



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



PUBLIC NOTICE

RE: LAND USE MAP AMENDMENT AND REZONING REQUEST FOR 170 SHERWOOD FOREST DRIVE

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, SEPTEMBER 20, 2021 at 5:01 PM** to consider and make a recommendation to the City Commission on a privately-initiated request for a Land Use Map Amendment (LUMA) (Ordinance No. 09-21), and a rezoning request (Ordinance No. 10-21) for the 37.31 acre property located at 170 Sherwood Forest Drive (map below).



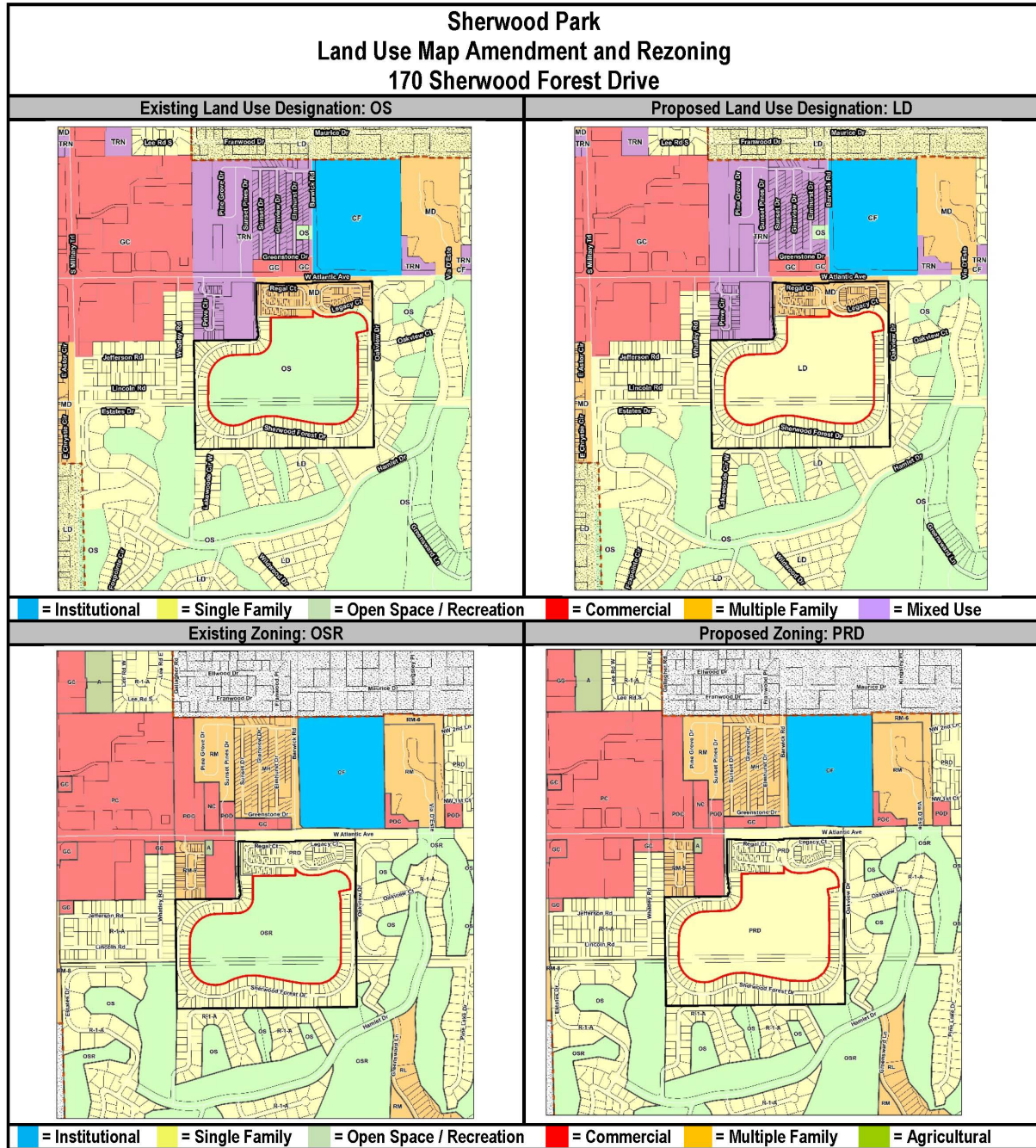
The applicant is requesting a LUMA from the Open Space (OS) land use designation to the Low Density (LD) land use designation, and a rezoning from Open Space and Recreation (OSR) to Planned Residential Development (PRD). The property is currently a vacant golf course. The rezoning to PRD is associated with a Master Development Plan (MDP) amendment to develop the area designated as open space to a separate 79-unit, single-family gated neighborhood within the existing Sherwood Forest MDP.

Additional information on the request can be found on the "Development Projects" page under the Development Services Department at 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 1st Avenue, Delray Beach, Florida 33444, at (561) 243-7040, Ext. 7044 or 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 1st 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 or by regular mail at 100 NW 1st 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 Posted: September 10, 2021



 <h2 style="margin: 0;">DEVELOPMENT SERVICES</h2> <p style="margin: 0;">BUILDING HISTORIC PRESERVATION PLANNING & ZONING</p>	 <p style="margin: 0;">Date: April 2021</p>
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ORDINANCE NO. 31-21

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT FOR A PARCEL OF LAND LOCATED AT 170 SHERWOOD FOREST DRIVE, WHICH MEASURES APPROXIMATELY 37.31± ACRES AS MORE PARTICULARLY DESCRIBED HEREIN, RE-DESIGNATING SAID LAND FROM OPEN SPACE (OS) TO LOW DENSITY (LD), PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Delray Beach ("City") 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. 82-89, the City Commission adopted the "Comprehensive Plan - Delray Beach, Florida"; and

WHEREAS, Sherwood Park Golf Club Inc is the fee simple owner of 170 Sherwood Forest Drive (the "Property"), which measures approximately 37.31 acres ± and is located south of West Atlantic Avenue and west of South Military Trail, and has authorized the Pulte Group LLC (the "Applicant") to submit the request for Land Use Map Amendment; and

WHEREAS, the Property described above (is more particularly described in Exhibit "A", Legal Description, and Exhibit "B", Proposed Land Use, have a Land Use Map designation of Open Space (OS); and

WHEREAS, Pulte Group LLC, acting as the applicant, requested a map amendment from Open Space (OS) to Low Density (LD); and

WHEREAS, the City Planned Residential Development (PRD) zoning is more appropriate for the Property; and

WHEREAS, Planned Residential Development (PRD) zoning is not a preferred or compatible implementing zoning district in the Open Space (OS) land use designation, the City has determined that Low Density (LD) is the most appropriate land use; and

WHEREAS, the City 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, pursuant to Florida Statutes 163.3174(4), the Planning and Zoning Board for the City

of Delray Beach, sitting as Local Planning Agency, considered this item at a public hearing on September 20, 2021, and voted ___ to ___ to recommend that the Land Use Map designation be changed for the Properties 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 Commission of the City of Delray Beach finds that Ordinance No. 31-21 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 designation 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 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 3. 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 Low Density (LD) for the Properties described in Exhibit "A", Legal Description, and shown on the map in Exhibit "B", Proposed Land Use.

Section 4. The Land Use Map of the City of Delray Beach, Florida, shall, upon the effective date of this Ordinance, be amended to conform to the provisions of Section 3 hereof.

Section 5. All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

Section 6. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

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 _____, 2021.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

First Reading _____

Second Reading _____

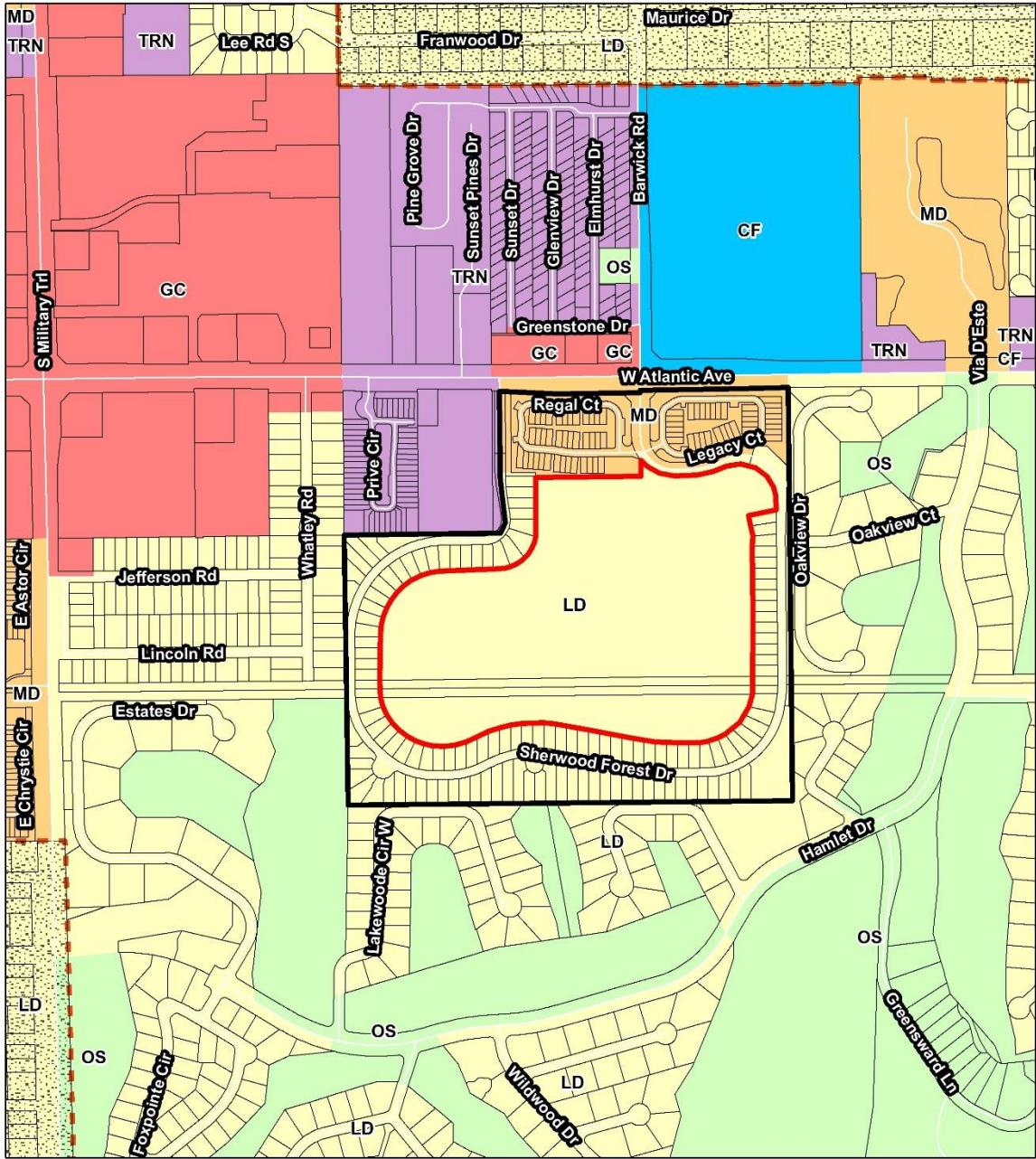
EXHIBIT "A"
LEGAL DESCRIPTION

TRACTS G-3 AND G-4, SHERWOOD FOREST PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 62, PAGES 163 THROUGH 168, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING G-3 AREA: 1,327,945 SQ. FT. OR 30.485± ACRES

CONTAINING G-4 AREA: 298,300 SQ. FT. OR 6.848 ± ACRES

EXHIBIT "B" PROPOSED LAND USE



Proposed Land Use	Subject Property Master Development Area Future Annexation Area Municipal City Limits	Single Family Residential Multiple Family Residential Commercial Mixed Use	Open Space / Recreation Conservation Institutional
	CF - Community Facility LD - Low Density, 0-5 DU / Acre OS - Open Space		GC - General Commercial MD - Medium Density, 5-12 DU / Acre TRN - Transitional
	*Numerical Suffix Denotes Maximum Allowable Density		

0 200 400
 Feet

Date: 4/6/2021

Document Path: S:\Planning & Zoning\BMS\GIS\GIS Projects\2021\03_Map_Requests\2021_0309_170_Sherwood_Forest_Bldg\01_Mxds\Sherwood_Land_Use.mxd

ORDINANCE NO. 32-21

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING LAND PRESENTLY ZONED OPEN SPACE & RECREATION (OSR) DISTRICT TO PLANNED RESIDENTIAL DEVELOPMENT, FOR A DEVELOPMENT TO BE KNOWN AS SHERWOOD PARK, LOCATED SOUTH OF WEST ATLANTIC AVENUE AND EAST OF SOUTH MILITARY TRAIL, WHICH MEASURES APPROXIMATELY 37.31± ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING "CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021"; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Sherwood Park Golf Club Inc is the fee simple owner of 170 Sherwood Forest Drive (the "Property"), which measures approximately 37.31 acres ± and is located south of West Atlantic Avenue and west of South Military Trail, and has authorized the Pulte Group LLC (the "Applicant") to submit the request for Land Use Map Amendment; and

WHEREAS, the Property described above is more particularly described in Exhibit "A," Legal Description, and shown in Exhibit "B," Proposed Zoning, are shown on the City of Delray Beach Zoning Map, dated July 6, 2021, as being zoned Open Space & Recreation (OSR) District; and,

WHEREAS, the Applicant has requested a rezoning of the property from Open Space & Recreation (OSR) to Planned Residential Development (PRD); and

WHEREAS, pursuant to Florida Statutes 163.3174(4)(c), the Planning and Zoning Board for the City of Delray Beach, sitting as the Local Planning Agency, considered this item at a public hearing on September 20, 2021 and voted ___ to ___ to recommend that the Property hereinafter described be rezoned to Planned Residential Development (PRD), 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 is in the best interest of the City; and

WHEREAS, the City Commission of the City of Delray Beach finds that Ordinance No. 32-21 is consistent with the Comprehensive Plan, meets the Criteria set forth in the Land Development Regulations, and the designation of Planned Residential Development (PRD) is appropriate for the Property and in the best interest of the City; and

WHEREAS, pursuant to the adopted Land Development Regulations Section 4.4.7(E)(1), a Master Development Plan must be adopted concurrent with a rezoning to Planned Residential Development, and the Planning and Zoning Board voted ___ to ___ at its meeting on September 20, 2021 to approve an amendment to the Sherwood Forest Master Development Plan; and

WHEREAS, it is appropriate that the Zoning District Map of the City of Delray Beach, Florida, be amended to reflect the revised zoning classification.

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 Zoning District Map of the City of Delray Beach, Florida, be and the same, is hereby amended to reflect a zoning classification of Planned Residential Development (PRD), for the property described in Exhibit “A” and shown in Exhibit “B.”

Section 3. The City of Delray Beach Zoning Map shall, upon the effective date of this ordinance, be amended to conform to the provisions of Section 2 hereof.

Section 4. All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 5. If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this ordinance.

Section 6. This ordinance shall become effective concurrent with the effective date of Ordinance No. 31-21 amending the Land Use Map, and upon approval at second reading. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND ADOPTED in regular session on second and final reading on this day of _____, 2021.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petrolia, Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

First Reading _____

Second Reading _____

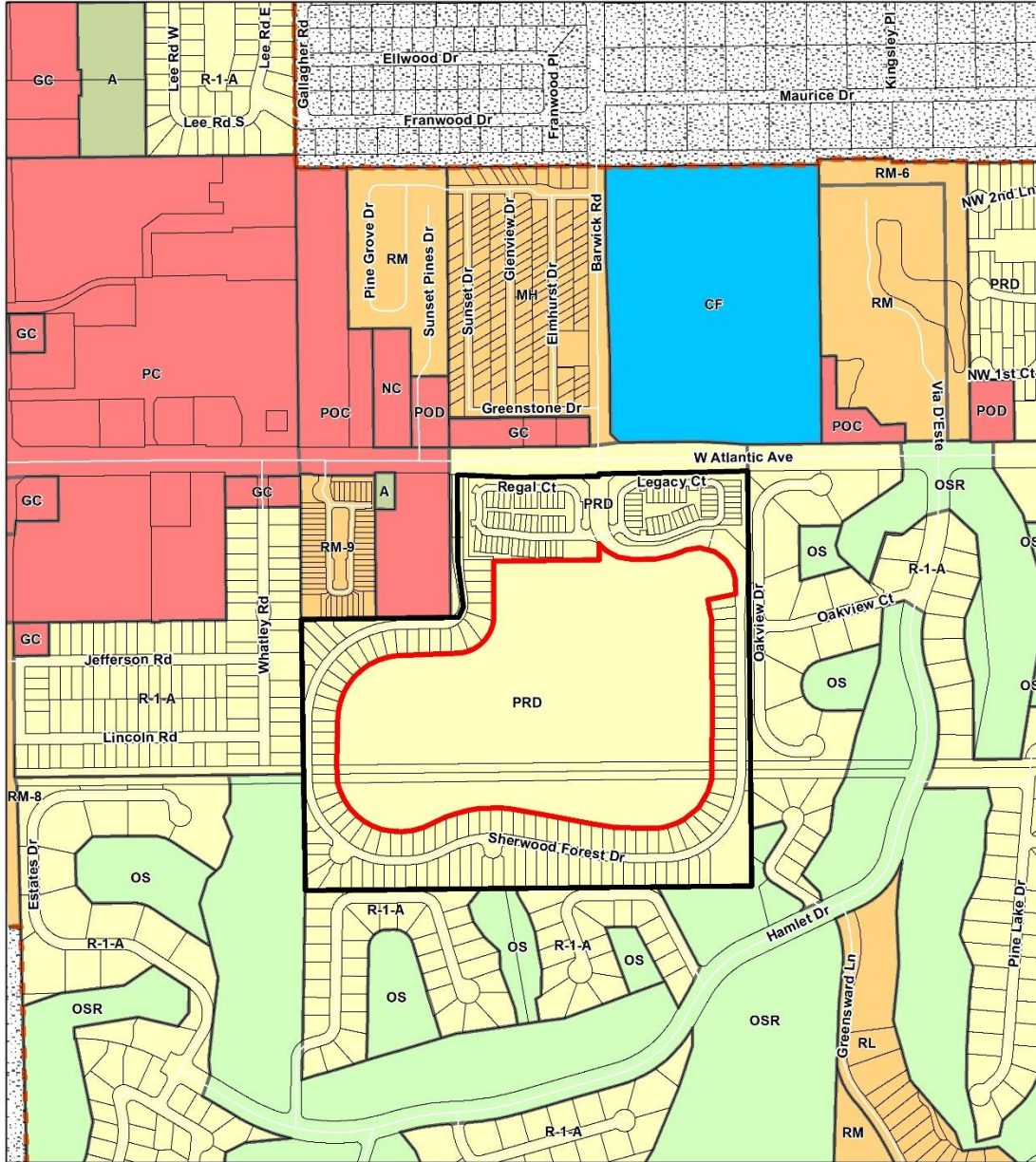
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CONTAINING G-3 AREA: 1,327,945 SQ. FT. OR 30.485± ACRES

CONTAINING G-4 AREA: 298,300 SQ. FT. OR 6.848 ± ACRES

EXHIBIT "B" PROPOSED ZONING



Proposed Zoning	Subject Property	Agricultural	Commercial
	Master Development Area	Single Family Residential	Institutional
	Future Annexation Area	Multiple Family Residential	Open Space / Recreation
	Municipal City Limits		
<small>A - Agriculture GC - General Commercial OS - Open Space PC - Planned Commercial PRD* - Planned Residential Development RL - Low Density Residential *Numerical Suffix Denotes Maximum Allowable Density</small>		<small>CF - Community Facilities NC - Neighborhood Commercial OSR - Open Space & Recreation POC - Planned Office and Commercial R-1-A - Single Family Residential RM* - Medium Density Residential</small>	

Date: 4/6/2021

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