



Cover Memorandum/Staff Report

File #: 24-1488

Agenda Date: 11/19/2024

Item #: 9.B.

TO: Mayor and Commissioners
FROM: Anthea Giannotes, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: November 19, 2024

ORDINANCE NO. 32-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING A 1.07-ACRE PORTION OF A 9.34-ACRE PARCEL OF LAND LOCATED SOUTH OF SHERWOOD BOULEVARD AND EAST OF SOUTH MILITARY TRAIL AT 3900 SHERWOOD BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM COMMUNITY FACILITIES TO LOW DENSITY RESIDENTIAL 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. (FIRST READING)

Recommended Action:

Consider Ordinance No. 32-24, a privately initiated request for a small-scale Land Use Map Amendment from Community Facilities (CF) to Low Density (LD) for a 1.07-acre portion of the 9.34-acre property located at 3900 Sherwood Boulevard.

Background:

The subject area is a 1.07-acre portion of a 9.34-acre property addressed as 3900 Sherwood Boulevard, located south of Sherwood Boulevard and east of South Military Trail. The property is currently developed with a now-vacant monastery, which was occupied by the sisters of Christ the King Monastery of St. Clare and the 9.34-acre parcel was sold in 2022.

The parcel was annexed in 1959 with an initial zoning designation of "General Commercial." Upon the adoption of the 1961 Comprehensive Plan, a residential land use was assigned. The monastery was built in 1967, and at the time, the City did not have a Community Facilities land designation; the residential land use was retained. In 1990, the subject property was assigned CF Land Use to accompany CF zoning during the citywide rezoning effort, which also created the CF district. Then, in 2007, 8.27 acres of the property were rezoned back to R-1-AA from CF, and the land use map for the same part of the property was amended from CF to LD (Ordinance No. 59-06). The intent was to develop of the property as single family homes, with 1.07 acres retained for a community facilities use. A full history of the land use actions for the property is in the attached staff report.

The current request is to amend the Land Use map to change 1.07 acres of the 9.34-acre parcel from CF to LD. The request is related to the stated intent to build a single-family residential development on the site.

The existing CF land use designation is intended to *"provide a full range of local or regional community-based uses primarily intended to serve the public."* The requested LD land use is intended to *"create and maintain low density residential neighborhoods"* and *"small parcels that have noncommercial, neighborhood-oriented facilities, such as community clubhouses, neighborhood amenities, and places of worship."*

LDR Section 3.1.1, Required Findings, *prior to the approval of development applications, certain findings must be made. These findings relate to the Land Use Map, concurrency, consistency, and compliance with the Land Development Regulations.* The subject property is surrounded by Low Density land use on the north, south and east, Community Facilities to the west. The proposed LD land use allows for zoning that facilitates small-scale residential development, which is compatible with the surrounding neighborhood in character and scale.

The attached Planning and Zoning Board staff report provides a full analysis of the required findings associated with the request.

The Planning and Zoning Board (PZB) voted 5-0 to recommend approval of the request at the October 21, 2024.

City Attorney Review:

Ordinance No. 32-24 was approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Not applicable.

Timing of Request:

The date of second reading and adoption is anticipated for December 10, 2024. The rezoning request will be heard concurrently with Ordinance No. 33-24.