also setback from Conners Highway. The layout of the development meets or exceeds the ULDC with regards to setbacks, and setback from the active eagles nest the monitored by the Florida Wildlife Commission.

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:* The majority of the property was previously cleared. Native trees that are not preserved in-place shall be mitigated on the site.
- *Wellfield Protection Zone:* The property is not located within a Wellfield Protection Zone.
- *Irrigation Conservation Concerns 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 Water and Irrigation Conservation Ordinance No. 93-3. 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.

The overall parcel contains a Bald Eagle’s nest that is being monitored by Florida Fish and Wildlife Commission. The proposed use must maintain a 600-foot setback from the nest. The plan as proposed meets that requirement.

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

The proposed use will redevelop a portion of a site that was previously used as farm workers quarters. The existing infrastructure of the roadways makes the location practical for the proposed use and collocated with agricultural transshipment use and agricultural uses. The proposed development is located on a major roadway allowing the trucks that transport the vegetation to site from a major roadway and not impact residential traffic. Redevelopment of the site is a timely development pattern as it will allow a convenient location for the disposal of the vegetative material.

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

ENGINEERING COMMENTS:

The proposed horticultural waste composting facility, which will be located south of County Road 700 (Conners Hwy,) near (east of) County Road 715, is expected to generate 560 net daily trips, 7 net AM peak hour trips, and 13 net PM peak hour trips. The existing site has a small office that will be replaced. The net impact will be a reduction of peak hour trips but increase in daily trips.

The traffic impacts of this development will have an insignificant impact (as per definition in the Traffic Performance Standards) on the area roadways and no detailed analysis is required.

PALM BEACH COUNTY HEALTH DEPARTMENT:

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

FIRE PROTECTION: Staff has reviewed this application and have no comment. The site is located within the boundaries of Fire Station 72.



SCHOOL IMPACTS:

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

PARKS AND RECREATION:

Non-residential project therefore, Park and Recreation ULDC requirements do not apply.

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

The subject property is located adjacent to active Agricultural Production fields and the location of the proposed use will allow a location centrally located within the area. The request to allow the Class B Conditional Use will allow for the resolution of the active Code Enforcement action as well as bringing the site into conformance with the UDLC requirements. The use will allow for redevelopment of the site and utilize existing infrastructure to support the use, thus supporting the need for the amendment.

CONCLUSION: Staff has evaluated the application according to the standards provided within ULDC Article 2.B., and has determined that there is a balance between the need for change and the potential impacts generated by this change. Therefore, Staff is recommending approval of the Conditional Use subject to the Conditions of Approval as indicated in Exhibit C.

CONDITIONS OF APPROVAL

EXHIBIT C

Class B Conditional Use

ALL PETITIONS

1. The approved Preliminary Site Plan is dated March 28, 2022 for page 1 and April 14, 2022 for page 2. 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 Zoning Commission. (ONGOING: ZONING - Zoning)

PLANNING

1. Prior to Final Approval by the DRO or September 2, 2022, whichever occurs first, the Property Owner shall obtain a Certificate to Dig (CTD) from the County Archaeologist in accordance with ULDC Article 9.A.3.C, Certificate to Dig. (DRO/DATE: PLANNING - Planning)

2. The Property Owner shall commence on-site investigation under the Certificate to Dig (CTD) by December 2, 2022, and notify the County Archaeologist prior to any on-site activities. (DATE: PLANNING - Planning)

3. The Property Owner shall submit a Final Report for the Certificate to Dig (CTD) to the County Archeologist by June 2, 2023, one year from the approval date of this request. (DATE: PLANNING - Planning)

4. Should any archaeological artifacts be uncovered during development or soil disturbing activity, excavation shall halt; the County Archaeologist contacted and allowed to comment on the significance of the find as provided for in Article 9 of the ULDC. (ONGOING: PLANNING - Planning)

USE LIMITATIONS

1. The site shall be limited to Yard Waste only. (ONGOING: ZONING - Zoning)

2. Biosolids, food waste, equestrian, animal waste or construction debris is prohibited. (ONGOING: ZONING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Zoning Commission 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 Zoning Commission 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; 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

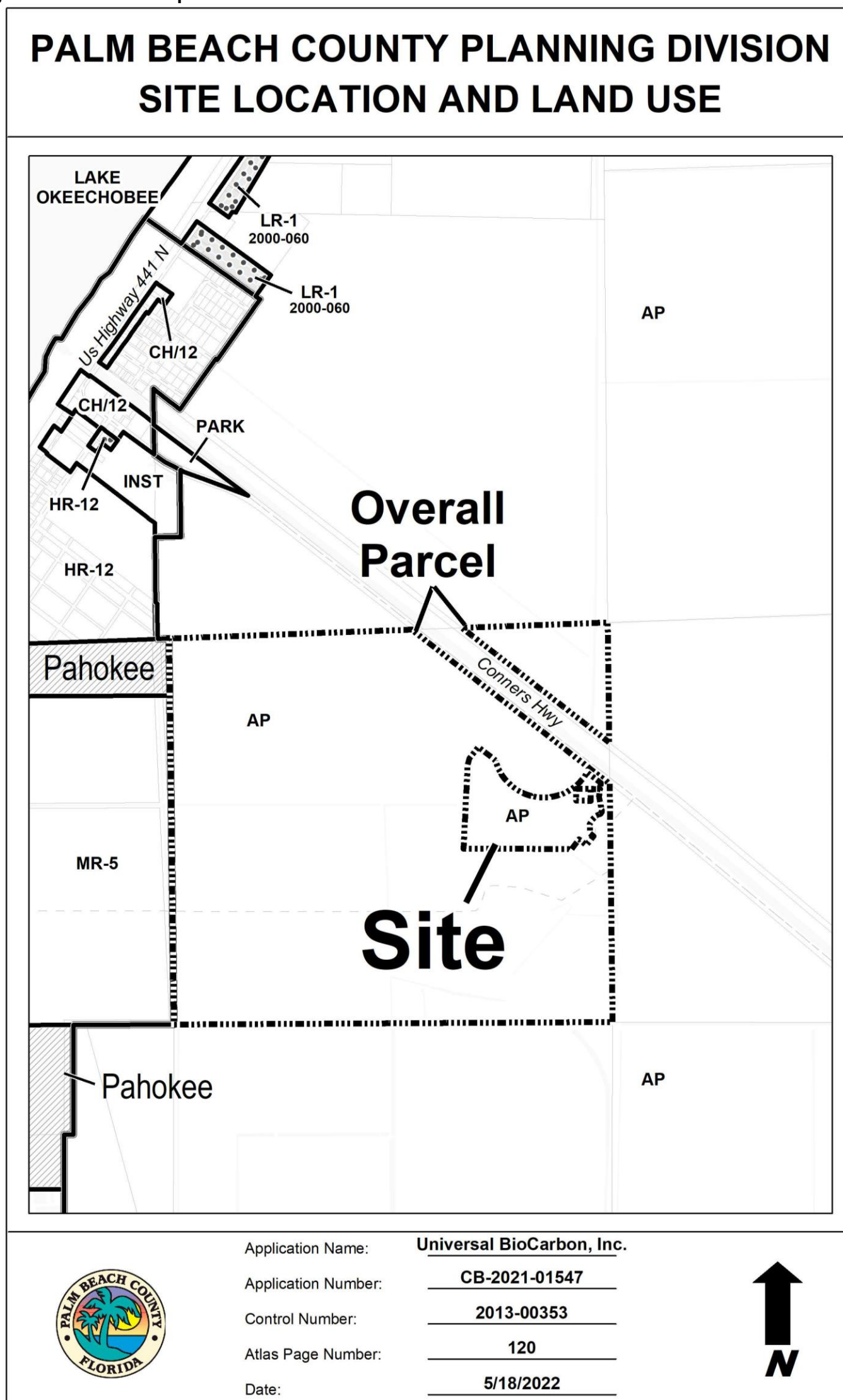


Figure 2 - Zoning Map

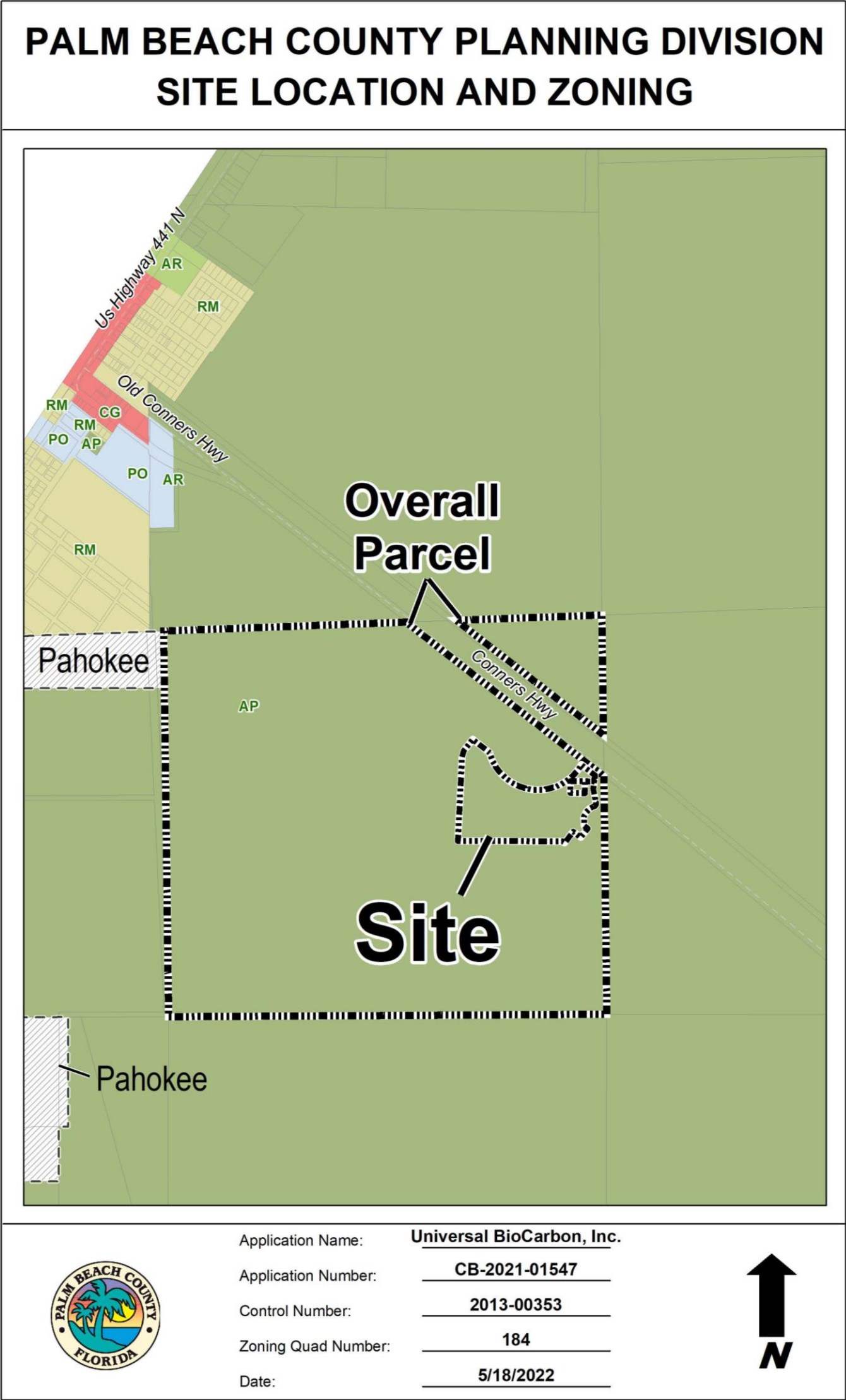


Figure 3 - Aerial

PALM BEACH COUNTY PLANNING DIVISION
SITE LOCATION



Application Name:	<u>Universal BioCarbon, Inc.</u>
Application Number:	<u>CB-2021-01547</u>
Control Number:	<u>2013-00353</u>
Atlas Page Number:	<u>120</u>
Date:	<u>5/18/2022</u>

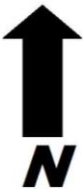


Figure 4 – Preliminary Site Plan dated March 28, 2022 (page 1 of 2)

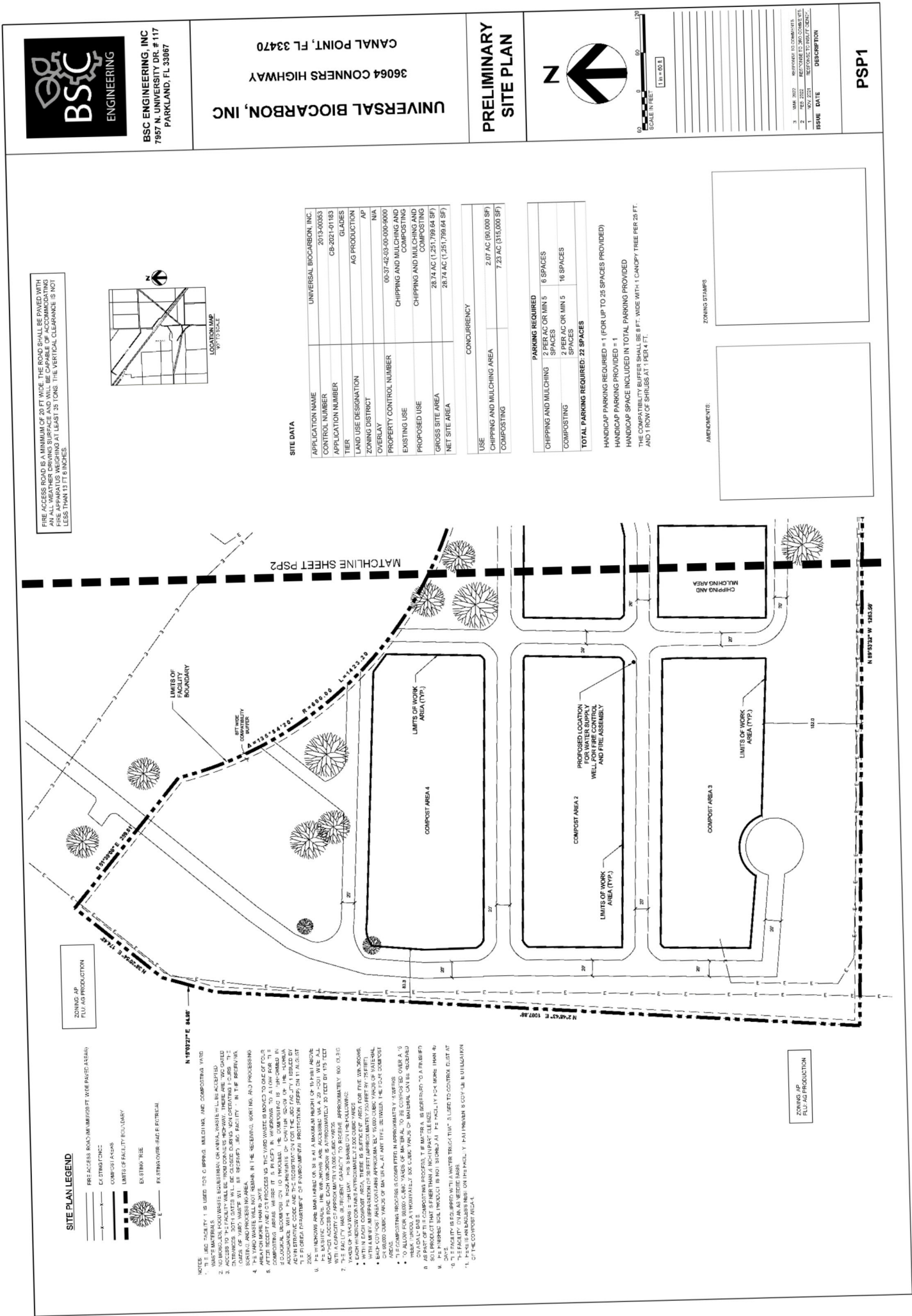


Figure 4 – Preliminary Site Plan dated April 14, 2022 (page 2 of 2)

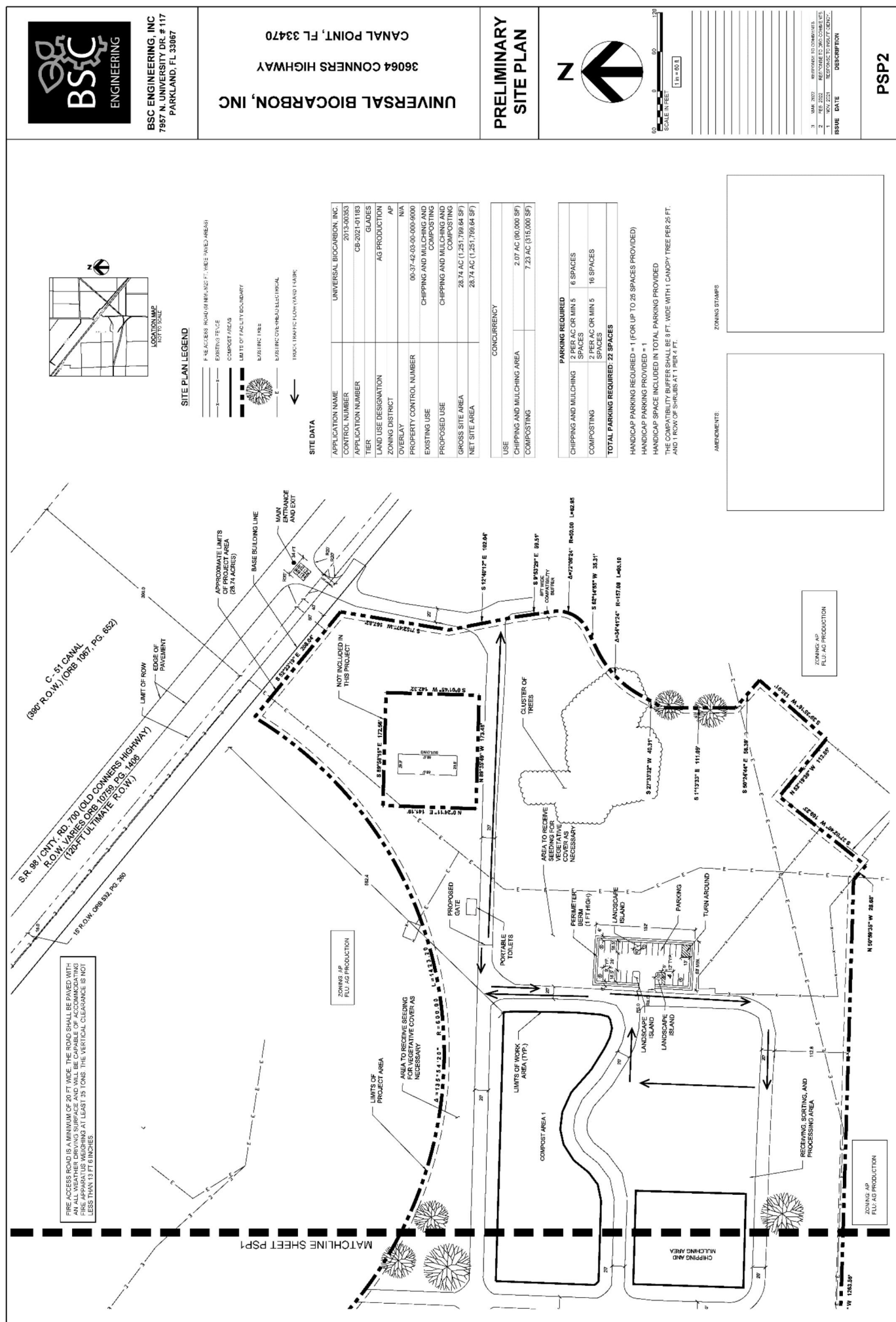


Figure 5 – Preliminary Regulating Plan dated March 28, 2022 (page 2 of 2)



TREE ABBV. KEY
BB BLACK QUERCUS
BJ BISHOPIA
FA FICUS AUREA
OV LIVE OAK
RQ ROYAL PALM
SC SABA PALM
SP SABA PALM
WR WASHINGTON PALM

UBC VEGETATION DISPOSITION NOTE
ALL EXISTING VEGETATION TO REMAIN IN PLACE

AMENDMENTS:

ZONING STAMPS:

UBC Tree Disposition Chart																	
No.	SCIENTIFIC NAME	COMMON NAME	DBH (INCHES)	ERM	ZONING	DISPOSITION	REPLACEMENT										
2801	Quercus virginiana	Live Oak	24"	X		TO REMAIN											
2802	Quercus virginiana	Live Oak	12"	X		TO REMAIN											
2803	Quercus virginiana	Live Oak	18"	X		TO REMAIN											
2804	Quercus virginiana	Live Oak	36"	X		TO REMAIN											
2805	Ficus benjamina	Ficus	36"	X		TO REMAIN											
2806	Ficus benjamina	Ficus	24"	X		TO REMAIN											
2807	Syzygium cumini	Java Plum	30"		X	REMOVE	N/A										
2808	Washingtonia robusta	Washingtonia Palm	14" HT.	X		TO REMAIN											
2809	Washingtonia robusta	Washingtonia Palm	14" HT.	X		TO REMAIN											
2810	Syzygium cumini	Java Plum	40"		X	REMOVE	N/A										
2811	Washingtonia robusta	Washingtonia Palm	12" HT.	X		TO REMAIN											
2812	Budda buceras	Black Olive	20"	X		TO REMAIN											
2813	Budda buceras	Black Olive	10"	X		TO REMAIN											
2814	Budda buceras	Black Olive	10"	X		TO REMAIN											
2815	Terminalia buceras	Black Olive	(2) 12"		X	TO REMAIN											
2816	Terminalia buceras	Black Olive	(2) 6"		X	TO REMAIN											
2817	Budda buceras	Black Olive	4"	X		TO REMAIN											
2818	Budda buceras	Black Olive	4"	X		TO REMAIN											
2819	Budda buceras	Black Olive	16"	X		TO REMAIN											
2820	Budda buceras	Black Olive	6"	X		TO REMAIN											
2821	Bischofia javanica	Bischofia	10"	X		REMOVE	N/A										
2822	Terminalia buceras	Black Olive	10"		X	TO REMAIN											
2823	Terminalia buceras	Black Olive	6"		X	TO REMAIN											
2824	Washingtonia robusta	Washingtonia Palm	14" HT.		X	TO REMAIN											
2825	Terminalia buceras	Black Olive	16"		X	TO REMAIN											
2826	Terminalia buceras	Black Olive	10"		X	TO REMAIN											
2827	Budda buceras	Black Olive	8"		X	TO REMAIN											
2828	UNK		12"		X	TO REMAIN											
2829	Ficus aurea	Strangler Fig	38"	X		TO REMAIN											
2830	Ficus aurea	Strangler Fig	48"	X		TO REMAIN											
2831	Budda buceras	Black Olive	6"	X		TO REMAIN											
2832	Ficus aurea	Strangler Fig	48"	X		TO REMAIN											
2833	Roystonia regia	Royal Palm	14" HT.	X		TO REMAIN											
2834	Ficus or Washingtonia robusta			X		TO REMAIN											
2834.A	Ficus or Washingtonia robusta			X		TO REMAIN											
2835	Syzygium cumini	Java Plum	10"		X	REMOVE	N/A										
2836	Syzygium cumini	Java Plum	12"		X	REMOVE	N/A										
2837	Syzygium cumini	Java Plum	4"		X	REMOVE	N/A										
2838	Washingtonia robusta	Washingtonia Palm	12" HT.	X		TO REMAIN											
2839	Syzygium cumini	Java Plum	30"		X	REMOVE	N/A										
2840	UNK		(2) 8"			TO REMAIN											
2840.A	Washingtonia robusta	Washingtonia Palm	40" HT.	X		TO REMAIN											
2841	Syzygium cumini	Java Plum	4"		X	REMOVE	N/A										
2842	Washingtonia robusta	Washingtonia Palm	15" HT.	X		TO REMAIN											
2843	Ficus aurea	Strangler Fig	16"	X		TO REMAIN											
2844	Syzygium cumini	Java Plum	5"		X	REMOVE	N/A										
2845	UNK		4"	X		TO REMAIN											
2846	NOT LISTED/NOT ON PLAN																
2847	Syzygium cumini	Java Plum	8"		X	REMOVE	N/A										
2848	UNK		4"	X		TO REMAIN											
2849	Syzygium cumini	Java Plum	4"		X	REMOVE	N/A										
2850	Syzygium cumini	Java Plum	4"		X	REMOVE	N/A										
2851	Syzygium cumini	Java Plum	5"		X	REMOVE	N/A										
2852	Syzygium cumini	Java Plum	5"		X	REMOVE	N/A										
2853	Quercus virginiana	Live Oak	24"	X		TO REMAIN											
2854	Roystonia regia	Royal Palm	48" HT.	X		TO REMAIN											
2855	Syzygium cumini	Java Plum	8"		X	REMOVE	N/A										
2856	Syzygium cumini	Java Plum	4"		X	REMOVE	N/A										
2857	Syzygium cumini	Java Plum	4"		X	REMOVE	N/A										
2858	Syzygium cumini	Java Plum	5"		X	REMOVE	N/A										
2859	UNK		8"	X		REMOVE	N/A										
2860	Syzygium cumini	Java Plum	6"		X	REMOVE	N/A										
2861	Syzygium cumini	Java Plum	4"		X	REMOVE	N/A										
2862	Syzygium cumini	Java Plum	4"		X	REMOVE	N/A										
2863	Syzygium cumini	Java Plum	5"		X	REMOVE	N/A										
2864	Syzygium cumini	Java Plum	4"		X	REMOVE	N/A										
2865	Washingtonia robusta	Washingtonia Palm	40" HT.	X		TO REMAIN											
2866	Washingtonia robusta	Washingtonia Palm	40" HT.	X		TO REMAIN											
2867	Ficus aurea	Strangler Fig	40" HT.	X		TO REMAIN											
2868	Ficus aurea	Strangler Fig	72"	X		TO REMAIN											
2869	Ficus or Washingtonia robusta	Strangler Fig	85" HT.	X		TO REMAIN											
2870	Washingtonia robusta	Washingtonia Palm	(3) 7"	X		TO REMAIN	N/A										
2871	Washingtonia robusta	Washingtonia Palm	25" HT.	X		TO REMAIN											
2872	Washingtonia robusta	Washingtonia Palm	30" HT.	X		TO REMAIN											
2873	Washingtonia robusta	Washingtonia Palm	30" HT.	X		TO REMAIN											
2874	Quercus virginiana	Live Oak	36"	X		TO REMAIN											
2875	Washingtonia robusta	Washingtonia Palm	40" HT.	X		TO REMAIN											
2876	Quercus virginiana	Live Oak	84"	X		TO REMAIN											
2877	Washingtonia robusta	Washingtonia Palm	8" HT.	X		TO REMAIN											
2878	Quercus virginiana	Live Oak	8"	X		TO REMAIN											
2879	Washingtonia robusta	Washingtonia Palm	40" HT.	X		TO REMAIN											
2880	Roystonia regia	Royal Palm	20" HT.	X		TO REMAIN											
2881	Sabal palmetto	Sabal Palm	105" HT.	X		TO REMAIN											
2882	Sabal palmetto	Sabal Palm	8" HT.	X		TO REMAIN											
2883	Sabal palmetto	Sabal Palm	8" HT.	X		TO REMAIN											
2884	Sabal palmetto	Sabal Palm	8" HT.	X		TO REMAIN											
2885	Sabal palmetto	Sabal Palm	8" HT.	X		TO REMAIN											
2886	Sabal palmetto	Sabal Palm	8" HT.	X		TO REMAIN											
2887	Sabal palmetto	Sabal Palm	12" HT.	X		TO REMAIN											
2888	Washingtonia robusta	Washingtonia Palm	8" HT.	X		TO REMAIN											
2889	Washingtonia robusta	Washingtonia Palm	35" HT.	X		TO REMAIN											
2890	Washingtonia robusta	Washingtonia Palm	25" HT.	X		TO REMAIN											

BB
02-17-22
03-25-22

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 Kenneth W. McDuffie, 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] Senior Vice President, Sugarcane Operations [position - e.g., president, partner, trustee] of United States Sugar Corporation [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: 111 Ponce de Leon Avenue
Clewiston, FL 33440
- 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

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.

K McDuffie
Kenneth W. McDuffie, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [☒] physical presence or [☐] online notarization, this 22nd day of October, 2021 by Kenneth McDuffie (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

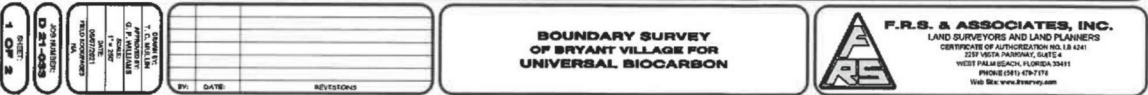
Jodi Rush
(Name - type, stamp or print clearly)

[Signature]
(Signature)

My Commission Expires on: 6/7/24



**EXHIBIT “A”
PROPERTY**



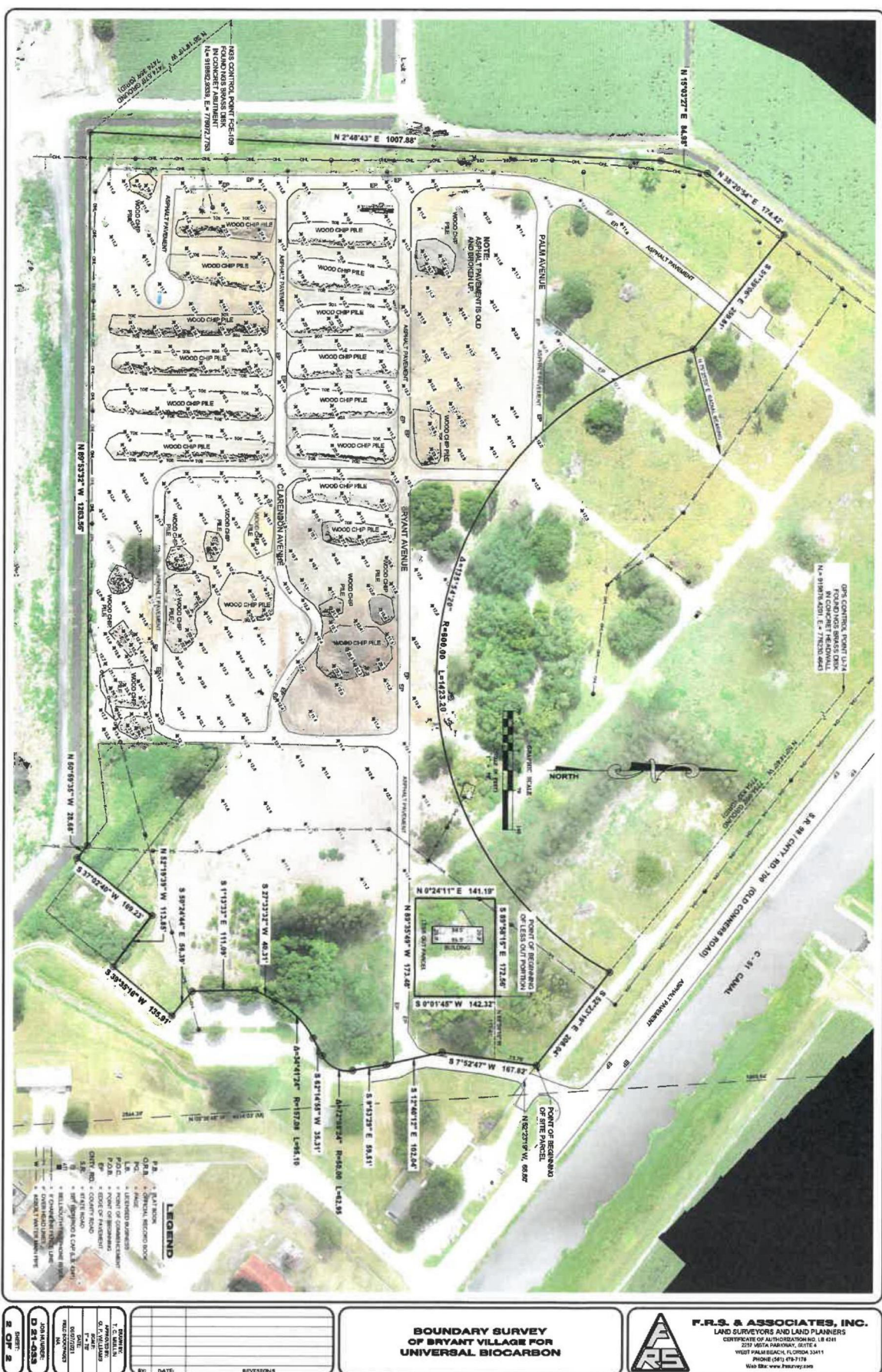


EXHIBIT "B"

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
United States Sugar Corporation -	111 Ponce de Leon Ave
	Clewiston, FL 33440

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