



**CITY OF DELRAY BEACH**  
 DEPARTMENT OF DEVELOPMENT SERVICES  
 100 N.W. 1<sup>ST</sup> AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7040



**PUBLIC NOTICE**

**RE: LAKE IDA ROAD LAND USE MAP AMENDMENT**

Pursuant to the Land Development Regulations of the City of Delray Beach, you are hereby notified that the **PLANNING AND ZONING BOARD**, acting as the Local Planning Agency, will conduct a **PUBLIC HEARING** on **MONDAY, APRIL 18, 2022 at 5:01 PM** to consider and make a recommendation to the City Commission on Ordinance No. 13-22, a City-initiated Land Use Map Amendment (LUMA) from Community Facilities (CF) to Low Density (LD) land use to correct a data conversion error on seven parcels totaling 1.38 acres currently addressed as 620, 704, 706, and 710 Lake Ida Road, and 655, 701, and 709 NW 4<sup>th</sup> Street (see map below).



The requested amendment from CF to LD for the seven properties is related to a data conversion error recently identified by City Staff. In 2016, the City switched from utilizing AutoCAD to using Geographic Information Systems (GIS) for its mapping software; the land use designation of these parcels was inadvertently changed to CF from LD. However, the subject parcels have had a low density, single family residential land use designation since the City's Comprehensive Plan was first drafted in 1961. Therefore, the proposed amendment corrects the mapping error by returning the designation of the parcels to LD.

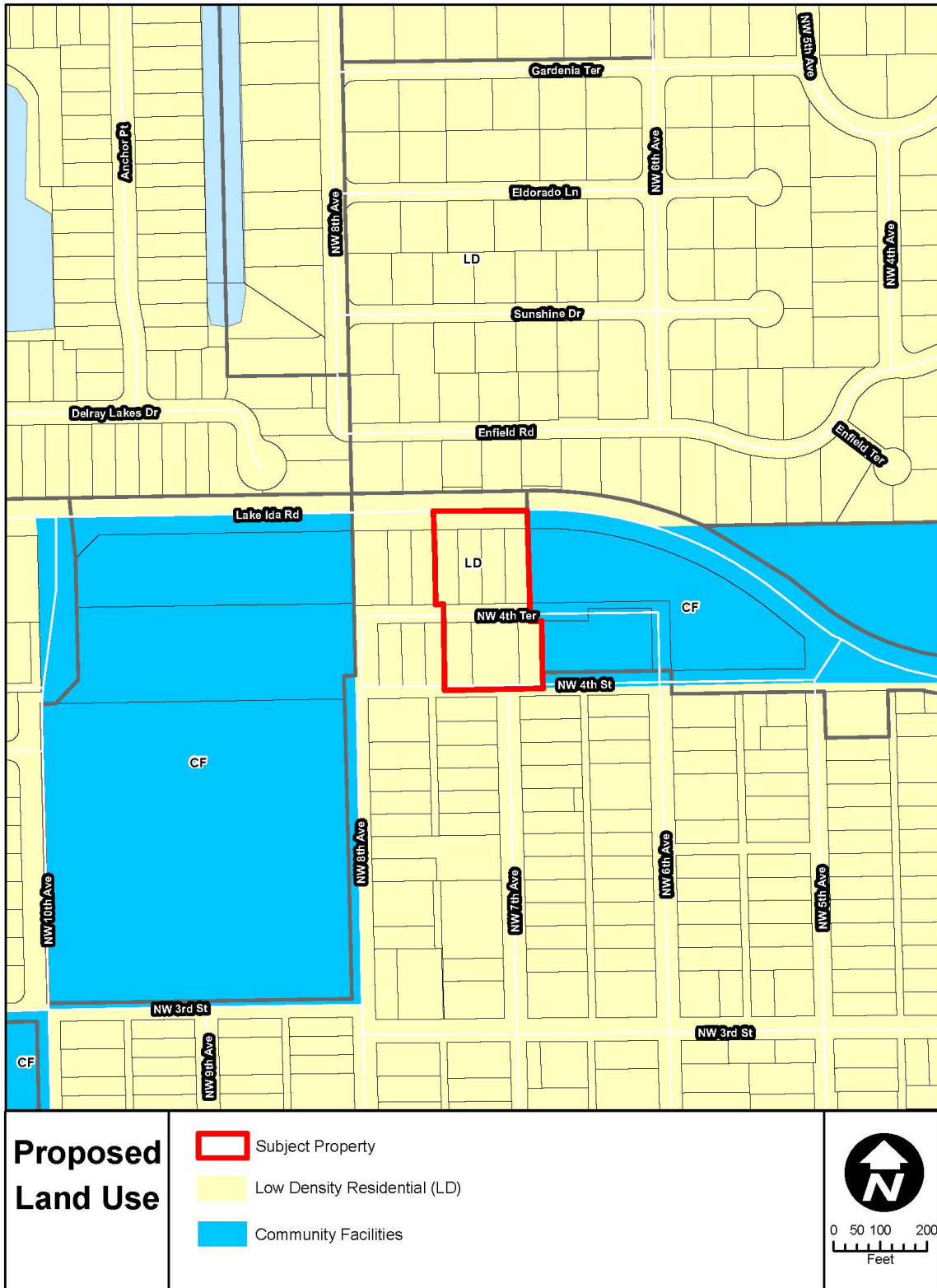
Additional information on the request can be found on the "Development Projects" page under the Development Services Department at [www.delraybeachfl.gov](http://www.delraybeachfl.gov). If you would like further information as to how the request may affect your

property, please contact the Development Services Department at City Hall, 100 NW 1<sup>st</sup> Avenue, Delray Beach, Florida 33444, at (561) 243-7040, Ext. 7044 or [dasarir@mydelraybeach.com](mailto:dasarir@mydelraybeach.com).

Members of the public wishing to view Planning and Zoning Board meetings may attend in person in the City Commission Chambers at 100 NW 1<sup>st</sup> Avenue, Delray Beach, FL 33444 or view the meeting through the City's website at <https://www.delraybeachfl.gov/i-want-to/watch/city-meetings>, where it will be live-streamed for the public. Any member of the public wishing to comment publicly on any matter, including public comment or public hearing items, may comment in-person during the presentation of the item, or submit their comments in writing to the Development Services Department by e-mail to [pzmail@mydelraybeach.com](mailto:pzmail@mydelraybeach.com) or by regular mail at 100 NW 1<sup>st</sup> Avenue, Delray Beach, FL 33444.

PLEASE BE ADVISED THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE PLANNING AND ZONING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT THIS HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR THIS PURPOSE SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS BASED. THE CITY DOES NOT PROVIDE OR PREPARE SUCH RECORD PURSUANT TO F.S. 286.0105.

City of Delray Beach  
 Planning and Zoning Department  
 Date: April 8, 2022



Date: 4/4/2022

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ORDINANCE NO. 13-22

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, CORRECTING A DATA CONVERSION ERROR BY ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT FOR SEVEN PARCELS OF LAND, AND RE-DESIGNATING SAID LAND FROM COMMUNITY FACILITIES (CF) TO LOW DENSITY (LD), PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187; SAID LAND GENERALLY LOCATED SOUTH OF LAKE IDA ROAD, NORTH OF NW 4<sup>TH</sup> STREET, EAST OF NW 8<sup>TH</sup> AVENUE, AND WEST OF NW 6<sup>TH</sup> AVENUE, WHICH MEASURES APPROXIMATELY 1.38± ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach exercised the authority granted pursuant to the provisions of Florida Statutes Sections 163.3161 through 163.3248, inclusive, known as the "Community Planning Act"; and

WHEREAS, in passing Ordinance No. 19-19, the City Commission adopted the "Always Delray Comprehensive Plan - Delray Beach, Florida" amendment; and

WHEREAS, the seven parcels more particularly described in Exhibit "A" - Legal Descriptions, Parcel by Parcel and Exhibit "B" - Location Map have a Land Use Map (LUM) designation of Low Density (LD) due to a 2017 data conversion error associated with the transition from AutoCAD to Geographic Information Systems (GIS) mapping technology; and

WHEREAS, the City of Delray Beach, Florida, has prepared a Land Use Map amendment for seven parcels generally located south of Lake Ida Road, north of NW 4<sup>th</sup> Street, west of NW 8<sup>th</sup> Avenue, and east of NW 6<sup>th</sup> Avenue, measuring approximately 1.38± acres to correct said data conversion error by redesignating the subject properties as Low Density (LD); and

WHEREAS, pursuant to Florida Statutes 163.3174(4), the Planning and Zoning Board for the City of Delray Beach, sitting as Local Planning Agency, considered Ordinance No. 13-22 at a public hearing on April 18, 2022, and **voted x-x** to recommend that the Land Use Map designation be changed for the property hereinafter described, finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations; and

WHEREAS, the City of Delray Beach has held all duly required public hearings; both prior to submission of the proposed amendment of the plan to the State Land Planning Agency of the Florida Department of Economic Opportunity (DEO), in accordance with Chapter 163.3184, *Florida Statutes*, for a small scale comprehensive plan amendment; and

WHEREAS, the City Commission of the City of Delray Beach finds that Ordinance No. 13-22 is consistent with the Comprehensive Plan, meets the criteria set forth in the Land Development Regulations, and is in the best interests of the City; and

WHEREAS, it is appropriate that Low Density (LD) is hereby deemed the Land Use Map designations on the Land Use Map of the City of Delray Beach, Florida.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The recitations set forth above are incorporated herein.

Section 2. The Land Use Map of the City of Delray Beach, Florida, be and the same, is hereby amended to reflect a Land Use Map designation of General Commercial (GC), Transitional (TRN), and Medium Density (MD) for the properties shown in **Exhibit “A” – Legal Descriptions – Parcel by Parcel** and **Exhibit “B” – Location Map**, attached hereto and incorporated herein.

Section 3. The City of Delray Beach, Florida Land Use Map shall, upon the effective date of this Ordinance, be amended to conform to the provisions of Section 2 hereof, and as shown in **Exhibit “C” – Proposed Land Use Map**, attached hereto and incorporated herein.

Section 4. The City Commission of the City of Delray Beach, Florida, hereby declares its intent to exercise the authority granted pursuant to the provisions of Florida Statutes Sections 163.3161 through 163.3248, Florida Statutes, inclusive, known as the "Community Planning Act."

Section 5. All ordinances or parts thereof in conflict or inconstant with the provisions of this Ordinance are hereby repealed.

Section 6. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 7. This ordinance shall become effective thirty-one (31) days after adoption, unless the Comprehensive Plan amendment is timely challenged. If timely challenged, the effective date of this Ordinance shall be the date a final order is issued by the State Land Planning or the Administration Commission, finding the adopted amendment to be in compliance. No development orders, development

permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED in regular session on second and final reading on this \_\_\_\_ day of \_\_\_\_\_, 2022.

ATTEST:

\_\_\_\_\_  
Katerri Johnson, City Clerk

\_\_\_\_\_  
Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

\_\_\_\_\_  
Lynn Gelin, City Attorney

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

**EXHIBIT "A"**  
**LEGAL DESCRIPTIONS – PARCEL BY PARCEL**

**PARCEL 1 (620 Lake Ida Road)**

A parcel of land located in the East 50 feet of the West 375 feet of the North 160 feet of the SW 1/4 of Lot 5, Section 8, Township 46, Range 43, City of Delray Beach, Florida, of the Public Records of Palm Beach County, Florida.

**PARCEL 2 (704 Lake Ida Road)**

The East 50 feet of the West 325 feet of the North 160 feet of the Southwest Quarter of Lot 5, Section 8, Township 46 South, Range 43 East, according to the plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, as recorded in Plat Book 1, page 4.

**PARCEL 3 (706 Lake Ida Road)**

Commencing 225 feet East from the Northwest corner of the West 1/2 of the South 1/2 of Lot 5, of the Subdivision of Section 8, Township 46 South, Range 43 East, Palm Beach County, Florida, for a Point of Beginning; thence South 160 feet; thence East 50 feet; thence North 160 feet; thence West 50 feet to the Point of Beginning.

**PARCEL 4 (710 Lake Ida Road)**

Commencing 175 feet East from the Northwest corner of the West Half of the South Half of Lot 5, Subdivision of Section 8, Township 46 South, Range 43 East according to the plat thereof, on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 1, Page 4, for a point of beginning, thence South 160 feet, thence East 50 feet, thence North 160 feet, thence West 50 feet to the point of beginning, together with the improvements thereon.

**PARCEL 5 (655 NW 4<sup>th</sup> Street)**

The West 50 feet of the East 310.86 feet of the South 160 feet of the West 1/2 of the South 1/2 of Lot 5, Subdivision of Section 8, Township 46 South, Range 43 East, according to the Plat thereof, as recorded in Plat Book 1, Page 4, of the Public Records of Palm Beach County, Florida, less the North 25 feet for Right of Way.

**PARCEL 6 (701 NW 4<sup>th</sup> Street)**

Commencing 250 feet East from the Southwest corner of the West 1/2 of the South 1/2 of Lot 5, of the Subdivision of Section 8, Township 46 South, Range 43 East to the Point of Beginning; thence North 135 feet; thence East 100 feet; thence South 135 feet; thence West 100 feet to the Point of Beginning; being a lot of 100 feet by 135 feet. Said lands situate, lying and being in Palm Beach County, Florida.

**PARCEL 7 (709 NW 4<sup>th</sup> Street)**

The East 60 feet of the West 250 feet of the South 135 feet of the West 1/2 of the South 1/2 of Lot 5, Section 8, Township 46 South, Range 43 East, of the Map showing Subdivisions of Portions of Townships 45 and 46, S. Range 43 E., as recorded in Plat Book 1, page 4, Public Records of Palm Beach County, Florida.

# EXHIBIT "B" LOCATION MAP

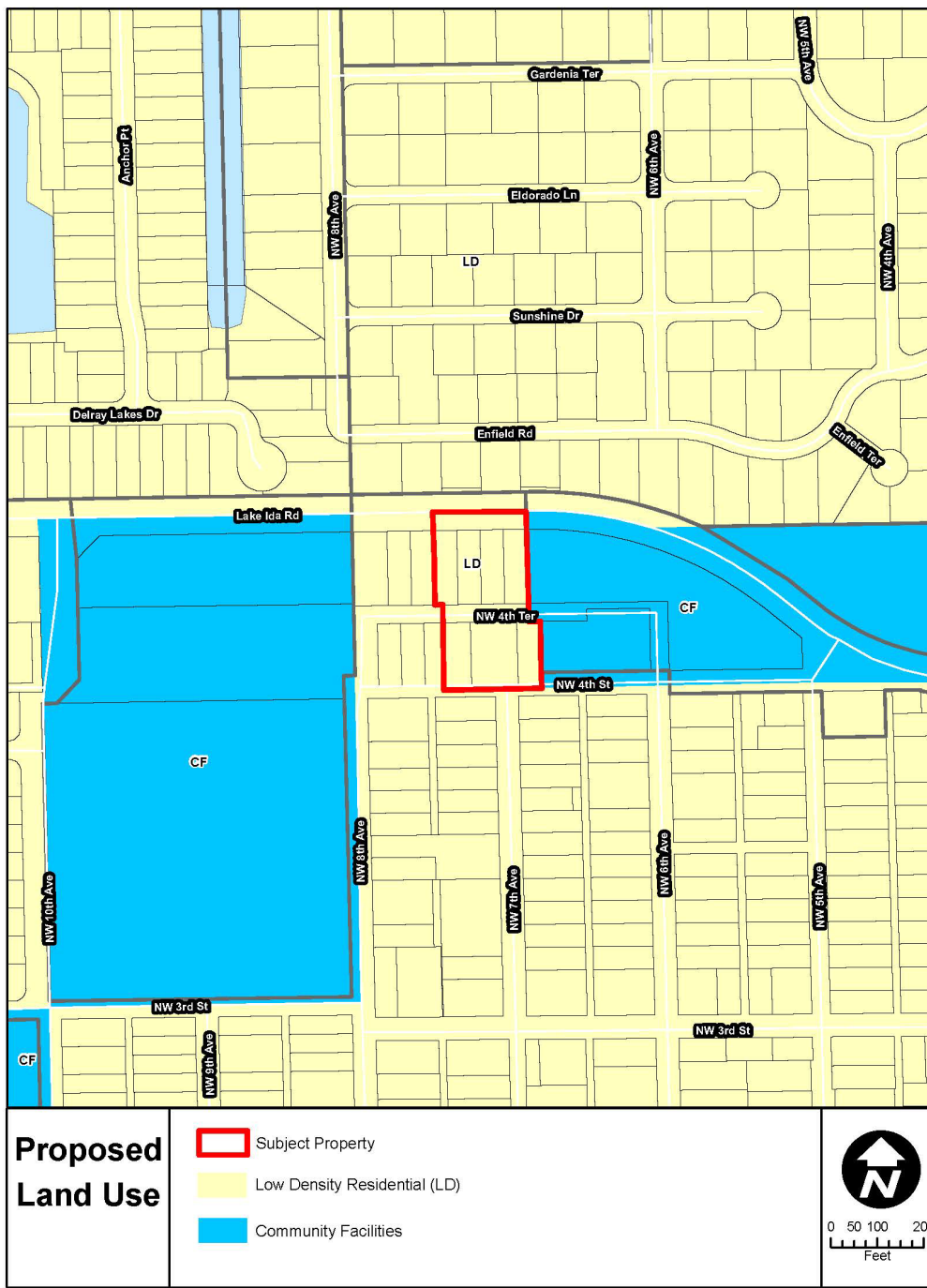


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## EXHIBIT "C" PROPOSED LAND USE MAP



Date: 4/4/2022

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