

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 \_\_\_\_\_

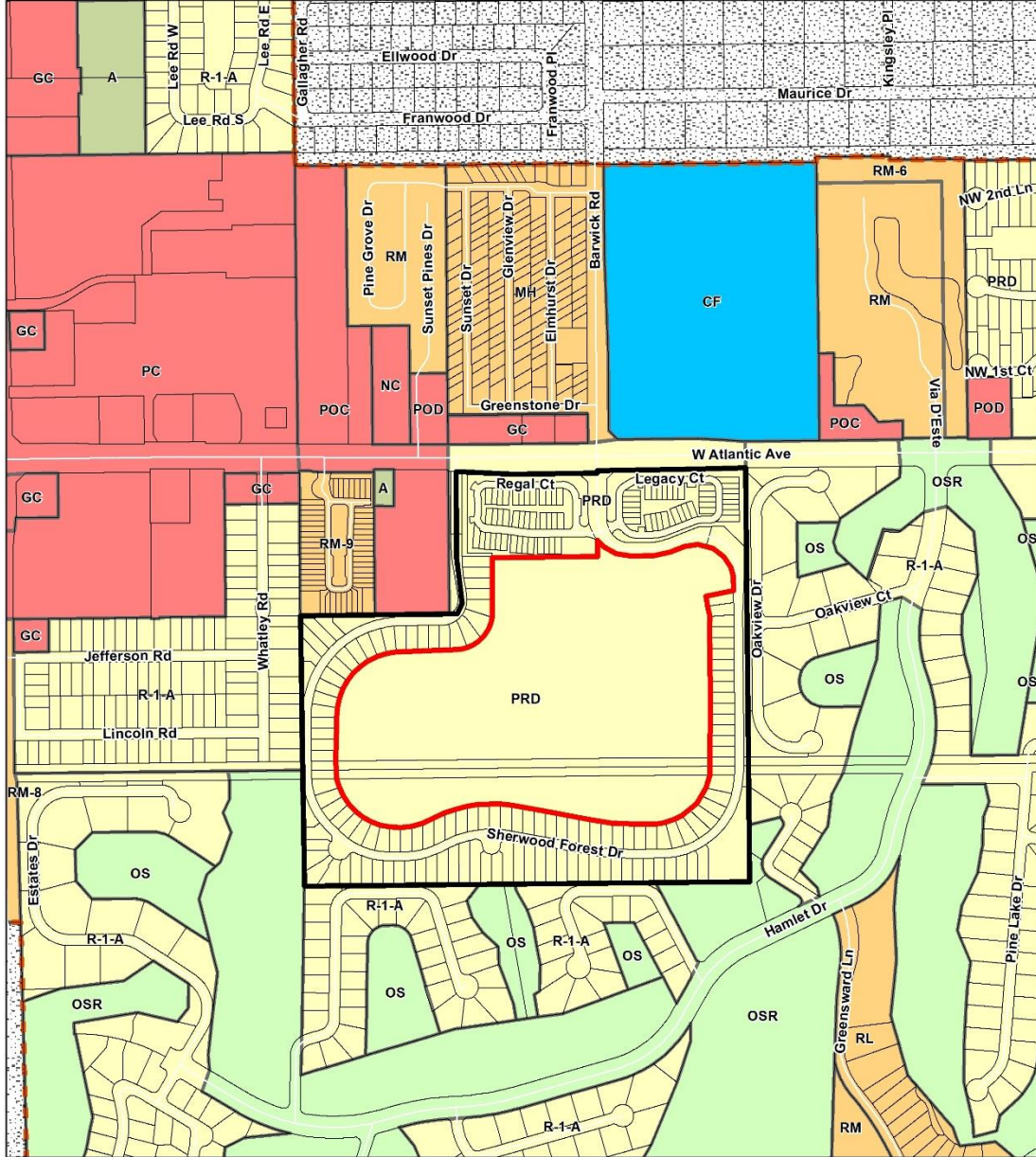
**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

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 ZONING



<h3>Proposed Zoning</h3>	Subject Property	Agricultural	Commercial
	Master Development Area	Single Family Residential	Institutional
	Future Annexation Area	Multiple Family Residential	Open Space / Recreation
	Municipal City Limits		
<p>             A - Agriculture              GC - General Commercial              OS - Open Space              PC - Planned Commercial              PRD* - Planned Residential Development              RL - Low Density Residential  <small>*Numerical Suffix Denotes Maximum Allowable Density</small> </p>			
<p>             CF - Community Facilities              NC - Neighborhood Commercial              OSR - Open Space &amp; Recreation              POC - Planned Office and Commercial              R-1-A - Single Family Residential              RM* - Medium Density Residential         </p>			

Date: 4/6/2021

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