

ORDINANCE NO. 29-19

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING A PARCEL OF LAND FROM PALM BEACH COUNTY AGRICULTURAL RESIDENTIAL (AR), TO CITY OF DELRAY BEACH OPEN SPACE AND RECREATION (OSR); FOR THE PROPERTY LOCATED IMMEDIATELY EAST OF INTERSTATE-95, IMMEDIATELY SOUTH OF THE LAKE DRIVE EXTENSION AND NORTH OF THE LAKE WORTH DRAINAGE DISTRICT L-30 CANAL, AND WHICH MEASURES APPROXIMATELY 4.06± ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING "CITY OF DELRAY BEACH, ZONING MAP, JUNE 29, 2017"; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the property hereinafter described is presently zoned Palm Beach County Agricultural Residential (AR) District; and,

WHEREAS, City of Delray Beach. is the fee simple owner of the subject property lying immediately east of Interstate-95, immediately west of Lake Ida, south of the Lake Drive extension, and north of the Lake Worth Drainage District L-30 Canal; 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 August 19, 2019 and voted ___ to ___ to recommend that the property hereinafter described be rezoned to City of Delray Open Space and Recreation (OSR), 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 the ordinance is consistent with the Comprehensive Plan; and,

WHEREAS, it is deemed appropriate that the Zoning District Map of the City of Delray Beach, Florida, be amended to reflect the revised zoning classification to the property described herein and identified in Exhibit "A".

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

Section 1. That the recitations set forth above are incorporated herein.

Section 2. That the Zoning District Map of the City of Delray Beach, Florida, be and the same, is hereby amended to reflect a zoning classification of Open Space and Recreation (OSR) for the following described property:

A PARCEL OF LAND LYING IN SECTION 05, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

5-46-43, PT OF SE 1/4 OF SW 1/4 LYG BET LAKE IDA & I-95 R/W IN OR27779P1553 K/A PARK

SAID LAND SITUATE WITHIN PALM BEACH COUNTY, FLORIDA, CONTAINING 4.06± ACRES MORE OR LESS.

See Exhibit “A” Proposed Zoning Map

Section 3. That 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. 28-19, amending the Comprehensive Plan, 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 _____, 2019.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petrolia, Mayor

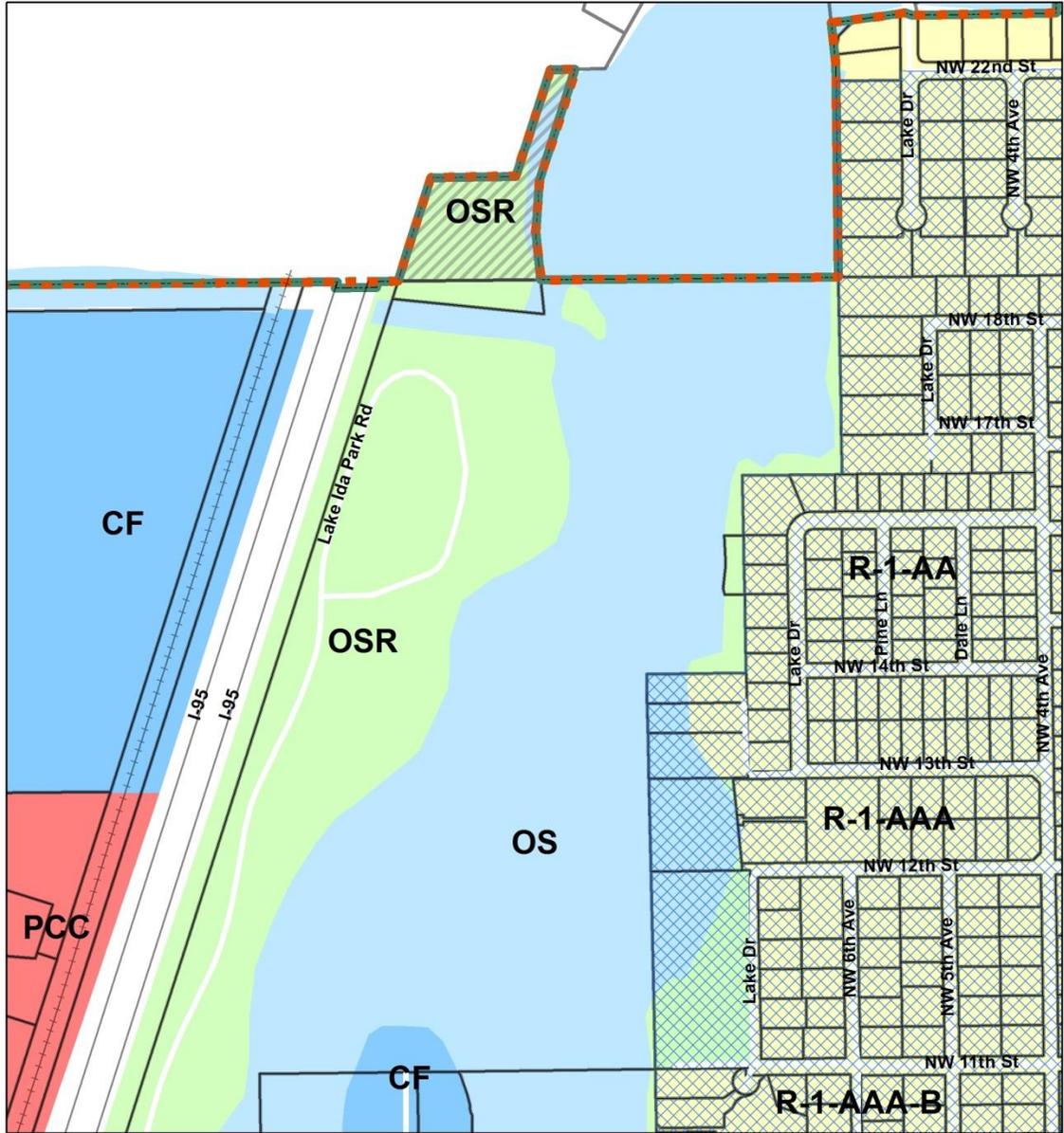
Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

First Reading _____

Second Reading _____

Exhibit "A" Proposed Zoning Map



	<p>Zoning District (Proposed) Lake Ida Park Addition</p> <ul style="list-style-type: none"> R-1-AAA - SINGLE FAMILY RESIDENTIAL R-1-AA - SINGLE FAMILY RESIDENTIAL CF - COMMUNITY FACILITIES PCC - PLANNED COMMERCE CENTER OSR - OPEN SPACE & RECREATION 	<ul style="list-style-type: none"> Municipal City Limits Planning Area Subject Parcel Lake Ida 	 <p>0 150 300 Feet Development Services Department</p>
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Date: 7/18/2019 Document Path: S:\Planning & Zoning\DBMS\GIS\GIS Projects\2019\2019_0411_CBD_Expansion\01_Mxd\00434605000007160_ZON_Proposed_85_by_11.mxd