



**PALM BEACH COUNTY
ZONING APPLICATION STAFF REPORT**

ZONING COMMISSION, AUGUST 1, 2024

A. Application Summary

I. General

Application Name: All Seasons Delray Beach, PDD/DOA-2023-01002
Control Name: All Seasons Delray Beach (2012-00424) & Bedner Oaks (2007-00357)
Applicant: Bedner Farm Inc
Owner: Bedner Farm Inc
All Seasons of Delray Beach LLC
Agent: JMorton Planning & Landscape Architecture - Alex Ahrenholz
Project Manager: Donna Adelsperger

Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development-Preserve (MUPD-P) Zoning District on 5 acres

Title: a Development Order Amendment **Request:** to modify the Overall Site Plan for the MUPD to delete land area (5.0 acres) and add land area (5.0 acres) and modify Conditions of Approval on 14.73 acres

Title: a Development Order Amendment **Request:** to modify the previously approved Site Plan for a Class A Conditional Use for an Agricultural Marketplace to delete land (76.88 acres) reconfigure the Site Plan for the existing Agriculture Marketplace, and modify Conditions of Approval on the remaining 5 acres

Application Summary: The application is for All Seasons Delray Beach and Bedner Oaks. All Seasons was last approved by the Board of County Commissioners (BCC) on April 28, 2022 for an Official Zoning Map Amendment and a Class A Conditional Use for a Congregate Living Facility (CLF) on Lyons Road. The request is being processed concurrently with a Future Land Use Amendment (FLUA) (LGA-2024-0003) to modify the text of the Comprehensive Plan, and two Zoning Applications PDD-2023-00971 and PDD-2023-01002.

The request proposes to delete the All Seasons 5 acre off-site Preserve Area at the northwest corner of SR 7 and Lee Road that will be rezoned as part of concurrent application (PDD-2023-00971). The request proposes to add a replacement 5-acre Preserve area at the southwest corner that is approved as an Agricultural Marketplace and proposed to be rezoned from AGR to AGR-MUPD. The Bedner Oaks Agricultural Marketplace Conditional Use approval and site plan is proposed to be modified reconfigure the site plan to delete land area and to reduce square footage.

There are no proposed changes to the Development Area with the All Seasons CLF. The Preliminary Site Plan (PSP) for the Agriculture Marketplace (Bedner Oaks) indicates five buildings with a total of 11,937 square feet (sq. ft.) and 149 parking spaces. Access will remain from Lee Road.

II. Site Data

Acres: 14.73 acres
Location: Northeast corner of Lyons Road and Linton Boulevard (Development Parcel); Southwest corner of Lee Rd and State Rd 7 (New Preserve parcel)
Parcel Control: 00-42-46-20-01-000-0820; 00-42-46-20-01-000-0810, and 00-41-46-01-02-001-0000
Future Land Use: Agricultural Reserve (AGR)and Institutional with an underlying Congregate Living Residential (INST/CLR)
Zoning District: Agricultural Reserve District (AGR)and Agricultural Reserve Multiple Use Planned Development District (AGR-MUPD)
Proposed Zoning: AGR-MUPD
Tier: AG Reserve
Utility Service: Palm Beach County Water Utilities
Overlay/Study: N/A
Neighborhood Plan: West Boynton Community Plan
CCRT Area: N/A
Comm. District: 5, Mayor Maria Sachs

III. Staff Assessment & Recommendation

ASSESSMENT: Staff has evaluated the standards listed under Article 2.B.7.B, and determined that the requests meet the standards of the ULDC subject to Conditions of Approval as indicated in Exhibit C-1 through C-3.

STAFF RECOMMENDATION: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 through C-3.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received zero (0) contacts from the public regarding this application.

IV. Hearing History

PLANNING COMMISSION: *At the October 13, 2023 hearing recommended **denial** of the amendment by a vote of 7-4.*

BCC TRANSMITTAL HEARING: *At the Board of County Commissioners (BCC) January 31, 2024 Transmittal hearing, the BCC transmitted the request by a vote of 6-1.*

ZONING COMMISSION: *Scheduled for August 1, 2024*

BCC HEARING: *Scheduled August 22, 2024*

B. Data & Analysis

The supporting data and analysis is provided within the following Exhibits.

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Exhibit A - Future Land Use Map

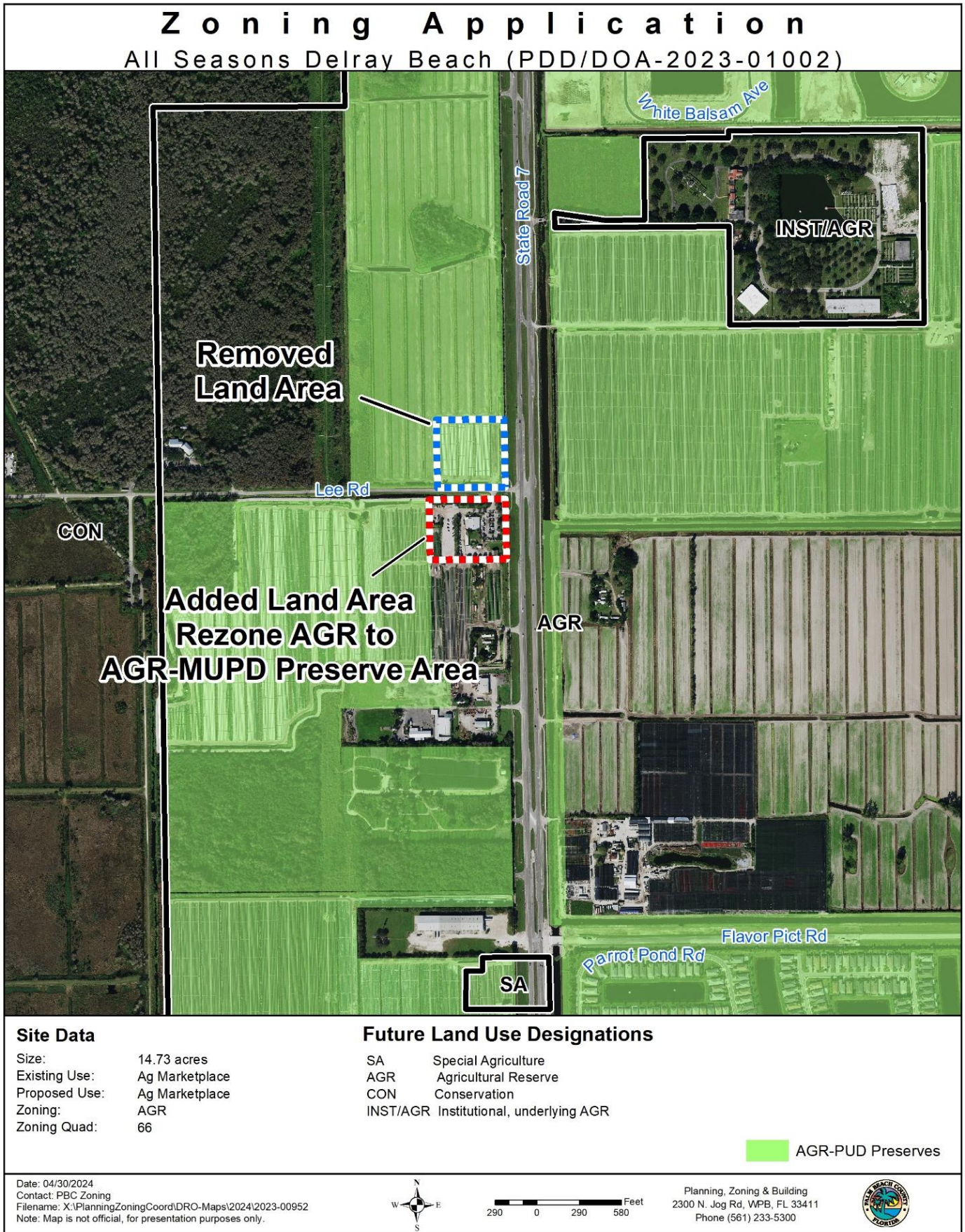


Exhibit A - Aerial Map

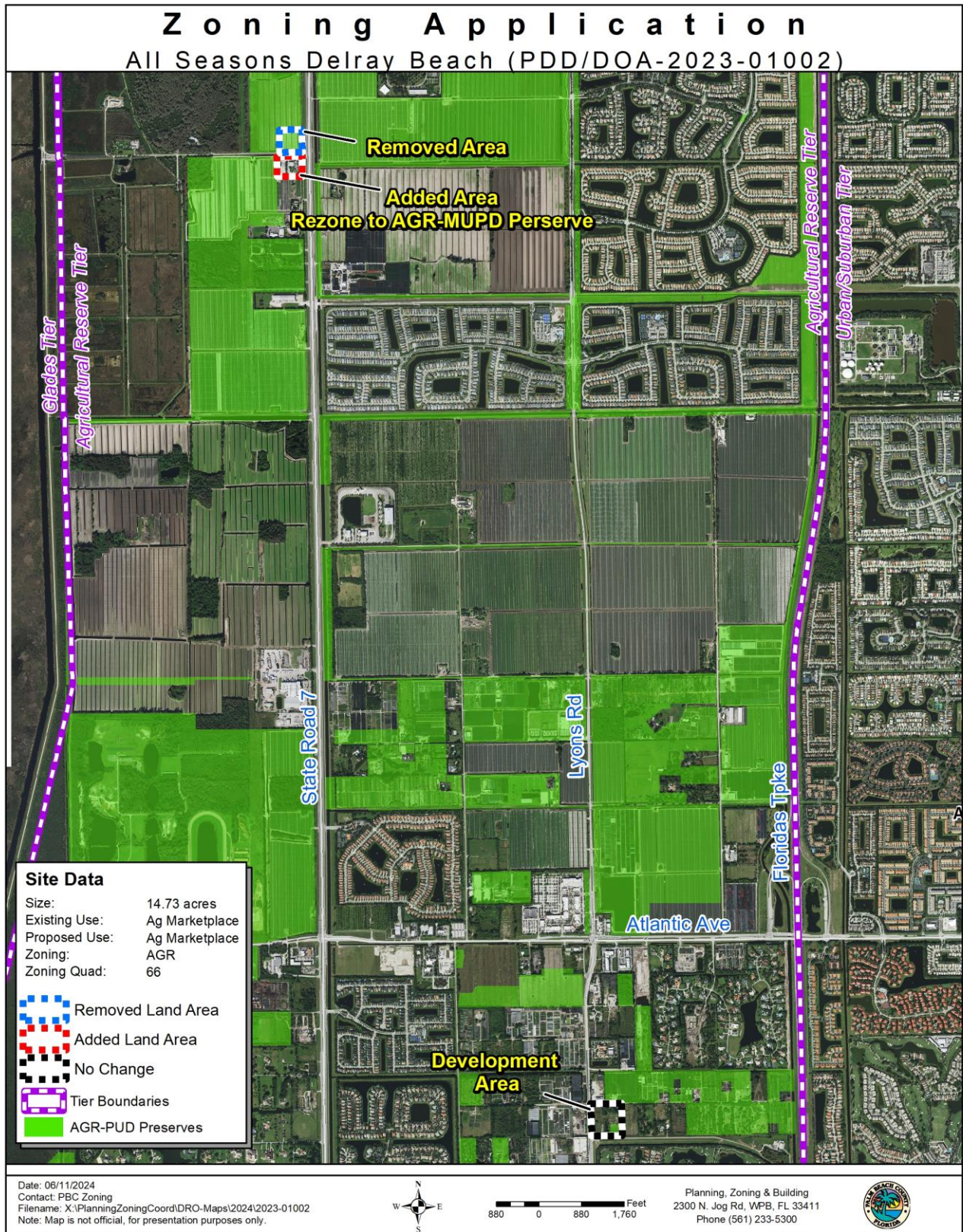


Exhibit A - Zoning Map

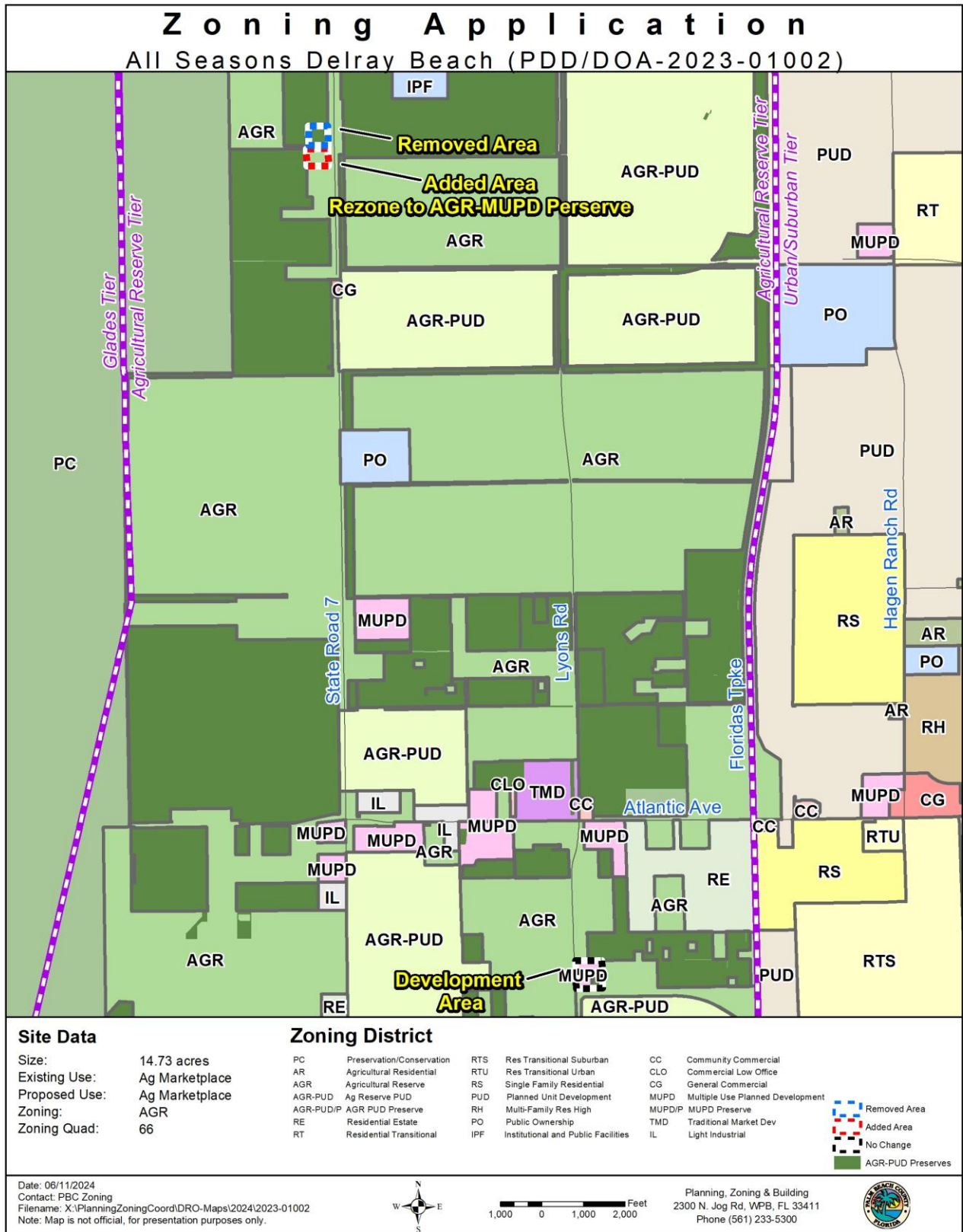


Exhibit A - Zoning Map

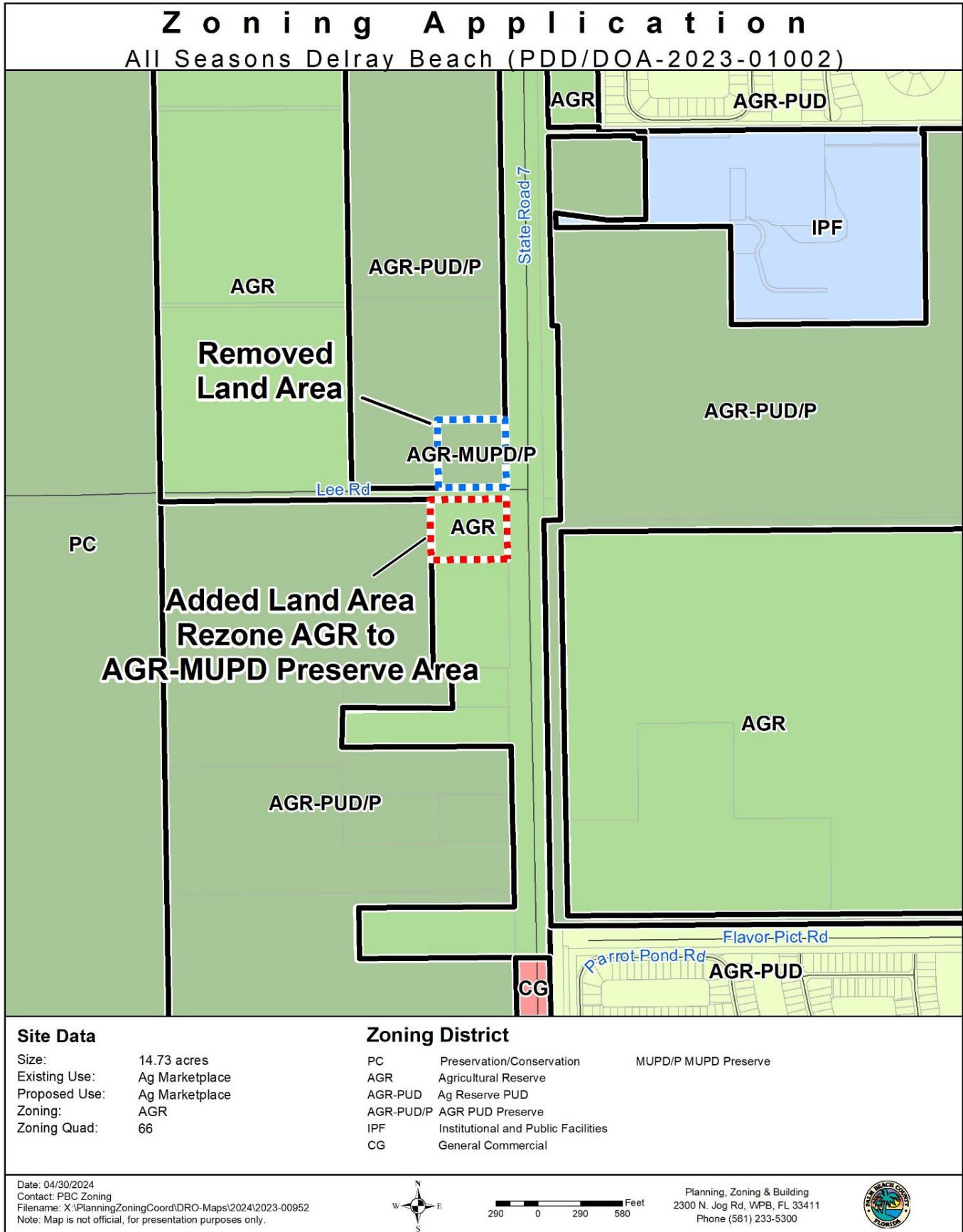


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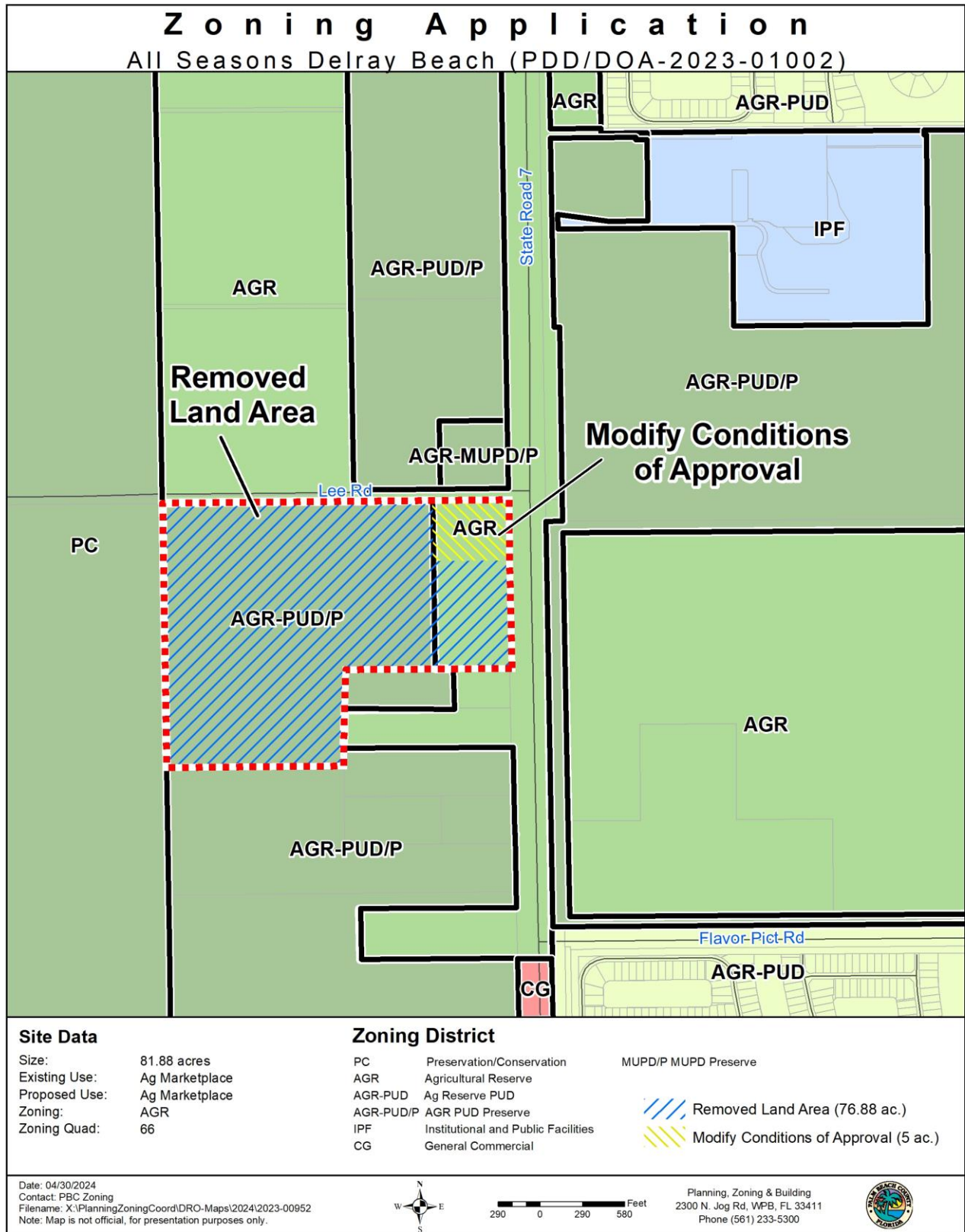


Exhibit B - Standards Analysis & Findings

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

Article 2.B.7.B, Standards for Rezoning to a PDD or a TDD, a Conditional Use, or a Development Order Amendment are indicated below with Staff Analysis. Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF) are subject to not subject to these Standards, and are subject to 5.G.1.B.2.e2)b) Factors for Consideration. A request that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved by the Commission.

The following analysis is for the three requests for the Official Zoning Map Amendment of five acres and the two Development Order Amendments in the findings below. There are no changes to the Development area (CLF). The findings below are for the deleted Preserve Land area and the new Preserve Land are - Agriculture Marketplace.

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:* Should the BCC approve the amendment request, then the proposed use or amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Companion Land Use Amendment:* The request to exchange a previously recorded preserve area with a proposed preserve is the subject of a Large Scale Land Use Amendment and Comprehensive Plan Text Amendment (LGA to permit an Agricultural Marketplace within an Agricultural Reserve preservation area under AGR Conservation Easement. The request was transmitted by the Board of County Commissioners with a 6 to 1 vote (with Mayor Sachs dissenting) at the January 31, 2024 public hearing.

Please see Relevant Comprehensive Plan Policies for the new and amended text language.

○ *Prior Future Land Use Amendment:* The site was the subject of a Large Scale Land Use Amendment and Text Amendment known as All Seasons Delray (LGA 2021-009). The request adopted (Ord. 2022-11) the Institutional & Public Facilities with an underlying Congregate Living Residential (INST/CLR) future land use designation with the following condition:

1. Development of the site with a CLF shall provide a minimum of 4.87 acres of offsite preserve area and 0.97 acres of onsite preserve area.

The subject request has a total of 9.73 acres for the parent development parcel, with 0.975 acres of on-site preserve and five acres off-site preserve which exceeds minimum acreage provisions and minimum preserve size provisions consistent with Amendment Condition 1.

○ *Relevant Comprehensive Plan Policies:* The Concurrent amendment includes a text amendment request to create a new Comprehensive Plan definition within the Introduction and Administration Element and new and revised Policies within the Future Land Use Element (FLUE). Specifically Policy 1.5-u and 1.5.1-q, which would allow the Agricultural Marketplace to be a permitted use within an Agricultural Reserve Preserve. Each of the changes are as follows:

- *New definition in the Introduction and Administration Element:* AGRICULTURE MARKETPLACE - A use that is accessory, incidental and subordinate, to a Bona Fide Agriculture use in the AGR Tier, conducted to allow for the sale of agricultural products or enhanced opportunities for visitors, which generates income for the owner or operator of the Bona Fide Agriculture use, adding economic viability to farming operations. An Agricultural Marketplace shall be consistent with the supplementary use standards outlined Article 4 of the Unified Land Development Code.

- *Revised FLUE Policy 1.5-u:* The Congregate Living Residential (CLR) future land use designation is allowed within in the Agricultural Reserve Tier subject to the following (1-4 omitted for brevity):

Policy 1.5-u: The Congregate Living Residential (CLR) future land use designation is allowed within in the Agricultural Reserve Tier subject to the following:

....

5. **Preserve Area.** Preserve Areas are required as provided below.

....

- b. **Multiple Use Project – Offsite Preserve Option.** Projects utilizing CLR as an underlying designation to Institutional and Public Facilities (INST) future land use designation for a multiple use project shall be subject to the following:
- 1) **Preserve Area Uses.** Uses allowed shall be those permitted within AGR-TMD preserves by Policy 1.5.1-n. In addition, an Agriculture Marketplace with a development order approved prior to May 31, 2013 is allowed within the required offsite preserve area.
 - 2) **Preserve Area Acreage.**
 - a) A minimum of 10% of the land area with the CLR designation shall be Onsite Preserve Area; and
 - b) A minimum acreage equivalent to 50% of the acreage of the CLR designation shall be provided as Offsite Preserve Area.
 - c) Offsite Preserve Area may retain AGR future land use provided that no density or intensity is transferred to the Development Area and that the preserve is subject to a conservation easement which restricts uses allowed to those permitted per the Preserve Area Uses described above within AgR-TMD preserves by Policy 1.5.1-n.

....

- *Revised FLUE Policy 1.5.1-q.4:*
Policy 1.5.1-q: AGR-Multiple Use Planned Development. New Agricultural Reserve Multiple Use Planned Developments (AgR-MUPD) in the Ag Reserve Tier shall meet the following requirements:

....

4. Required Preserve Areas shall be subject to the standards and requirements of an AgR-TMD preserves. An Agriculture Marketplace, as defined in the Introduction and Administration Element, is allowed within the required preserve area of an AGR-MUPD consistent with Policy 1.5-u.

The subject request to exchange the offsite preserve meets the provisions of the Amendment condition of approval, new definition and revised FLUE Policies 1.5-u and 1.5.1-q. The previously approved All Seasons project Development Area and Preserve 1, remain unchanged. The current request will exchange the offsite preserve for another five acres of off-site preserve. This exceeds minimum acreage provisions and minimum preserve size provisions for project utilizing CLR as an underlying designation to Institutional and Public Facilities (INST) future land use designation.

In addition to Amendment Condition 1 acreage requirements, the Policy also requires a 10% onsite and 50% offsite preserve area. The Preserve Acreage for the subject 9.73 acre request, as it relates to consistency with Policy 1.5-u.2) b), is as follows:

10% onsite required: $0.973 (9.73 \times 0.10 = .973)$
 Onsite provided: 0.975 acres

50% offsite required: $4.865 (9.73 \times 0.50 = 4.865)$
 Offsite provided: 5.00 acres

While the request is utilizing the MUPD Zoning District, it doesn't have a commercial or mixed-use component, and therefore is not subject to FLUE Policy 1.5.1-q AGR Multiple Use Planned Developments (AGR MUPD). Per FLUE Policy 1.5-u the offsite Preserve Area shall be subject to the requirements for Agr-TMD preserves contained in FLUE Policy 1.5.1-n. Preserve 1 is onsite adjacent to the Development area and is currently fallow with no use proposed at this time. Preserve 2 is offsite and currently operating as an Agriculture Marketplace, which is consistent with the proposed text amendment. Recordation of an AGR Preserve Conservation Easement shall be required to be placed on those areas designated prior to final approval by the Development Review Officer (DRO).

○ *Density:* The previously approved 186 beds are unchanged and remain consistent with the proposed Policy 1.5-u that would allow up to 8 units per acre in the Agriculture Reserve Tier. The maximum number of beds is calculated as following: $9.73 \text{ ac} \times 8 \text{ units/acre} \times 2.39 \text{ residents/unit} = 186 \text{ beds}$.

○ *Intensity:* The request is to allow an existing Ag Marketplace to be a preserve in an AGR MUPD. Contingent upon the adoption of the concurrent Future Land Use Amendment, the maximum Floor Area Ratio (FAR) for nonresidential projects with a AGR future land use designation in the Agriculture Reserve Tier is 0.15 (217,800 surveyed sq. ft. or 5.0 acres x 0.15 maximum FAR = 36,670 sq. ft. maximum). The request proposes a FAR of approximately 0.05 (11,937 sq. ft. / 217,800 sq. ft. or 5.0 acres = 0.054 or 0.05 rounded down).

- *Special Overlay District/ Neighborhood Plan/Planning Study Area:* The site is not located within any neighborhood plans, overlays or plan 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.*

Should the BCC approve the concurrent Comprehensive Plan Text and Future Land Use amendment (Bedner's Market (LGA 2024-003) request, then the proposed rezoning is consistent with the Goals, Objectives and Policies of the Comprehensive Plan including previous Land Use Amendments, densities and intensities of use.

- *Design Objectives and Performance Standards:* The proposed development is subject to Art. 3.E.1.C PDD Design Objectives and Performance Standards, as well as Art. 3.E.3.B, Objectives and Standards for a MUPD. The Applicant has met these requirements.

- *Property Development Regulations:*
 - (All Seasons Delray Beach Development) A Multiple Use Planned Development (MUPD) project that utilizes the CLR as an underlying designation to the INST Future Land use must provide a minimum 10% of the acreage with the CLR FLU for On-Site Preserve area (0.98 acre) and a minimum 50% of the acreage with CLR FLU to be Off-Site Preserve area (4.88 acres).
 - Bedner Oaks (Agriculture Marketplace: The Agriculture Marketplace is currently allowed in the AGR zoning district, subject to a Class A Conditional Use, when the land area is a minimum of 75 contiguous acres. The Marketplace as it exist today meets this requirement, however, with the proposed deletion of 9-acres, from the Marketplace, an amendment to the ULDC will required. The structures as they exist today comply with the required setbacks, however once the 9-acres is deleted the BBQ stand will be required to be relocated outside of the new setback from the south property line. Staff has included a condition that the site plan be revised to show the BBQ stand outside of the setback. There is an existing Chickee Hut on the property, which did not require a Building Permit, that is 60-feet from State Road 7/US441 and was over 100 feet from the rear (south) property line on the current approval. With the proposed deletion of land area, the Chickee Hut will not meet setbacks. The Applicant/Agent are in the process of determining the height of the structure. The Chickee hut is shelter that is allowed in the open space area of the Agriculture Marketplace, based on the height of the shelter the hut could be required to be relocated to meet setback. Staff has included a condition that the height of the shelter will be noted on the plan and the shelter relocated if required.

- *AGR-MUPD 60/40 Preserve/Development Area Requirements*
 - *Development Parcel –* (All Seasons Development) There are no changes to the Development Area, which was previously determined to be consistent with the Code.
 - *Preserve Areas:* There is a total of two preserve parcels associated with the All Seasons Delray Beach Development MUPD. Preserve 1 (0.975 acres) On-site Preserve and preserve 2 (5.00 acres) Off-site preserve. Only the current Preserve #2 is being deleted and replaced with a new Preserve 2 (Bedner Oaks – Agriculture Marketplace) that is of the same size. Preserve parcel 1 will remain as approved. The new preserve parcel associated with this application, once subdivided, will meet the minimum 5-acre requirement for a Preserve parcel and meets or exceeds the requirements noted in Article 3.F.4.D.8 (Preserve Areas and Open Space) including location, contiguity, and use. The deleted 5-acres will become a new development with Commerce FLU under Zoning application PDD-2023-00971.

- *Use specific Requirements: Agriculture Marketplace:* The ULDC was modified in August of 2012 pursuant to ORD-2012-027. The Agriculture Marketplace use is permitted through a Class A Conditional Use when located in the AGR zoning district, and the land area has a minimum of 75 contiguous acres, with a Unity of Control. As noted below the Applicant is requesting an amendment to those requirements. The deleted 9-acres from the Agriculture Marketplace will become a new development with Commerce FLU under Zoning application PDD-2023-00972.

- *ULDC Amendment:* The Applicant has further requested a Text Amendment to the Comprehensive Plan as well as to the Unified Land Development Code (ULDC) to allow for an Agriculture Marketplace in a preserve parcel of an AGR-MUPD. The required contiguous land area for the Agriculture Marketplace will be reduced to 70-acres and will allow the use in an AGR-MUPD Preserve parcel. If approved the project as proposed will be consistent with the Comprehensive Plan and the subsequent amendment to the ULDC will make the ULDC consistent with the Plan. Pursuant to Florida Statute, the ULDC must be amended within one year of a modification to the Comprehensive Plan.

- **Cross Access:** No cross access is being proposed between the new preserve parcel and the adjacent property to the south. There is a current cross access with the parcel to the west, the existing row crops, which is required per Article 4 and is part of the Unity of Control for the Agriculture Marketplace.
 - **Unity of Control:** Unity of Control will need to be revised to reflect the deleted land area. Staff recommends that the existing Condition be amended to have the applicant provide the updated Unity of Control prior to Final DRO approval. (See Unity of Control – Exhibit C-3)
 - **Landscape/Buffering:** New Preserve 2 – A 20-ft wide ROW buffer is provide along SR 7/US 441 and a 15-ft ROW along Lee Road. The PSP indicates an 8-ft Compatible Buffer along the south and west property lines.
 - **Signs:** There are no changes to the approved Final Master Sign Plan for the Development area. The new Preserve 2 area has an approved/built sign and there are no changes proposed to that sign.
- 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 sites are located on the northwest and southwest corner of State Road 7 and Lee Road, a road segment serving as the main visitor access roadway to the Arthur R. Marshal Loxahatchee National Wildlife Refuge. To the east of both the existing and proposed preserve sites is primarily agricultural uses and parcels designated as AGR preserves with an AGR future land use. To the north is the proposed Bedner Lee Industrial and to the south is the Bedner Oaks Commerce development. As indicated by Planning in the FLU/Text Amendment Staff Report reducing the Agriculture Marketplace site, eliminating expansion plans, and introducing light industrial directly adjacent (north and south) to the market is not determined to be compatible with existing surrounding land uses, given the context of the immediate area, and the overriding objective of the Tier to preserve and enhance agricultural activity, environmental and water resources, and open space within the Agricultural Reserve Tier.

Should the Text Amendment to create a new definition within the Introduction and Administrative Element (I&A) and new and revised Policies within the FLUE for the Agriculture Marketplace be approved the MUPD Zoning District for the new preserve parcel will be compatible with the surrounding area. The MUPD Zoning for the Development Area (CLF) was previously determined to be compatible with the surrounding Zoning Districts for which there is no proposed changes.

- 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.***

There is no proposed change to the site layouts for the development area. For the Agriculture Marketplace the deletion of land from the existing approval will reduced the square footage and acreage for the use. The revised site layout for the Marketplace for the existing use will have no adverse impact on the adjacent lands. When previously approved, the site layout and design were configured in a way to minimize adverse impacts on surrounding lands. The proposed requests, if allowed by modifications of the Comprehensive Plan would allow the existing use to be located within a Preserve Parcel of a MUPD.

- 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 application request does not impact native vegetation.
- **Wellfield Protection Zone:** This property is not located within 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 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 amendment will result in a logical, orderly, and timely development pattern.*

The Agriculture Marketplace is the only one approved in the County and was intended to help support the adjacent ongoing bona fide active agriculture for residents and visitors in the Agricultural Reserve. Reducing the Agriculture Marketplace land area, and eliminating expansion plans to the market will not result in a logical development pattern as support for the adjacent bona fide ag use will be reduced. However should the FLU and text amendment be approved, the request to rezone the new preserve parcel to MUPD will be consistent with the existing AGR FLU for the new preserve area. As proposed, the request will be a logical, orderly, and timely development pattern that is consistent with the Comprehensive Plan Policy 1.5-u and 1.5.1-q.4 amendments and future amendment to the ULDC. Further, the Applicants justification has indicated that by allowing the Ag Marketplace to be located within a Preserve parcel of an AGR-MUPD it will ensure the continued approval of the development.

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

ENGINEERING COMMENTS:

The proposal will not result in any traffic impacts.

There are no new proposed engineering conditions at this time.

DRAINAGE STATEMENT: No Drainage Statement is required as the drainage review for the Development Area and the existing Agriculture Marketplace were completed prior and no additional review is required.

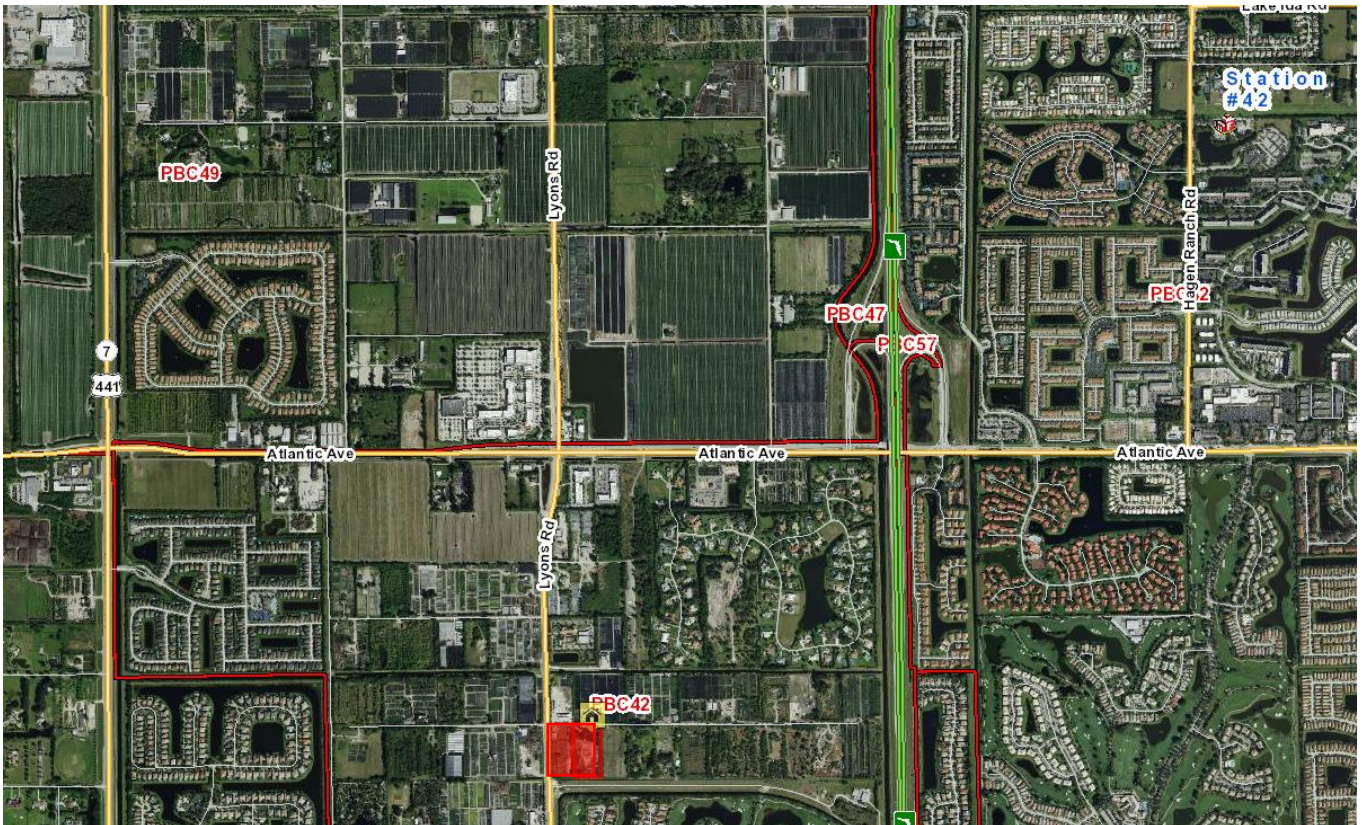
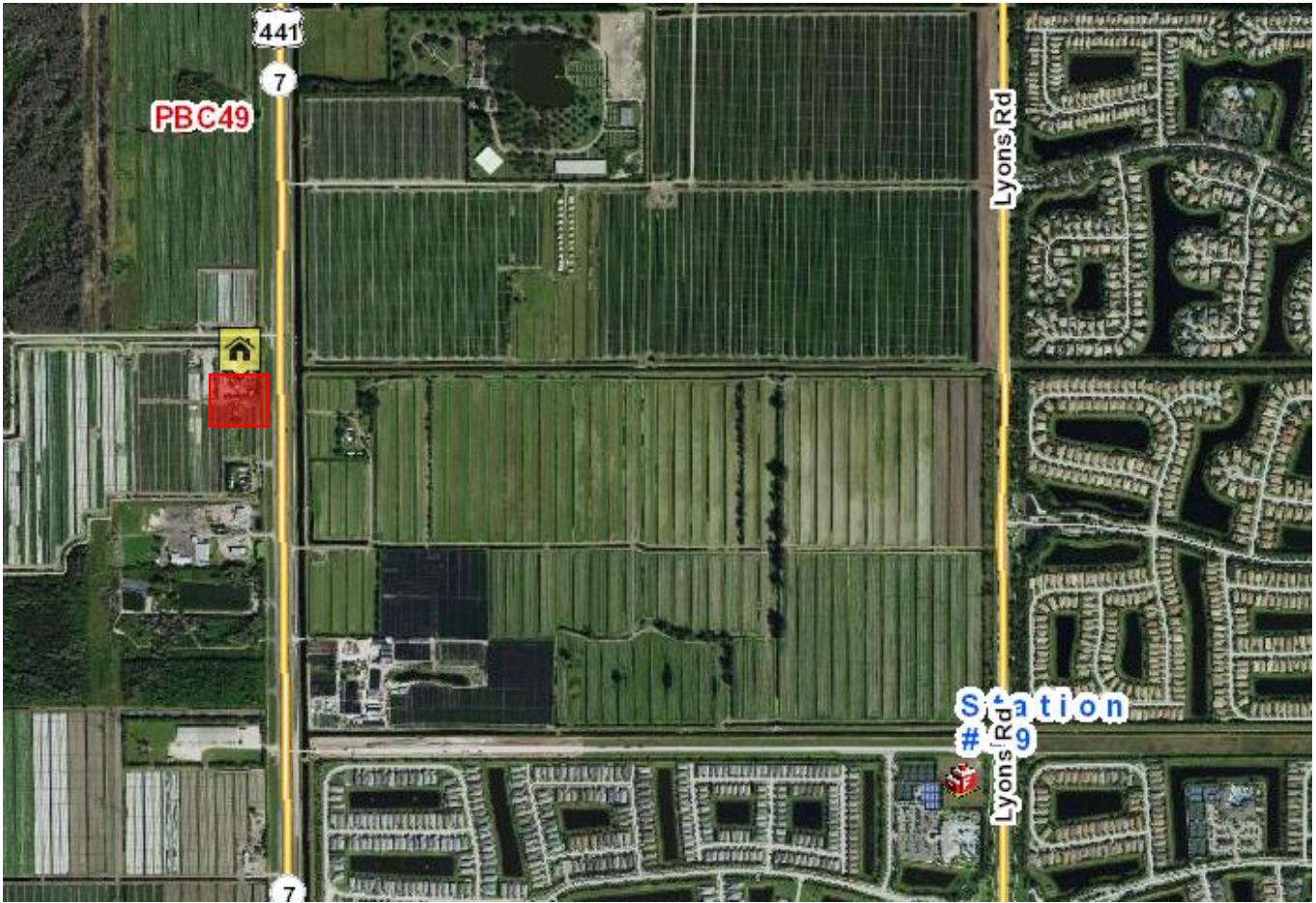
WATER AND WASTEWATER: The Water and Wastewater provider is the Palm Beach County Water Utilities (PBCWUD). The Applicant has provided a letter indicated such in Exhibit K. The development area will connect to the water and wastewater service subject to the permitting approval process of PBCWUD. The new preserve parcel is currently on well and septic and requires a lift station, which is shown on the PSP. The parcel will have to connect to water and wastewater service of PBCWUD when the facilities are available.

PALM BEACH COUNTY HEALTH DEPARTMENT: This project has met the requirements of the Florida Department of Health.

SCHOOL: The School Board has no issue with the application requests.

PARKS AND RECREATION: The development portion of the project remains unchanged with this request and meets the requirements for Parks and Recreation. The exchange of the Preserve Parcel is viewed as a non-residential application, therefore Park and Recreation Department ULDC standards do not apply.

FIRE PROTECTION: Staff has reviewed this application and have no comment. The Development Area and Preserve Parcel 1 of the All Season MUPD is within the service boundaries of Palm Beach County Fire Rescue Station 42. The new Preserve Parcel 2, which is the same site as the Agricultural Market Place, for the All Seasons is within the service boundaries of the Palm Beach County Fire Station 49.



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 Applicant has provided the following changed circumstances for the requests as follows:

Official Zoning Map Amendment: “ *The general request within these applications is to designate the adjacent 5 acre and 9 acre sites as Commerce for future development of light industrial uses. The land use amendment created a domino effect of amendments to previous development orders, rezonings for consistency and text amendments to allow the Market to be within a preserve parcel and reduce the minimum acreage. This application is in direct effect of other more significant changes and will not result in any physical changes to either the All Seasons property or Bedner Oaks*”;

Development Order Amendment to the MUPD:

"The development of other adjacent sites with industrial uses has necessitated the transfer of preservation designation to the Property. The Bedner-Lee industrial will be developed to the immediate north and the direct transfer to the Market site was necessary to maintain the minimum acreage required for the AGR-MUPD. Though the preservation designation could go to another site in the Agriculture Reserve, the market was chosen because it has intrinsic value to the area, provides a public face to the local farmers, and preserves the use within the umbrella of bona fide agricultural uses solidifying its importance to the Agricultural Reserve for years to come."

Development Order to the Agriculture Marketplace: *"The general request within these applications is to designate the adjacent 5 acre and 9 acre sites as Commerce for future development of light industrial uses. The land use amendment created a domino effect of amendments to previous development orders, rezonings for consistency and text amendments to allow the Market to be within a preserve parcel and reduce the minimum acreage. This application is in direct affect of other more significant changes and will not result in any physical changes to either the All Seasons property or Bedner Oaks. Though the preservation designation could go to another site in the Agriculture Reserve, the market was chosen because it has intrinsic value to the area, provides a public face to the local farmers, and preserves the use within the umbrella of bona fide agricultural uses solidifying its importance to the Agricultural Reserve for years to come".*

Exhibit C-1 - Conditions of Approval

DISCLOSURE

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

Exhibit C-2 Conditions of Approval

Development Order Amendment – All Seasons MUPD

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2022-386, Control No.2012-00424, which currently states:

The approved Site Plan is dated February 16, 2022. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners.

Is hereby amended to read:

The approved Site Plan is dated May 28, 2024 (All Seasons). Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: MONITORING - Zoning)

2. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2022-0386 (Control 2012-00424), 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)

ENGINEERING

1. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2026, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering) (Previous ENGINEERING Condition 1 of Resolution R-2022-386, Control No. 2012-00424)

2. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code or as otherwise approved by the County Engineer. (BLDGPM: MONITORING - Engineering) (Previous ENGINEERING Condition 2 of Resolution R-2022-386, Control No. 2012-00424)

3. The Property Owner shall provide to the Palm Beach County Right of Way Section of Roadway Production Division a warranty deed for road right of way and all associated documents as required by the County Engineer for Lyons Road, 55 feet, measured from centerline of the proposed right of way on an alignment approved by the County Engineer.

All warranty deed(s) and associated documents, including a title policy naming Palm Beach County as an insured, shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney s fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. The Property Owner shall provide to the Right of Way Section a tax pro-ration. A check, made payable to the Tax Collector s Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPM/ONGOING: MONITORING - Engineering) (Previous ENGINEERING Condition 3 of Resolution R-2022-386, Control No. 2012-00424)

4. The Property Owner shall submit an access and drainage easement to the County over 156th Court over the north 25 feet of the property. The easement shall be approved by the Land Development Division prior to recordation. The easements shall be recorded by the Property Owner prior to the final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering) (Previous ENGINEERING Condition 4 of Resolution R-2022-386, Control No. 2012-00424)

5. Within ninety (90) days notice by the County Engineer, the Property Owner shall provide a roadway construction easement to Palm Beach County along Lyons Road, a minimum of 10 feet in width, or as otherwise approved by the County Engineer. This roadway construction easement shall also contain an isosceles trapezoid connecting the Corner Clips across this Property Owner's entrance. The Property Owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 5 of Resolution R-2022-386, Control No. 2012-00424)

6. The Property Owner shall reconstruct Linton Boulevard from Lyons Road to the project entrance to be consistent with Palm Beach County standards for a non-plan collector roadway, as approved by the County Engineer. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required for Improvements identified above shall be obtained from Palm Beach County prior to the issuance of the first Building Permit. If approved by the County Engineer, the Property Owner may submit payment in lieu of construction in an amount approved by the County Engineer and the condition shall be considered satisfied. (BLDGPM: MONITORING - Engineering)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering) (Previous ENGINEERING Condition 6 of Resolution R-2022-386, Control No. 2012-00424)

7. Prior to the recordation of the plat, the Property Owner shall abandon or release, and relocate if necessary, the roadway easement over the south 15 feet of the property. (PLAT: MONITORING - Engineering) (Previous ENGINEERING Condition 7 of Resolution R-2022-386, Control No. 2012-00424)

8. Compensating storage shall be provided for any loss of storage due to the proposed driveway on Linton Boulevard within the County right-of-way. During the review of the right-of-way permit, if the proposed driveway does not reduce the designed storage for Lyons Road and Linton Boulevard, then this condition can be marked complete.

a. Permits required from Palm Beach County for this construction shall be obtained within 60 days of the first building permit. (BLDGPM/ONGOING: MONITORING - Engineering)

b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (BLDGPM/CO: MONITORING - Engineering) (Previous ENGINEERING Condition 8 of Resolution R-2022-386, Control No. 2012-00424)

9. Prior to the Final Site Plan approve, the Property Owner shall remove any easements from the site plan that have already been abandoned. (DRO: ENGINEERING - Engineering) (Previous ENGINEERING Condition 9 of Resolution R-2022-386, Control No. 2012-00424)

10. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPM/PLAT: MONITORING - Engineering) (Previous ENGINEERING Condition 10 of Resolution R-2022-386, Control No. 2012-00424)

11. Landscape Within the Median of Lyons Road

The Property Owner shall design, install, and perpetually maintain median landscape within the median of all abutting right of way of Lyons Road. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioner's approval. Median landscaping installed by the Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph c and d below.

- a. The necessary permit(s) for this landscaping and irrigation shall be applied for from Palm Beach County Land Development prior to the issuance of the first building permit. (BLDGPMT: MONITORING - Engineering)
- b. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy. (BLDGPMT/CO: MONITORING - Engineering)
- c. At Property Owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the Property Owner. (ONGOING: MONITORING - Engineering)
- d. Alternately, at the option of the Property Owner or if the construction of the required landscape and irrigation is not possible due to physical constraints, the Property Owner may make a contribution to the County's Only Trees Irrigation and Sod, (OTIS) program, unincorporated thoroughfare beautification program prior to the issuance of the first Building Permit. This payment option is only available if the roadway segment is included in the County's current OTIS Master Plan and shall be based on the project's front footage along Lyons Road. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (BLDGPMT: MONITORING - Engineering) (Previous ENGINEERING Condition 11 of Resolution R-2022-386, Control No. 2012-00424)

PLANNING

1. Per LGA 2021-009, Condition 1: The development of the site with a CLF shall provide a minimum of 4.87 acres of offsite preserve area and 0.97 acres of onsite preserve area. (ONGOING: PLANNING - Planning) (Previous PLANNING Condition 1 of Resolution R-2022-386, Control No. 2012-00424)

2. Previous PLANNING Condition 2 of Resolution R-2022-386, Control No. 2012-00424, which currently states:

Offsite Preserve 2: uses shall be subject to FLUE Policy 1.5.1-n and offsite parking associated with the adjacent farmers market shall be prohibited.

Is hereby amended to read:

Offsite Preserve 2: uses shall be subject to FLUE Policy 1.5.u and 1.5.1-q.4. (ONGOING: PLANNING - Planning)

3. Previous PLANNING Condition 3 of Resolution R-2022-386, Control No. 2012-00424, which currently states:

The areas designated as AGR Preserve are intended to support, preserve and perpetuate bona fide agricultural and open space uses, and to preserve any environmentally significant upland or wetland habitats located within that designated area. The following are a general list of permitted and prohibited uses that are including but not limited to the following:

- 1. Permitted Uses. Areas designated for AGR preserve may use the Property for:
 - a. Crop production, pasture, equestrian activities, wholesale or retail nursery operation, fallow land or as specified in Comprehensive Plan Policy 1.5.1-n unless further limited by conditions specific to the request;
 - b. Construction and maintenance of structures essential to the uses listed in subsection 1a., above, such as barns, stables, pumps, and pump houses, but specifically excluding agricultural support structures such as processing facilities, which are prohibited;
 - c. Wetland restoration and maintenance, or bona fide agriculture as defined by the Code;
 - d. Those other activities authorized within a Preservation Area consistent with the most current uses permitted by the Code and consistent with applicable provisions of the Comprehensive Plan.

2. Prohibited Uses. Any use of or on the Property that is not specifically listed or included in Section 2, above, or that is inconsistent with agricultural, environmentally significant uplands or wetlands, or open space preservation is prohibited by this Easement.

Is hereby amended to read:

The areas designated as AGR Preserve are intended to support, preserve and perpetuate bona fide agricultural and open space uses, and to preserve any environmentally significant upland or wetland habitats located within that designated area. The following are a general list of permitted and prohibited uses that are including but not limited to the following:

1. Permitted Uses. Areas designated for AGR preserve may use the Property for:

a. Crop production, pasture, equestrian activities, wholesale or retail nursery operation, fallow land or as specified in Comprehensive Plan Policy 1.5.u unless further limited by conditions specific to the request;

b. Construction and maintenance of structures essential to the uses listed in subsection 1a., above, such as barns, stables, pumps, and pump houses, but specifically excluding agricultural support structures such as processing facilities, which are prohibited;

c. Wetland restoration and maintenance, or bona fide agriculture as defined by the Code;

d. Those other activities authorized within a Preservation Area consistent with the most current uses permitted by the Code and consistent with applicable provisions of the Comprehensive Plan.

2. Prohibited Uses. Any use of or on the Property that is not specifically listed or included in Section 2, above, or that is inconsistent with agricultural, environmentally significant uplands or wetlands, or open space preservation is prohibited by this Easement.

(ONGOING: PLANNING - Planning)

4. Prior to Final Approval by the Development Review Officer (DRO), all applicable plans and documents shall be amended to be consistent with LGA 2021-009 as approved by the Board of County Commissioners. (DRO: PLANNING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 4 of Resolution R-2022-386, Control No. 2012-00424)

5. Submit an approved Preserve Management Plan for each preserve area prior to approval by the Development Review Officer (DRO). The management plans shall contain a legal description and sketch of the parcel, an inventory of existing uses and environmental assets on the site, and a plan for exotic removal and maintenance. The preserve management Plan shall be approved by ERM. (DRO: PLANNING - Planning) [Note: COMPLETED] (Previous PLANNING Condition 5 of Resolution R-2022-386, Control No. 2012-00424)

6. Prior to the release of the 1st Building Permit for the Development Area, all of the conservation easements for all of the Preservation parcels shall be recorded, as approved by the County Attorney's Office, the Department of Environmental Resources Management, and the Planning Division.

a. The conservation easements for all of these preserve parcels shall contain:

1) a legal description, site location, including the address of the parcel and a sketch including the area subject to the easement depicting reference points such as main streets and showing the location of the preserve within the context of the Ag Reserve;

2) a list of permitted uses, uses not permitted, and prohibited activities.

b. Title insurance for these easements shall be provided to Palm Beach County subject to approval by the County Attorney and in an amount acceptable to the Department of Environmental Resources Management and the Planning Division. (BLDGPM: MONITORING - Planning) (Previous PLANNING Condition 6 of Resolution R-2022-386, Control No. 2012-00424)

7. Title Insurance for the AGR Preserve Conservation Easement is based on the area within the AGR Preserve Conservation Easement multiplied by the cost per acre of a Transfer of Development Right (TDR) in effect at the time the request was deemed sufficient. The development area is Congregate Living Residential (CLR) which utilizes the multi-family unit category. Preserve 1 (SV/PDD/CA-2021-460) deemed sufficient November 3, 2021 with a cost of \$24,500 per acre. Preserve 2 (PDD/DOA-2023-1002) deemed sufficient August 2, 2023 with a cost of \$31,200 per acre. (ONGOING: PLANNING - Planning)

8. Prior to Final Approval by the Development Review Officer (DRO), submit a Preserve Management Plan for new preserve (P2). The management plan shall contain a legal description and sketch of the parcel, an inventory of existing uses and environmental assets on the site, and a plan for exotic removal and maintenance. The management plan shall be reviewed and approved by the Planning Division. (DRO: PLANNING - Planning)

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.

Exhibit C-3 Conditions of Approval

Development Order Amendment – previously approved Conditional Use for an Agriculture Marketplace

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2013-644, Control No. 2007-00357, which currently states:

The Preliminary Site Plan is dated February 22, 2013. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission.

Is hereby amended to read:

The approved Site Plan is dated June 13, 2024. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

2. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2013-0644 (Control 2007-00357), 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)

ALL PETITIONS-UNITY OF CONTROL

3. Previous ALL PETITIONS Condition 1 of Resolution R-2013-644, Control No. 2007-00357, which currently states:

Prior to final approval by the Development Review Officer (DRO), the Property Owner shall submit a recorded copy of a Unity of Control.

Is hereby amended to read:

Prior to final approval by the Development Review Officer (DRO), the Property Owner shall submit an amended recorded Unity of Control for the Agriculture Marketplace. (DRO: ZONING - Zoning)

ENGINEERING

1. In order to comply with the Mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2017. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study, which complies, with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 1 of Resolution R-2013-644, Control No. 2007-00357)

2. Previous ENGINEERING Condition 2 of Resolution R-2013-644, Control No. 2007-00357, which currently states:

Landscape Within the Median of SR 7

a. The Property Owner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of SR 7 from Lee Road south a distance of 417 feet. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioners approval. Median landscaping installed by Property Owner shall be perpetually maintained by the Property Owner, his successors and assigns, without recourse to Palm Beach County, unless the Property Owner provides payment for maintenance as set forth in Paragraph D below. (ONGOING: ENGINEERING - Engineering)

b. Prior to the issuance of the first building permit, the necessary permit(s) for this landscaping and irrigation shall be applied for. (BLDGPM: MONITORING - Engineering)

c. Prior to the issuance of the first certificate of occupancy, all installation of the landscaping and irrigation shall be completed. (CO: MONITORING - Engineering)

d. At Property Owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the Property Owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the

schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the Property Owner. The Property Owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the Property Owner. (ONGOING: ENGINEERING - Engineering)

e. Alternately, at the option of the Property Owner, and prior to the issuance of a Building Permit, the Property Owner may make a contribution to the County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beautification program. This payment, for the County's installation of landscaping and irrigation on qualifying thoroughfares shall be based on the project's foot frontage along SR7 from Lee Road south a distance of 417 feet. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (ONGOING: ENGINEERING - Engineering)

Is hereby deleted. [REASON: No longer applicable]

PALM TRAN

1. Previous PALM TRAN Condition 1 of Resolution R-2013-644, Control No. 2003-00057, which currently states:

Prior to Issuance of the first Building Permit, the Property Owner shall convey and/or dedicate to Palm Beach County an easement for a Bus Stop Boarding and Alighting Area in a form with terms and conditions approved by Palm Tran. Supporting documentation, including but not limited to, a location sketch, legal description, affidavit of ownership, attorney title opinion and other related documents as deemed necessary by Palm Tran shall be required. (BLDGPM: MONITORING - Palm-Tran)

Is hereby deleted. [REASON: No longer required for this site.]

PARKING

1. Prior to an issuance of a Special Permit, the applicant shall demonstrate that sufficient parking spaces are indicated on the Final Site Plan for all participants and combination of activities. (ONGOING: CODE ENF - Zoning) (Previous PARKING Condition 1 of Resolution R-2013-644, Control No. 2007-00357)

2. Prior to final approval of a Special Permit, the layout of the overflow parking spaces shall be installed in accordance to Code or the Property Owner shall seek a Type II Variance approval to deviate from Code requirements. (ONGOING: CODE ENF - Zoning) (Previous PARKING Condition 2 of Resolution R-2013-644, Control No. 2007-00357)

SITE DESIGN

1. Prior to final approval by the Development Review Officer the site plan shall be revised to:

- a. relocate the BBQ stand outside of the rear setback;
- b. provide the height of the Chickee Hut (shelter); and
- c. relocate the Chickee Hut (shelter) outside of the required rear setback if required. (DRO: ZONING – Zoning)

USE LIMITATIONS-SPECIAL ACTIVITIES

1. The maximum number of participants attending any special activities on the subject site

- a. shall not exceed Fifty (50) attendees; and
- b. shall be subject to a Special Permit for number of attendees exceeding a maximum of Fifty (50) people. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2013-644, Control No. 2007-00357)

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.

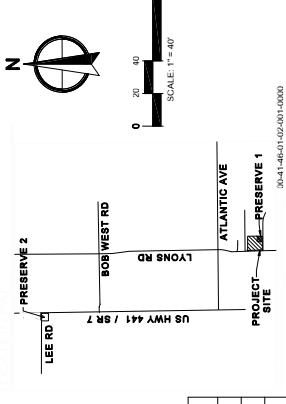
Exhibit D - Project History

Application No.	Title & Request	Resolution	Decision	Approval Date
Control 2012-00024 All Seasons Delray Beach				
LGA-2017-00015	Title: NEC Lyons Road and Linton Boulevard, Large Scale Land Use Amendment Request: To change a future land use designation from Agricultural Reserve (AGR) to Institutional with an underlying Agricultural Reserve (INST/AGR)		Withdrawn	05/02/2018
LGA-2019-00018	Title: Poet's Walk II, Large Scale Land Use Amendment Request: To change a future land use from Agricultural Reserve (AGR) to Congregate Living Residential with an underlying Agricultural Reserve (CLR/AGR)		Withdrawn	05/28/2021
SV/PDD/CA-2021-00460	Title: a Subdivision Variance Request: to allow access from an individual lot to be permitted directly to a major street (Lyons Road)	ZR-2022-00010	Adopted	04/07/2022
LGA-2021-00009	Title: All Seasons Delray Beach, Large Scale Future Land Use and Text Amendment Request: To change the future land use designation from Agricultural Reserve (AGR) to Institutional and Public Facilities with an underlying Congregate Living Residential (INST/CLR) with conditions, and to revise the Future Land Use Element of the Comprehensive Plan to allow the CLR future land use designation in the Agricultural Reserve Tier for congregate living facilities, up to 8 units per acre.	2022-00011	Adopted With Conditions	04/28/2022
SV/PDD/CA-2021-00460	Title: an Official Zoning Map Amendment Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District	R-2022-00386	Adopted With Conditions	04/28/2022
SV/PDD/CA-2021-00460	Title: a Class A Conditional Use Request: to allow a Congregate Living Facility (CLF)	R-2022-00387	Adopted With Conditions	04/28/2022
LGA-2024-00003	Title: a Large Scale Future Land Use Amendment Request: To change a future land use designation from Agricultural Reserve (AGR) to Commerce with an underlying Agricultural Reserve (CMR/AGR); and to revise the Future Land Use Element of the Comprehensive Plan to define Agriculture Marketplace and allow the use within the preserve area of an AGR-MUPD for Agriculture Marketplaces approved prior to May 31, 2013		Pending	
Control 2007-00357 Agriculture Marketplace				
ZV-2013-01063	Title: a Type II Variance Request: to eliminate interior and terminal landscape islands, divider medians and trees within the Phase 1 vehicular use overflow parking area	ZR-2013-00018	Approved	08/01/2013
ABN/CA-2012-02097	Title: a Development Order Abandonment Request: to abandon a Class A Conditional Use for a Produce Stand approved via Resolution R-2008-917	R-2013-00643	Approved With Conditions	05/23/2013
ABN/CA-2012-02097	Title: a Class A Conditional Use Request: to allow an Agriculture Marketplace	R-2013-00644	Approved With Conditions	05/23/2013

Exhibit E - Preliminary Site Plan



NO.	DATE	DESCRIPTION	BY	CS
1	08/28/2024	DOA		
2	08/28/2024	DOA		



APPLICATION NAME	ALL SEASONS DELRAY BEACH
APPLICATION NUMBER	PUD/DOK-2022-1002
CONTROL NUMBER	2024-0274
PROPERTY CONTROL NUMBERS	PARENT SITE: 04-4-20-00000 PARENT SITE: 04-4-20-00000 OFF-SITE RESERVE: 04-4-40-00000
TER	AGE
FULL DEVELOPMENT	INT/CL
ZONING DISTRICT	ART/MPD
EXISTING USE(S)	TYPE 1 USE
TOTAL PROJECT AREA	19.729 AC
DEVELOPABLE AREA (PARENT SITE)	8.014 AC
DEVELOPABLE AREA (OFF SITE)	8.014 AC
PRESERVE 1 AREA (ON SITE)	6.00 AC
PRESERVE 2 AREA (ON SITE)	9.729 AC
GROSS SITE AREA (PARENT SITE)	200000 SF
TOTAL BUILDINGS/F	30000 SF
ACCESSORY OF FIDE	3000 SF
INDUSTRIAL LIVING	100 BEDS
ASSISTED LIVING	74 BEDS
MAXIMUM BUILDING HEIGHT	30'
PROPOSED BUILDING HEIGHT (NO STORES)	30' ± STORED
PROPOSED REGULATION (MAX AS 4 BEDS)	07' AC
PROPOSED REGULATION (MAX AS 4 BEDS)	07' AC
PROPOSED ANALYSIS ZONE	07' AC

PRESERVE NAME	PARCEL CH	PRESERVE AREA	RECORDATION
PRESERVE 1	00-43-46-01-000-000	0.876 AC	ORB TBM / PG TBM
PRESERVE 2	00-43-46-01-000-000	6.00 AC	ORB TBM / PG TBM

TABLE 6B.1.B. PARKING REQUIREMENTS	
REQUIRED	PROPOSED
PARKING (1 SP PER 4 BEDS @ 100 BEDS)	47
OFFICE (1 SP PER 500 SF @ 3,000 SF.)	16
ACCESSIBLE PARKING	2
LOADING (1 SP PER BUILD)	1

CONCURRENCY BOX	
TYPE 1 USE	100 BEDS

SHOWS THE TYPE 1 USES AND AMOUNTS FOR THIS PROJECT. TYPE 1 USES ARE REQUIRED FOR THE ABOVE USES AND AMOUNTS.

LEGEND

- AC = ACRES
- BBL = BASE BUILDING LINE
- D.E. = DRAINAGE EASIMENT
- EMT = EASIMENT
- EX. = EXISTING LAND USE
- F.P. = FOUNDATION FOOTPRINT
- LAE = LIMITED ACCESS EASIMENT
- OAB = OFFICIAL RECORD BOOK
- P.B. = PLAT BOOK
- PG = PARCEL
- PG MARKUS
- RAW = RIGHT-OF-WAY
- SB = SETBACK
- SW = SIDEWALK
- TEA = TO BE ABANDONED
- U.E. = UTILITY EASIMENT

ULDC CODE	REQUIRED	PROVIDED	APPROVAL DATE / RESOLUTION NO.
ULDC SECTION	WATER		
ARTICLE / SECTION	10' ABANDONMENT OF TYPE 2 INCAPABILITY BUFFER		03/04/2023
WT	ARTICLE 10' INCAPABILITY BUFFER	0'	

TYPE 1 WAIVER CHART - DRO / W - 2022-00832	
--	--

LOT NUMBER	AREA	DEPTH	FRONT	REAR
SIZE	FRONTAGE	COVER	STREET	STREET
REQUIRED	5 AC	300'	30'	30'
PROPOSED	6.729 AC	607'	100'	70'

ULDC SECTION	REQUIRED	PROVIDED	VARIANCE
5811	ART. 11.E.5.B.2		ACCESS WALKWAY RD

PROPERTY DEVELOPMENT REGULATIONS TABLE 3.E.3.D.

DISTRICT	MINIMUM LOT AREA	MINIMUM FRONT YARD SETBACK	MINIMUM REAR YARD SETBACK	MINIMUM SIDE YARD SETBACK
RESIDENTIAL SINGLE-FAMILY	5,000 SQ. FT.	10 FT.	10 FT.	5 FT.
RESIDENTIAL MEDIUM-DENSITY	5,000 SQ. FT.	10 FT.	10 FT.	5 FT.
RESIDENTIAL HIGH-DENSITY	5,000 SQ. FT.	10 FT.	10 FT.	5 FT.

SEE REQUIRED TABLE 3.E.3.11.1. RESIDENTIAL FLOORING CONSISTENCY BASED OFF PARTICULATE FUTURE LAND USE.

SUBDIVISION VARIANCE CHART

ULDC SECTION	REQUIRED	PROVIDED	VARIANCE
5811	ART. 11.E.5.B.2		ACCESS WALKWAY RD

AMENDMENTS

ZONING STAMP

AGRICULTURE UNDEVELOPED
20' TYP. BUFFER
CONTROL NO. 3014H

AGRICULTURE UNDEVELOPED
20' TYP. BUFFER
CONTROL NO. 3014H

Site Data
Application Name: All Seasons Preserve
Application No: All Seasons Dairy Beach
Control Name: PDD/DOA-2023-1022
Map No: 2023-0003
Revised: R20131444
Ag Reserve
CORVWA
Zoning District: AGR-PUD (Parcel 1), AGR-MUPD (Parcel 2)
Section/Township/Range: 05/4 S, 14 E, 26 S (Sec. 4, Preserve)
Property Control Number (S.C. Basis-P.A. Preserve): 064-148-01-000-0000
Property Control Number (S.C. Basis-P.A. Preserve): 064-148-01-000-0000
Property Control Number (All Seasons Parent Site): 06-42-48-20-0-1000-0810
Property Control Number (All Seasons Parent Site): 06-42-48-20-0-1000-0820
Proposed Uses: Agricultural (Preserve)
Agriculture (Preserve)
Market (Preserve)
Green Site Area: (217,800 SF) 5.0 AC
Market Site Area: 67.8 AC
747
Traffic Analysis Zone (TAZ):

Building Data
Total Building Square Footage: 11,837 SF
Building A - Agricultural Marketplace: 8,607 SF
Building B - Chicken Hut: 2,000 SF
Building C - Green Market: 1,230 SF
Building D - U-Pick Building: 290 SF
Building E - Temporary Bathroom Facility: 750 SF
Floor: 1
Building Height: 3-Story | 35' Max.

Parking Data
Total Parking Spaces: 158 Spaces
Agricultural Marketplace (1 Space/200 SF) [8,607 SF] [188 Attendees]: 43 Spaces*
Green Market Co-located Uses (1 space/3 attendees) [248 Attendees]: 83 Spaces*
Total Required Provider: 149 Spaces*
*All spaces are for access within 800 LF from building if it is necessary to serve per A.C. 6.B.2.A.14
ADA Parking Required: 3 Spaces
ADA Parking Provided: 3 Spaces
Loading Spaces Required: 1 Space
Loading Spaces Proposed: 0 Spaces*
Avenue per A.C. 6.E.4 - Dimensions & More: 1 Space
Bike Racks Required (1 Rack / 200 parking spaces): 1 Rack
Bike Racks Proposed: 1 Rack
Dry Detention: (3.8%) 3,383 SF | 0.19 AC

Concurrency/Conservation
Total Square Footage: 20,607 SF
Total Square Footage of Agricultural Marketplace: 8,607 SF
Total Square Footage of Outdoor Permanent Marketplace: 12,000 SF
*Concurrency is approved for the subject use and the above amount shown on this plan.

Use Chart - Outdoor Permanent Marketplace

Use	Area (SF)	Number of Attendees and Parking (where applicable)
Chicken Hut	2,000	NA
Green Market/Outdoor Farm	8,607	248 attendees (83 spaces)
BBO Stand	300	NA
U-Pick Building	290	NA
Temporary Bathroom	750	NA
Trailer	12,000 SF	NA

Valence Chart (ZRS-2015-018)

#	UDC Article	Required	Provided	Valence	Approval
VI	A4.7.0.1 - Trees	75% of all trees in residential use area required to be empty trees	0	To allow no trees in the border of vehicular use area	ZRS-2015-018
VR	A4.7.0.2.A - Temporary and Interior Signs	Each row of parking spaces shall be marked with a sign, and, provide one interior sign per six spaces	None	To allow no marked or interior landscape signs	ZRS-2015-018
VR	A4.7.0.2.C - Interior Medians	Interior medians if used shall be required to provide with a minimum of 10' of parking width and a minimum of 10' of median width in A.G.C. Use.	None	To allow no divider medians	ZRS-2015-018

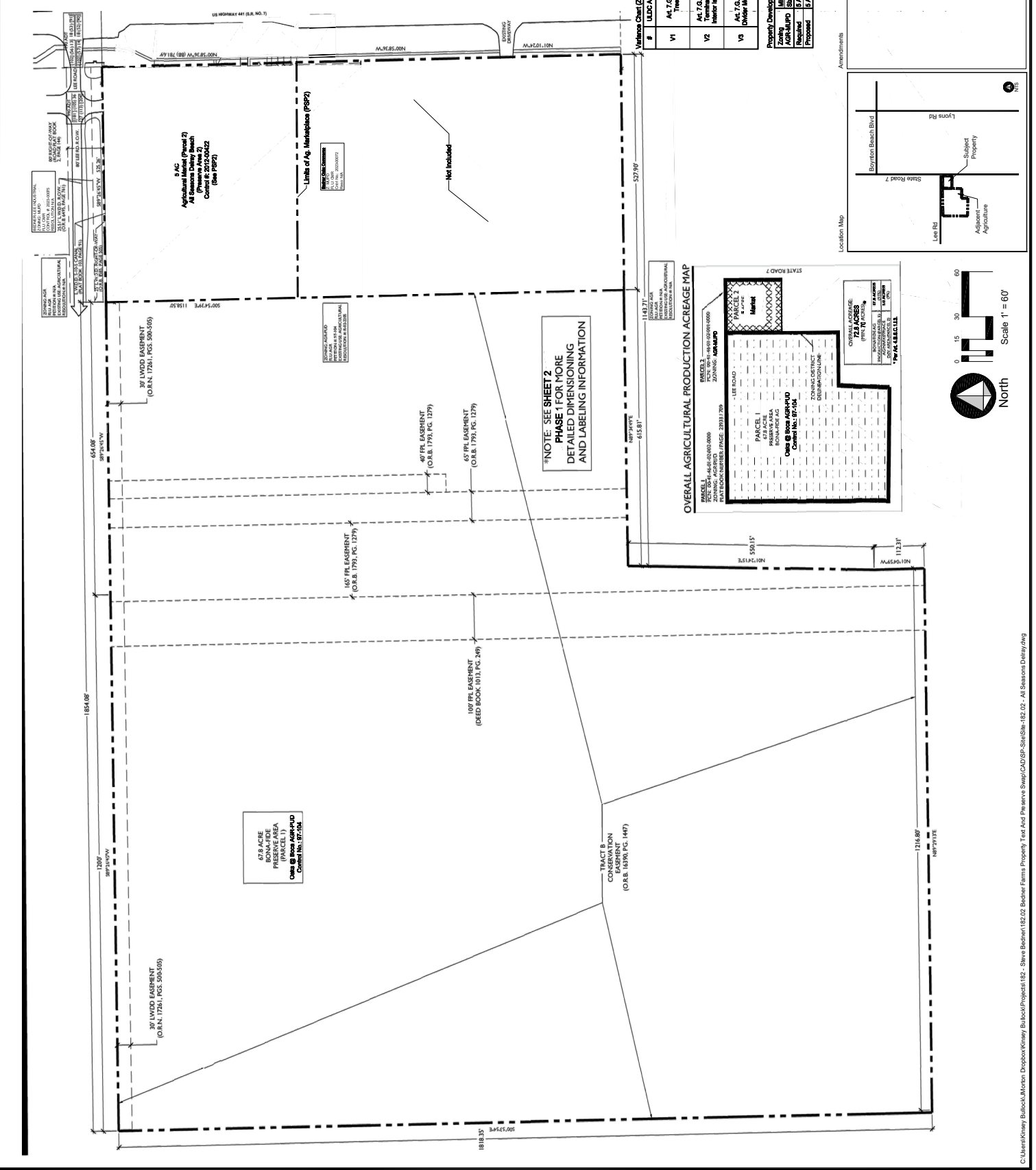
Property Development Regulations (Miscellaneous)

Minimum Lot Dimensions	Depth	Width	Minimum Setbacks	Front	Side	Rear
Required	5 AC	327'	15'	15'	10'	10'
Proposed	5 AC	259'	15'	15'	25'	10'

Revisions

Revised	By	Date
02/22/2023		
02/22/2023		
02/22/2023		
02/22/2023		
02/22/2023		

Preliminary Site Plan
Scale: As Shown
Drawn By: KB
Checked By: LM/AA
Date: 2024-05-13
File: Site-152.02 - All Seasons Dairy



Site Data

Application Name: All Seasons Preserve
Control Name: All Seasons Dairy Beach
Application No.: PDD/DOA/20-23-1022
Date of Application: 06/13/2023
Site Address: 8201 S.W. 54th Ave.
Zoning: COBWA
Covenants/Restrictions: AGR-MUPD
Section/Tier/Map/Range: 06/44/46-50-01-000-0810
Property Control Number: SA 2 Boats-Fish Ag (Preserve)
Property Control Number: SA 2 Boats-Fish Ag (Non-Preserve)
Property Control Number: (All Seasons Parent Site)
Property Control Number: (All Seasons Parent Site)
Proposed Uses: Agricultural Market (Preserve)
Agriculture (Preserve)
Market (Preserve)

Green Site Area: 11,937 SF
Market Site Area: 8,607 SF
Bona Fide Ag: 2,900 SF
Traffic Analysis Zone (TAZ): 2,880 SF
750 SF
3-Story 135 Max

Building Data

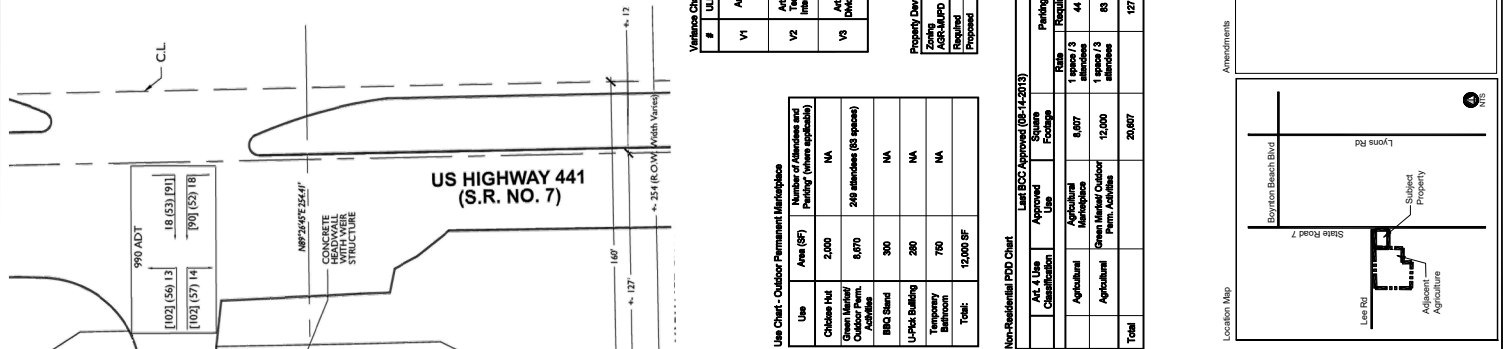
Total Building Square Footage: 11,937 SF
Building A - Agricultural Marketplace: 8,607 SF
Building B - Chicken Hut: 2,900 SF
Building C - BBQ Stand: 300 SF
Building D - LPK Building: 280 SF
Building E - Temporary Bathroom Facility: 750 SF
Building Height: 3-Story 135 Max

Parking Data

Total Parking Spaces: 428 Spaces
Agricultural Marketplace (1 Space/200 SF) [8,607 SF] (188 Automobiles)
Green Market (Co-located Uses) (1 Space/3 Automobiles) [249 Automobiles]
Total Required/Paved: 1,287 Spaces (1,287 Automobiles) (1,287 Automobiles)
Total Available: 1,287 Spaces (1,287 Automobiles) (1,287 Automobiles)

Concurrence/Conservation

Total Square Footage: 20,607 SF
Total Square Footage: 12,000 SF
Outdoor Permanent Marketplace: 8,607 SF



Site Data

Application Name: All Seasons Preserve
Control Name: All Seasons Dairy Beach
Application No.: PDD/DOA/20-23-1022
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Agriculture (Preserve)
Market (Preserve)

Green Site Area: 11,937 SF
Market Site Area: 8,607 SF
Bona Fide Ag: 2,900 SF
Traffic Analysis Zone (TAZ): 2,880 SF
750 SF
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Building Data

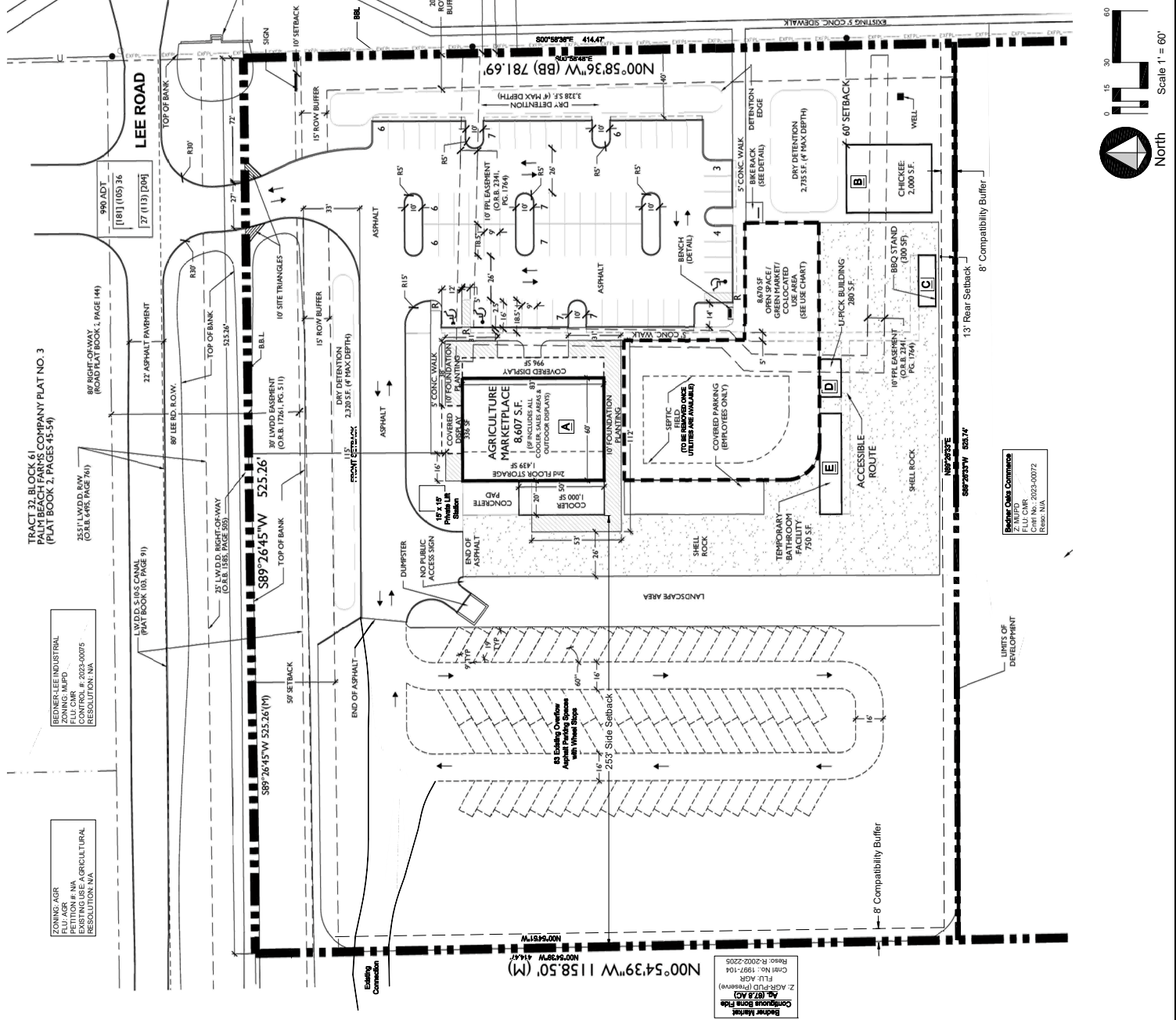
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Agricultural Marketplace (1 Space/200 SF) [8,607 SF] (188 Automobiles)
Green Market (Co-located Uses) (1 Space/3 Automobiles) [249 Automobiles]
Total Required/Paved: 1,287 Spaces (1,287 Automobiles) (1,287 Automobiles)
Total Available: 1,287 Spaces (1,287 Automobiles) (1,287 Automobiles)

Concurrence/Conservation

Total Square Footage: 20,607 SF
Total Square Footage: 12,000 SF
Outdoor Permanent Marketplace: 8,607 SF



Site Data

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Control Name: All Seasons Dairy Beach
Application No.: PDD/DOA/20-23-1022
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Traffic Analysis Zone (TAZ): 2,880 SF
750 SF
3-Story 135 Max

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Green Market (Co-located Uses) (1 Space/3 Automobiles) [249 Automobiles]
Total Required/Paved: 1,287 Spaces (1,287 Automobiles) (1,287 Automobiles)
Total Available: 1,287 Spaces (1,287 Automobiles) (1,287 Automobiles)

Concurrence/Conservation

Total Square Footage: 20,607 SF
Total Square Footage: 12,000 SF
Outdoor Permanent Marketplace: 8,607 SF



Use Chart - Outdoor Permanent Marketplace

Use	Area (SF)	Number of Automobiles and Parking (where applicable)
Chicken Hut	2,900	NA
Green Market/Outdoor Perm. Activities	8,607	249 Automobiles (88 spaces)
BBQ Stand	300	NA
LPK Building	280	NA
Temporary Bathroom	750	NA
Total:	12,000 SF	

Non-Residential PDD Chart

Art. 4 Use Classification	Approved Use	Approved Square Footage
Agriculture	Agriculture	8,607
Agriculture	Green Market/Outdoor Perm. Activities	12,000
Total	20,607	

Property Development Populations (Marketplace)

Minimum Lot Dimensions (Feet)	Depth	Width	Area (SF)	Minimum Automobiles	Minimum Spaces
100' x 100'	100'	100'	10,000	100	100
100' x 150'	100'	150'	15,000	150	150
100' x 200'	100'	200'	20,000	200	200
150' x 100'	150'	100'	15,000	150	150
150' x 150'	150'	150'	22,500	225	225
150' x 200'	150'	200'	30,000	300	300
Proposed	8 AC	520' x 520'	11,887 SF	118	118

Use Chart (20-2013-019)

ULDC Article	Required	Provided	Verifiability	Approval
V1 Art. 4.02.1 - Uses	788 of 814 uses (with 100% of area required to be occupied)	0	To allow use in the limits of the outdoor permanent marketplace	20-2013-018
V2 Art. 7.02.A - Terminal and Interior Islands	Each row of parking space shall be terminated by a landscape island for every 100 feet of length for six spaces.	None	To allow no terminal or interior landscape islands	20-2013-018
V3 Divider Medians	Divider medians 8' wide shall be required for parking lots with at least 100 parking spaces.	None	To allow no divider medians	20-2013-018

Non-Residential PDD Chart

Art. 4 Use Classification	Approved Use	Approved Square Footage
Agriculture	Agriculture	8,607
Agriculture	Green Market/Outdoor Perm. Activities	12,000
Total	20,607	

Use Chart (20-2013-019)

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Property Development Populations (Marketplace)

Minimum Lot Dimensions (Feet)	Depth	Width	Area (SF)	Minimum Automobiles	Minimum Spaces
100' x 100'	100'	100'	10,000	100	100
100' x 150'	100'	150'	15,000	150	150
100' x 200'	100'	200'	20,000	200	200
150' x 100'	150'	100'	15,000	150	150
150' x 150'	150'	150'	22,500	225	225
150' x 200'	150'	200'	30,000	300	300
Proposed	8 AC	520' x 520'	11,887 SF	118	118

Use Chart (20-2013-019)

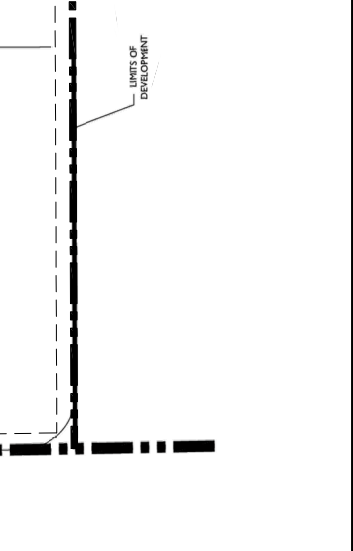
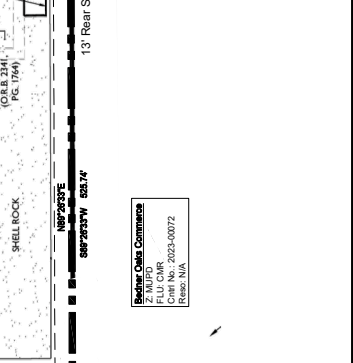
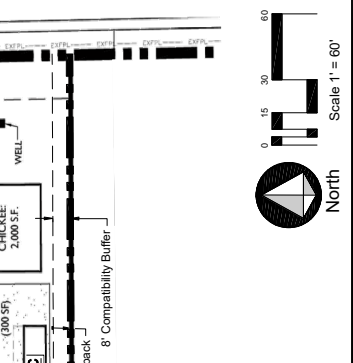
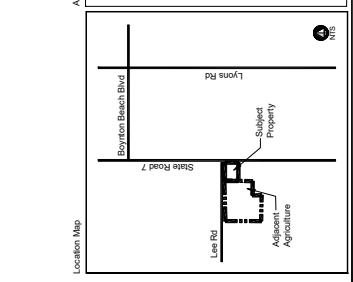
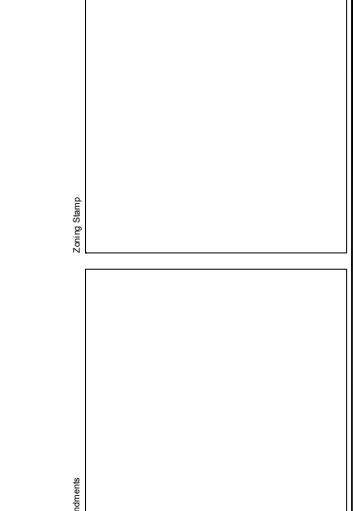
ULDC Article	Required	Provided	Verifiability	Approval
V1 Art. 4.02.1 - Uses	788 of 814 uses (with 100% of area required to be occupied)	0	To allow use in the limits of the outdoor permanent marketplace	20-2013-018
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Property Development Populations (Marketplace)

Minimum Lot Dimensions (Feet)	Depth	Width	Area (SF)	Minimum Automobiles	Minimum Spaces
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100' x 150'	100'	150'	15,000	150	150
100' x 200'	100'	200'	20,000	200	200
150' x 100'	150'	100'	15,000	150	150
150' x 150'	150'	150'	22,500	225	225
150' x 200'	150'	200'	30,000	300	300
Proposed	8 AC	520' x 520'	11,887 SF	118	118

Use Chart (20-2013-019)

ULDC Article	Required	Provided	Verifiability	Approval
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Bedner Oaks
Palm Beach County, Florida

PSP 2 of 2

Scale: As Shown
Drawn By: KB
Checked By: LMAA
Date: 2024-06-13
File: Site-152.02 - All Seasons Delivery

Preliminary Site Plan

Exhibit F - Preliminary Regulating Plan

WVGI
 2020 West Farmway, West Farm Beach, FL 32411
 Phone No. 888.223.2323 www.wvgi.com

SITE DATA
 APPLICATION NAME: ALL SEASONS DELRAY BEACH
 APPLICATION NUMBER: PDD/DOA-2023-1002
 CONTROL NUMBER: 2012-00424



REVISIONS	
NO.	DATE
1	01/24/22
2	05/29/24
BY	CNC

CAD	44800, EY-AWPS DWS
JOB NO.	2445.00
DRAWN/DESIGNED	CNC
CHECKED	RMH
DATE	08/03/2021

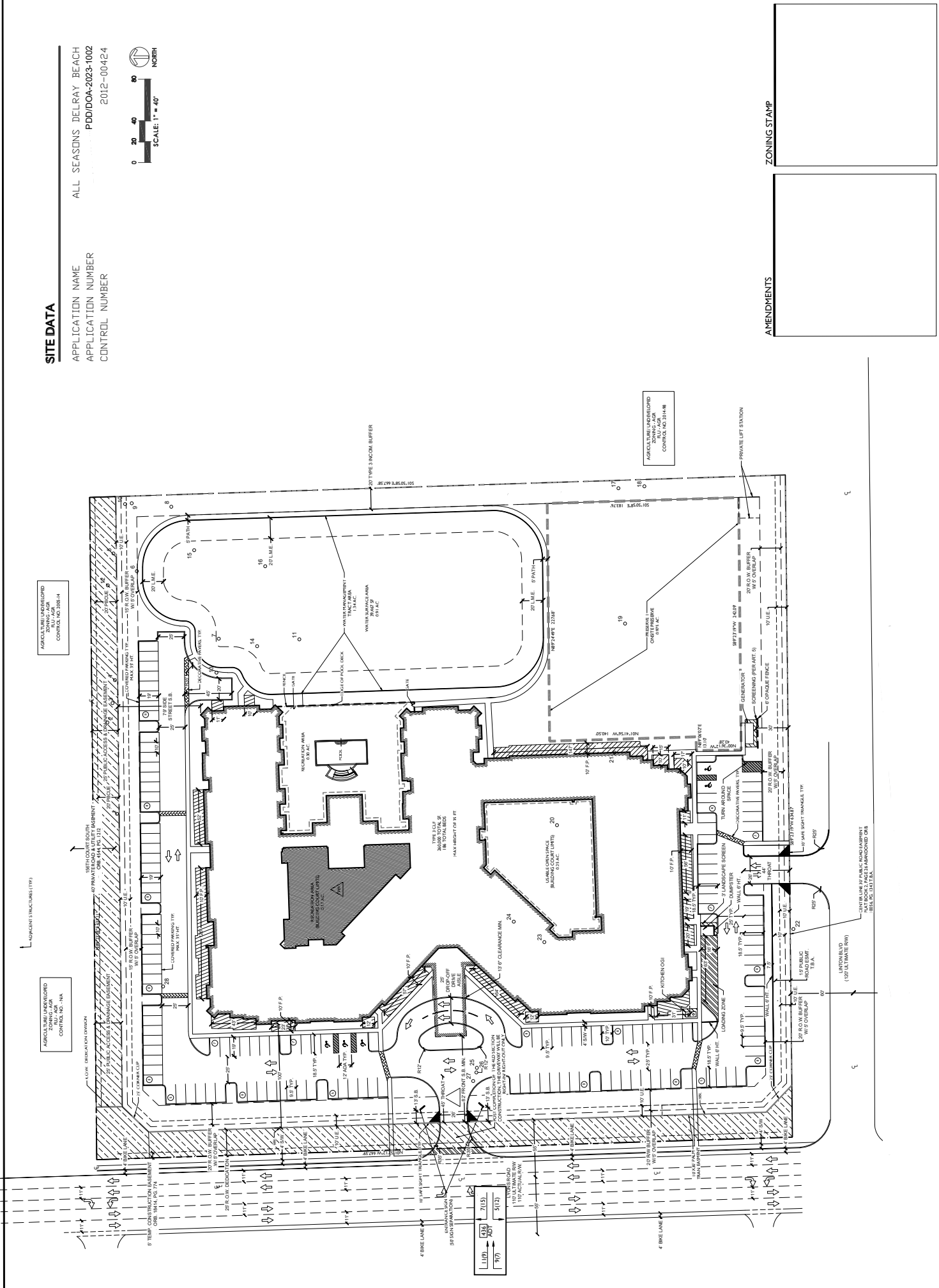
IS A CERTIFIED ARBORIST #1-9844

PROJECT: ALL SEASONS DELRAY BEACH
 TASK: TREE INVENTORY PLAN

SHEET: PRP1

AMENDMENTS

ZONING STAMP



11/09	036	7/15
06/17	067	5/13
9/7		

SITE DATA

APPLICATION NAME: ALL SEASONS DELRAY BEACH
 APPLICATION NUMBER: PDD/DOA-2023-1002
 CONTROL NUMBER: 2012-00424

2035 Vista Parkway, West Palm Beach, FL 33411
 Phone No. 888.908.2220 www.wmg1.com
 Cmt No. 8091-1B No. 7055



PROJECT:	ALL SEASONS DELRAY BEACH
TASK:	TREE INVENTORY PLAN
DATE:	08/03/2021
JOB NO.:	2445.00
CHECKED/OC:	RMH
DATE:	08/03/2021
BY:	CNC
DESCRIPTION:	Additional Inventory
NO.:	1
DATE:	01/24/22

ISA CERTIFIED ARBORIST #FL-54464

PROJECT: ALL SEASONS DELRAY BEACH
 TASK: TREE INVENTORY PLAN
 SHEET: PRP2

Tag #	Common Name	Scientific Name	DBH (inches)	Height (feet)*	EMT Tree	Zoning Tree	Disposition	EMT Mitigation	Zoning Requirement	Credit	Notes
1	Quombo Limbo	Bursera almaracuba	6		X		Preserve		NA	1	Nursery stock
2	Royal Palm	Roystonia regia		7	X		Preserve		NA	1	Nursery stock
3	Royal Palm	Roystonia regia		10	X		Preserve		NA	1	Nursery stock
4	Royal Palm	Roystonia regia		10	X		Preserve		NA	1	Nursery stock
5	Royal Palm	Roystonia regia		18	X		Preserve		NA	1	Nursery stock
6	Royal Palm	Roystonia regia		22	X		Preserve		NA	1	Nursery stock
7	Mahogany	Syzygium mahogani	18		X		Preserve		NA	4	
8	Royal Palm	Roystonia regia		18	X		Preserve		NA	1	
9	Royal Palm	Roystonia regia		18	X		Preserve		NA	1	
10	Royal Palm	Roystonia regia		16	X		Preserve		NA	1	
11	Royal Palm	Roystonia regia		20	X		Preserve		NA	1	
12	Sabal Palm	Sabal palmetto		20	X		Preserve		NA	1	
13	Black Olive	Bursera almaracuba	22		X		Mitigate Ornate	5	NA		Nursery stock
14	Black Olive	Bursera almaracuba	24		X		Mitigate Ornate	6	NA		
15	Live Oak	Quercus virginiana	9		X		Mitigate Ornate	2	NA		
16	Mahogany	Syzygium mahogani	9		X		Mitigate Ornate	2	NA		
17	Quombo Limbo	Bursera almaracuba	8		X		Mitigate Ornate	2	NA		
18	Quombo Limbo	Bursera almaracuba	6		X		Mitigate Ornate	2	NA		
19	Mahogany	Syzygium mahogani	10		X		Preserve	1	NA		
20	Royal Palm	Roystonia regia		22	X		Mitigate Ornate	1	NA		Nursery stock
21	Royal Palm	Roystonia regia		13	X		Mitigate Ornate	1	NA		Nursery stock
22	Live Oak	Quercus virginiana	6		X		Preserve		NA	1	
23	Royal Palm	Roystonia regia		11	X		Mitigate Ornate	1	NA		Nursery stock
24	Slash Pine	Pinus elliotii	7		X		Mitigate Ornate	2	NA		Vine infestation, sparse foliage
25	Slash Pine	Pinus elliotii	10		X		Mitigate Ornate	2	NA		
26	Slash Pine	Pinus elliotii	9		X		Mitigate Ornate	2	NA		
27	Slash Pine	Pinus elliotii	10		X		Mitigate Ornate	2	NA		
28	Quombo Limbo	Bursera almaracuba	9		X		Harvest		NA		Nursery stock
							Required Hardwood Mitigation:	25			
							Required Palm Mitigation:	0			
							Hardwoods Relocated:	0			
							Palm Relocated:	2			
							Hardwoods Preserved:	4			
							Palm Preserved:	9			

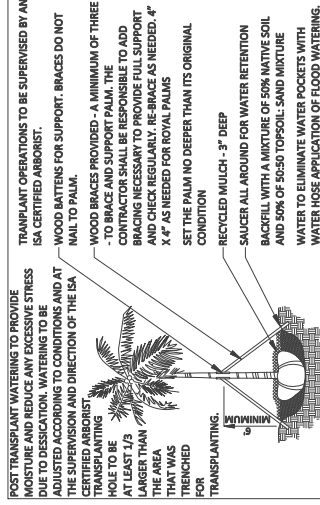
*All palms are measured in feet to clear trunk.

AMENDMENTS

ZONING STAMP

SITE DATA

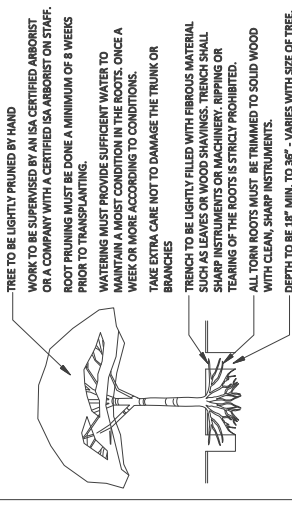
APPLICATION NAME: ALL SEASONS DELRAY BEACH
 APPLICATION NUMBER: PDD/DOA-2023-1002
 CONTROL NUMBER: 2012-00424



PALM TRANSPLANT DETAIL

REF: "THE LANDSCAPE MANUAL" DADE CO. DEPT OF PLANNING & ZONING 2001

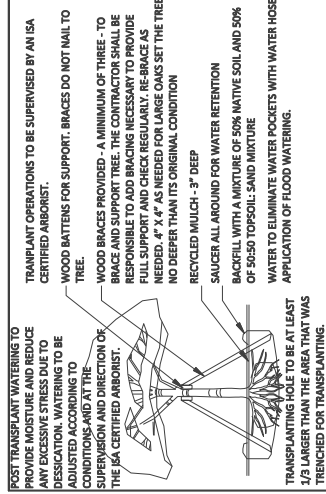
N.T.S.



ROOT PRUNING DETAIL

REF: "THE LANDSCAPE MANUAL" DADE CO. DEPT OF PLANNING & ZONING 2001

N.T.S.



TREE TRANSPLANT DETAIL

REF: "THE LANDSCAPE MANUAL" DADE CO. DEPT OF PLANNING & ZONING 2001

N.T.S.

AMENDMENTS

ZONING STAMP

NOTES:

- SEE SHEET LANDSCAPE PLANS FOR THE PROPOSED TREE AND PALM LOCATIONS
- THE CONTRACTOR SHALL REMOVE ALL TREES AND HERGES AS PER PLANS AND AS APPROVED BY THE LOCAL GOVERNING AGENCIES (PALM BEACH COUNTY EMA, TREE PALM AND HERGE MATERIAL SHALL INCLUDE ALL TRUNKS, STUMPS, AND ROOTS. ALL EXCESS DEBRIS SHALL BE REMOVED FROM THE SITE AND DISPOSED OF AT AN APPROVED SITE. ALL HOLES AND DEPRESSIONS SHALL BE BACKFILLED WITH CLEAN APPROVED BACKFILL.
- LOCATIONS SHOWN FOR THE EXISTING TREES AND PALMS ARE APPROXIMATE. EXACT LOCATIONS ARE TO BE FIELD VERIFIED BY A REGISTERED LAND SURVEYOR IMPACTED BY ANY OTHER TREES OR PALMS TO REMAIN.
- ALL INVASIVE EXOTIC VEGETATION AND ANY OTHER PLANTS LISTED AS CATEGORY 1 ON THE FLORIDA EXOTIC PEST PLANT COUNCIL'S LIST OF FLORIDA'S MOST INVASIVE SPECIES SHALL BE REMOVED FROM THE SITE AND MAINTENANCE SHALL GUARANTEE CONTROL OF RE-INVASION.
- ALL TREES AND PALMS TO BE RELOCATED SHALL BE ROOT PRUNED AND CANOPY PRUNED ACCORDING TO ALL ACCEPTED STANDARDS AS DEFINED BY THE NATIONAL ARBORIST ASSOCIATION, AND ALL PRE AND POST-TRANSPLANT OPERATIONS SHALL BE COORDINATED WITH THE UTMOST CARE TO MINIMIZE DAMAGE AND TRANSPLANT SHOCK. WATERING-IN AND WATERING SCHEDULES SHALL BE SUBMITTED TO THE PROJECT MANAGER FOR REVIEW AND APPROVAL PRIOR TO RELOCATION.
- ALL TREES AND PALMS TO BE RELOCATED SHALL BE STAKED AND BRACED TO INSURE STABILITY AND MINIMIZE ROOT DAMAGE DURING THE RELOCATION PERIOD.
- CONTRACTOR SHALL VERIFY WITH THE PROJECT SUPERINTENDANT THE PROPOSED LANDSCAPE AREAS PRIOR TO TREE AND PALM RELOCATION TO ENSURE PROPER RELOCATION AND MINIMIZE ANY FIELD DISCREPANCIES WITH RESPECT TO PROPOSED PAVING, BUILDING, AMENITIES, ABOVE AND BELOW GROUND UTILITIES AND LIMITS OF PROPERTY.
- CONTRACTOR SHALL ESTABLISH AN IRRIGATION SYSTEM TO PROVIDE FOR PRE AND POST-TRANSPLANT IRRIGATION SCHEDULING. TREE AND PALM FERTILIZATION SHALL BE ESTABLISHED CONCURRENTLY WITH IRRIGATION PRE AND POST-FERTILIZATION. THIS PROCEDURE SHALL BE CONDUCTED TO OPTIMIZE PLANT ESTABLISHMENT.
- CONTRACTOR SHALL COORDINATE WITH THE PROJECT SUPERINTENDANT TO PLANT ALL RELOCATED TREES AND PALMS AT THE FINAL GRADE OF SITE.
- SEE "ROOT PRUNING DETAIL" AND "TREE TRANSPLANT DETAIL AS SHOWN ON PLANS.

TREE TRANSPLANTING PROCEDURAL SPECIFICATIONS

PURPOSE: TO MAXIMIZE THE SUCCESS OF TREE TRANSPLANTING OPERATIONS. ALL STANDARDS SHALL MEET OR EXCEED THE ANSI A800 PART 69-2005 (TRANSPLANTING) STANDARD PRACTICES AND ANY APPLICABLE LOCAL CODES. CONTRACTOR SHALL EMPLOY AN ISA CERTIFIED ARBORIST WITH VERIFIABLE TREE TRANSPLANT EXPERIENCE AS THE "EXPERT ARBORIST OF RECORD" TO CARRY OUT THE FOLLOWING DUTIES:
 SHALL PROVIDE A TREE RELOCATION PLAN FOR APPROVAL BY THE OWNERS BEFORE ANY WORK CAN COMMENCE.
 SHALL MAKE SITE VISITS PRIOR TO ANY RELOCATION WORK TO INSPECT THAT THE PROPER PREPARATION WORK IS PERFORMED TO THE TREE RELOCATION GUIDELINES.
 SHALL MAKE SITE VISITS DURING RELOCATION WORK TO INSURE WORKS BEING PERFORMED TO THE TREE RELOCATION GUIDELINES.
 SHALL DOCUMENT ALL INSPECTIONS AND PROVIDE REPORT TO THE OWNERS AGENT WITHIN 5 BUSINESS DAYS OF THE SITE VISIT.
 SHALL SUBMIT PRIOR TO FINAL ACCEPTANCE BY OWNER'S AGENT, A POST-TRANSPLANT CARE GUIDE FOR UP TO THREE YEARS THAT INCLUDES WATERING, FERTILIZATION, PRUNING, PEST CONTROL, STAKING, ETC. FOR APPROVAL

A WRITTEN TREE REMOVAL PERMIT IS REQUIRED FROM PALM BEACH COUNTY ENVIRONMENTAL RESOURCE MANAGEMENT (ERM) PRIOR TO REMOVAL OF ANY NON-DEEMPT TREES FROM THE SITE.
 SEE SHEET TD-2 FOR TREE INVENTORY, TREE PROTECTION AND RELOCATION DETAILS.
 SEE LANDSCAPE PLANS FOR PROPOSED LANDSCAPE PLANTINGS, LANDSCAPE LEGEND, SPECIFICATIONS, NOTES, DETAILS, ETC.



NATIVE TREE DISPOSITION PLAN



PROJECT: ALL SEASONS DELRAY BEACH
 TASK: TREE INVENTORY PLAN
 SHEET: PRP3

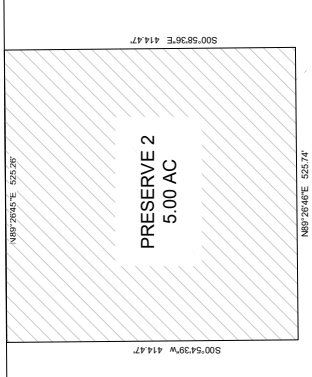
2035 Viera Parkway, West Palm Beach, FL 33411
 Phone No. 888.998.2222 www.mh.com

NO.	DATE	DESCRIPTION	BY
1	01/24/22	Additional Inventory	CNC

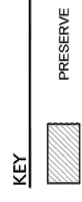
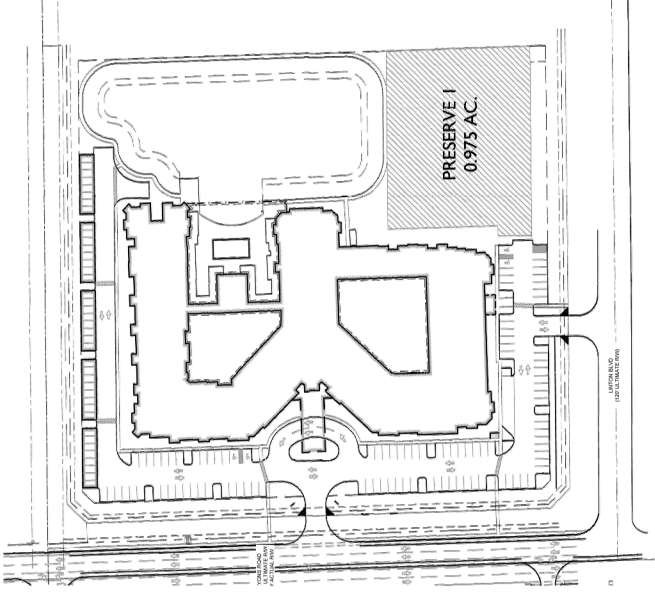
CD	24680	BY	MARS	WVC
DATE	08/02/2021	JOB NO.	246800	CHECKED/CNC

ISA CERTIFIED ARBORIST #FL-56464

OFF SITE PRESERVE (PRESERVE 2)
SCALE: 1" = 100'



ON SITE PRESERVE (PRESERVE 1)
SCALE: 1" = 80'



PRESERVE CALCULATION

Total Parcel	8,754 Acres
Street Development Area	6,779 Acres
PRESERVE CALCULATION (FLUPLP/FCY 1.5(AUB))	
REQUIRED (Acres)	0.975
PROVIDED (Acres)	0.975
On-site Preserve (10% of parcel parcel)	0.975
Off-site Preserve (20% of parcel parcel)	0.000
TOTAL	0.975

Development of the site is subject to LGA 2022-009, ORD 2020-011, Condition 1: The applicant shall provide a minimum of 4.27 acres of off-site preserve area and 0.97 acres of on-site preserve area.

PRESERVE NAME	PARCEL FCN	PRESERVE ACREAGE	RECORDATION
PRESERVE 1	00-46-20-01-000-0000	0.975 AC	-
PRESERVE 2	10-04-14-01-02-001-0000	5.00 AC	-

SITE DATA
APPLICATION NAME
ALL SEASONS DELRAY BEACH
APPLICATION NUMBER
PDD/DOA-2023-1002
CONTROL NUMBER
2012-00424



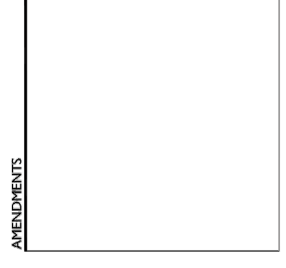
REVISIONS

NO.	DATE	DESCRIPTION	
BY	1	2022-11-07	PROJECT RESUBMITTAL
BY	2	09/28/24	DCA
DATE	2022-06-18		
CHECK BY	EM		
DRAWN BY	CB		
JOB NO.	2448		
2022-629, 244800-PL-SHEW			

ALL SEASONS DELRAY BEACH
PALM BEACH COUNTY, FLORIDA
Primary Regulating Plan

SHEET:
PRP4

AMENDMENTS



ZONING STAMP

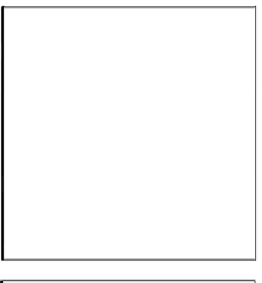
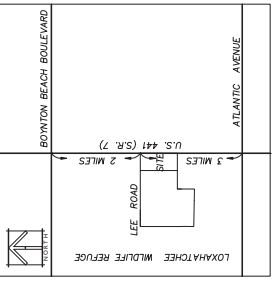


Exhibit G - Previously Approved Site Plan

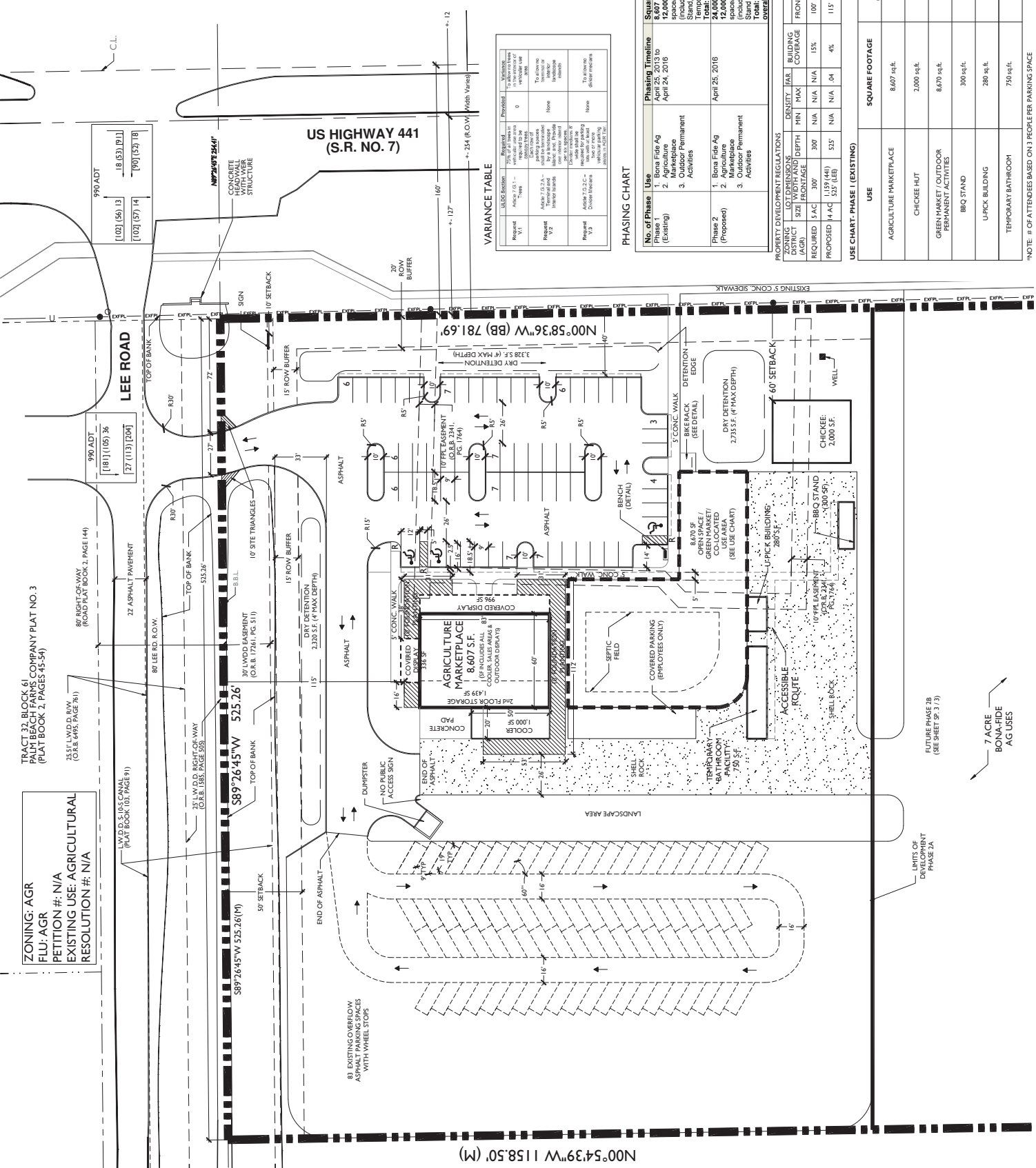
BEDNER OAKS
 PREPARED FOR BEDNER FARMS, INC.
 PALM BEACH COUNTY, FLORIDA

LOCATIONS MAP



SITE DATA
 NAME OF PROJECT: BEDNER OAKS
 CONTROL NO.: 2007-357
 APPLICATION NO.: ABN/CA 2012-0097
 PROJECT NO.: 00720-012
 LAST BEC APPROVAL DATE: 06/13/13
 ZR-2013-018
 AG RESERVE: AGR
 TIERING / PROPOSED LAND USE: AGR
 EXISTING / PROPOSED ZONING: 01/46/41
 SECTION, TOWNSHIP, RANGE: 00-41-46-01-00-002-0000
 FCN NUMBER (1/4 AC. BONA-FIDE AG NON-PRESERVE): 00-41-46-01-002-01-0000
 BONA FIDE AGRICULTURE MARKETPLACE: 00-41-46-01-002-01-0000
 PROPOSED USES: BONA FIDE AGRICULTURE MARKETPLACE
 GROSS SITE AREA: 81.8 ACRES
 PARCEL 1: PUD PRESERVE AREA- AGRICULTURE PRODUCTION 67.8 ACRES
 PARCEL 2: NON-PRESERVE- AG MARKETPLACE, AG PRODUCTION 14 ACRES

CONCURRENCY APPROVAL 3
 AGRICULTURE MARKETPLACE 24,000 S.F.
 OUTDOOR PERMANENT ACTIVITIES 12,000 S.F.
 INCLUDING GREEN MARKET (LIFE BLOCK STAND, TEMPORARY BATHROOM, CHICKEN HUT)
 CONCURRENCY IS APPROVED FOR THE ABOVE USES AND AMOUNTS SHOWN ON THIS PLAN.
 EXISTING PARKING FOR AGRICULTURE MARKETPLACE 43 SPACES
 EXISTING HANDICAPPED PARKING 3 SPACES
 EXISTING TEMPORARY BATHROOMS 3 SPACES
 EXISTING PARKING FOR CO-LOCATED USES 83 SPACES
 EXISTING PARKING FOR CO-LOCATED USES 83 SPACES
 BUILDING HEIGHT 35' MAX
 TAZ 747



VARIANCE TABLE

Request	Request Description	Request	Request Description	Request	Request Description
Request 1/1	75% of the area to be used for parking	Request 1/2	None	Request 1/3	None
Request 1/2	None	Request 1/3	None		
Request 1/3	None				

PHASING CHART

No. of Phase	Use	Phasing Timeline	Density	IRB	IRB Coverage	Setbacks
Phase 1 (Existing)	1. Existing Ag 2. Marketplace 3. Outdoor Permanent Activities	April 24, 2016	N/A	N/A	N/A	FRONT 100', SIDE 50', REAR 100'
Phase 2 (Proposed)	1. Bona Fide Ag 2. Marketplace 3. Outdoor Permanent Activities	April 25, 2016	N/A	N/A	N/A	FRONT 115', SIDE 60', REAR 113' (141') 80'

PROPERTY DEVELOPMENT REGULATIONS

ZONING DISTRICT (AGN)	MINIMUM FRONT SETBACK	MINIMUM SIDE SETBACK	MINIMUM REAR SETBACK	MINIMUM COVERAGE
PROPOSED	14 AC	1,131 (441)	525'	4%

USE CHART - PHASE 1 (EXISTING)

USE	SQUARE FOOTAGE	# OF ATTENDEES & PARKING (MAX ATTENDEES)
AGRICULTURE MARKETPLACE	8,607 sq.ft.	66 PROPOSED SPACES (43 SPACES REQUIRED)
CHICKEN HUT	2,000 sq.ft.	N/A
GREEN MARKET / OUTDOOR PERMANENT ACTIVITIES	8,670 sq.ft.	249 ATTENDEES (83 SPACES)
BQ STAND	300 sq.ft.	N/A
LUPICK BUILDING	289 sq.ft.	N/A
TEMPORARY BATHROOM	750 sq.ft.	N/A

*NOTE: # OF ATTENDEES BASED ON 13 PEOPLE PER PARKING SPACE

ZONING STAMP

PROJECT #: 00730-012
 CONTROL #: 2007-357
 APPLICATION#: 2013-1609
 RESOLUTION#: R-2013-643
 and R-2013-644
 EXHIBIT #: 1 (2 of 3)
 SUPERCEDES EXH#: N/A
 DATE APPROVED: 8-14-2013
 PROJECT MANAGER:
 Joyce Lawrence

FINAL SITE PLAN - PHASE 1 (EXISTING)

SCALE: 1"=60'
 DRAWN BY: APH / JNB
 DRAWING #: 2013-08-09_Sp_Bedner-04g
 FILE #: 11481
 DATE: 1/22/12

L.D.S. PROJECT SCHEDULE
 DATE: 1/22/12

ZONING: AGR
 FLU: AGR
 PETITION #: N/A
 EXISTING USE: AGRICULTURAL
 RESOLUTION #: N/A

7 ACRE BONA-FIDE AGR USES

FUTURE PHASE 2B (SEE SHEET SP. 3 / 3)

LIMITS OF DISTURBANCE RIGHT PHASE 2A

N00°54'39"W | 1158.50' (W)

Exhibit H - Disclosure

PALM BEACH COUNTY - ZONING DIVISION

FORM # 9

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 Stephen Bedner, 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 Director Bedner Bros. Farms, Inc. [position - e.g., president, partner, trustee] of Bedner Bros. Farms, Inc. [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: 10066 Lee Rd
Boynton Beach, FL 33473
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.



Stephen Bedner, 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 12th day of July, 2023 by Stephen Bedner (name of person acknowledging) she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).

Lauren McClellan
(Name - type, stamp or print clearly)

Lauren L. McClellan
(Signature)

My Commission Expires on: 2/28/25

NOTARY'S SEAL OR STAMP



LAUREN L. MCCLELLAN
Commission # HH 057806
Expires February 28, 2025
Bonded Thru Budget Notary Services

EXHIBIT "A"

PROPERTY

A PORTION OF TRACTS 31 AND 32, BLOCK 61, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID TRACT 31; THENCE NORTH 00 37 11 WEST, ALONG THE WEST LINE OF SAID TRACT 31, A DISTANCE OF 55.00 FEET; THENCE NORTH 89 28 29 EAST, ALONG A LINE PARALLEL WITH AND 55.00 FEET NORTH OF THE SOUTH LINE OF SAID TRACTS 31 AND 32, A DISTANCE OF 647.08 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 00 58 21 WEST, S DISTANCE OF 466.70 FEET; THENCE NORTH 89 28 29 EAST, A DISTANCE OF 466.70 FEET TO THE WEST RIGHT OF WAY LINE OF STATE ROAD 7, AS DESCRIBED IN OFFICIAL RECORDS BOOK 11107, PAGE 992, PUBLIC RECORDS OF SAID PALM BEACH COUNTY; THENCE SOUTH 00 58 21 EAST, ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 466.70 FEET; THENCE SOUTH 89 28 29 WEST, ALONG A LINE PARALLEL WITH AND 55.00 FEET NORTH OF THE SOUTH LINE OF SAID TRACTS 31 AND 32, A DISTANCE OF 466.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.00 ACRES, MORE OR LESS.

NOTE: SUBJECT PARCEL LIES WITHIN SECTION 36, TOWNSHIP 45 SOUTH, RANGE 41 EAST.

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
Charles Bedner	10066 Lee Rd, Boynton Beach, FL 33473
Bruce Bedner	10066 Lee Rd, Boynton Beach, FL 33473
Steve Bedner	10066 Lee Rd, Boynton Beach, FL 33473

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 Stephen Bedner, 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 Director _____ *[position - e.g., president, partner, trustee]* of Bedner Farm, Inc. *[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: 10066 Lee Rd
Boynton Beach, FL 33473

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.


Stephen Bedner 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 12th day of July, 20 23 by Stephen Bedner (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).

Lauren McClellan
(Name - type, stamp or print clearly)

Lauren L. McClellan
(Signature)

My Commission Expires on: 2/28/25

NOTARY'S SEAL OR STAMP



LAUREN L. MCCLELLAN
Commission # HH 057806
Expires February 28, 2025
Bonded Thru Budget Notary Services

EXHIBIT "A"

PROPERTY

BEING A PORTION OF TRACT A, BEDNER OAKS, AS RECORDED IN PLAT BOOK 103, PAGES 91 AND 92 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID TRACT A, THENCE NORTH 89°26'45" EAST, ALONG THE NORTH LINE OF SAID TRACT A, A DISTANCE OF 525.26 FEET; THENCE SOUTH 00°58'36" EAST, ALONG THE EAST LINE OF SAID TRACT A, A DISTANCE OF 414.47 FEET; THENCE SOUTH 89°26'45" WEST, A DISTANCE OF 525.74 FEET; THENCE NORTH 00°54'39" WEST, ALONG THE WEST LINE OF SAID TRACT A, A DISTANCE OF 414.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.000 ACRES MORE OR LESS.

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
Charles Bedner	10066 Lee Rd, Boynton Beach, FL 33473
Bruce Bedner	10066 Lee Rd, Boynton Beach, FL 33473
Steve Bedner	10066 Lee Rd, Boynton Beach, FL 33473

Exhibit I - Drainage Statement

No Drainage review is required for this request as the review for the Development Area and the Market Place were already completed.

Exhibit J - Utility Letter



**Water Utilities Department
Engineering**

8100 Forest Hill Blvd.
West Palm Beach, FL 33413
(561) 493-6000
Fax: (561) 493-6085
www.pbcwater.com



**Palm Beach County
Board of County
Commissioners**

Gregg K. Weiss, Mayor
Maria Sachs, Vice Mayor
Maria G. Marino
Michael A. Barnett
Marci Woodward
Sara Baxter
Mack Bernard

County Administrator

Verdenia C. Baker

*"An Equal Opportunity
Affirmative Action Employer"*

printed on sustainable
and recycled paper

April 28, 2023

Morton
3910 RCA Boulevard
Palm Beach Gardens, Fl. 33410

RE: Bedner Market
PCN 00-42-43-27-05-061-0311 & 00-41-46-01-02-001-0000
Service Availability Letter

Dear Ms. Velasco,

This is to confirm that the referenced property is located within Palm Beach County Utility Department (PBCWUD) utility service area. Based on a review of current PBCWUD infrastructure and existing customers within the general vicinity of the referenced property, PBCWUD currently has the capacity to provide the level of service required for the land use amendment from Agricultural Reserve (AGR) to Commerce (CMR) with an underlining Agricultural Reserve (CMR/AGR). The proposed change will allow for Warehouse and Light Industrial uses while allowing the 5-acre marketplace to remain as AGR..

The nearest point of connection is a 12" potable water main located approximately 4000' south of the subject property within SR7. There is an 8" sanitary sewer force main located approximately 5800' south of the subject property within SR&. Offsite improvements and a lift station will be required.

Please note that this letter does not constitute a final commitment for service until the final design has been approved by PBCWUD. In addition, the addition of new developments/customers prior to service initiation to the property may affect the available capacity. PBCWUD does not make any representations as to the availability of capacity as of the future service initiation date.

If you have any questions, please give me a call at (561)493-6116.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jackie Michels".

Jackie Michels, P.E.
Project Manager