

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING SECTION 12-388 OF THE TOWN CODE BY AMENDING SUBSECTION (A)(1) CONCERNING FRONT SETBACKS, SUBSECTION (C) CONCERNING COVERED BOARDWALKS, AND ADDING A NEW SUBSECTION (J) CONCERNING MINIMUM FRONT WALL HEIGHT IN THE WESTERN THEME DISTRICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie amended the Western Theme District in August, 1996; and

WHEREAS, the intent of the 1996 revisions was to create a more urbanized and pedestrian friendly environment within the Western Theme District; and

WHEREAS, two specific items that adhere to this intent pertain to buildings being placed closer to the front property line and that front facades having a height that provides a feeling of enclosure along the street.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA:

SECTION 1. That Section 12-388 of the Code of the Town of Davie is hereby amended by amending subsection (A)(1) which shall read as follows:

(1) Front Setback: Ten (10) feet. In order to provide a linear uniformity of buildings in this district, the ~~required recommended~~ building walls for the ground floor of buildings shall should be built to exactly ten (10) feet from the front property line, and fifteen (15) feet of buildings with first floor outdoor searing areas. The recommended front setback for upper floors is exactly ten (10) feet. Upper floors, however, may be built with a front setback standard of 0 feet. Existing buildings along the southern side of Griffin Road which have a building floor elevation of one foot or more below the Griffin Road edge of right of way elevation as determined by the Florida Department of Transportation may alternatively provide for a landscaped bufferyard of up to a maximum of 30 feet on the Griffin Road side in lieu of meeting the setback requirement of this subsection (A)(1) as set forth above. In these cases, the required front covered boardwalk required by subsection (C) below shall be required to abut the bufferyard and not be located in the bufferyard notwithstanding the provisions of subsection (B)(1) below.

SECTION 2. That Section 12-388 of the Code of the Town of Davie is hereby amended by amending subsection (C) which shall read as follows:

(C) Any commercial, business, office or mixed use building constructed in the Western Theme District located within fifteen feet of the front property line shall have a covered boardwalk at least the length of the frontage of the structure along the major street side extending from the front

building wall to the property line. Buildings with greater setback distances are required to also provide a covered boardwalk with a minimum width of six (6) feet on the front of the building. Corner parcels are encouraged to also provide a covered boardwalk with a minimum width of six (6) feet on the side of the building. All buildings that are located at the Davie Road intersections with Orange Drive and Griffin Road shall have a ten foot wide covered boardwalk on the street sides of these properties.

SECTION 3. That Section 12-388 of the Code of the Town of Davie is hereby amended by adding a subsection (J) which shall read as follows:

(J) Minimum front wall height: Eighteen (18) feet. The mean height of the front walls of buildings shall be at least twenty one (21) feet. Building alterations which do not alter the existing front wall structure are exempt from this subsection (J). Such front wall height shall be measured from the finished floor elevation to the top of the front wall. Rounded and angled parapet features shall be calculated as squared and rectangular shapes. The height of a shed or gabled roofed building which does not have a front parapet shall be measured from the finished floor elevation to the midpoint of the roof line which midpoint shall have a minimum height of eighteen (18) feet.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 6. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 1999.

PASSED ON SECOND READING THIS ____ DAY OF _____, 1999.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS ____ DAY OF _____, 1999.

ADMINISTRATION DEPARTMENT

MEMORANDUM
CRA

DATE: January 26, 1999
TO: Barbara McDaniel, Assistant Town Clerk
VIA: Will Allen, Programs Administrator *Wa*
BY: Glenn Irwin, AICP, Redevelopment Administrator *GI*
RE: Zoning in Progress Ordinance

At the last Town Council meeting (January 20th) the Council directed staff to work out several revisions to the proposed ordinance, particularly in regards to the properties on the south side of Griffin Road in the western theme district. At its January 25th meeting, the CRA Board did not approve (2-2 vote) a new set of recommendations presented by staff. Therefore, the CRA and staff is recommending that Council table the first reading of this ordinance to March 3rd and the second reading to March 17th to allow additional time to address and research the several outstanding issues of Council and the property owners on the south side of Griffin Road.

xc: Robert Rawls, Interim Town Administrator
Gayle Easterling, Planning Manager

ADMINISTRATION DEPARTMENT

MEMORANDUM

CRA

DATE: January 13, 1998

TO: Harry Venis, Mayor
Kathy Cox, Vice Mayor
James Bush, Councilmember
Judy Paul, Councilmember
Richard Weiner, Councilmember

THRU: Robert Rawls, Interim Town Administrator

VIA: Will Allen, Programs Administrator *W.A.*

BY: Glenn Irwin, AICP, Redevelopment Administrator 

RE: Zoning in Progress Ordinance

At the Town Council meeting of November 4th, Council directed staff to come back within 90 days with a recommendation to address two items for the western theme district: that new buildings in the western theme district should be required to be placed closer to the front property lines and that front wall building facades should be higher (a story and one half was suggested). Attached is an ordinance which was presented to the CRA Board (for additional fine tuning) and Site Plan Committee for comments prior to the January 20th Council meeting.

At its last meeting, CRA Board recommended the establishment of a 10 feet build to line for buildings in the western theme district. This would require that the front building walls to be located at 10 feet from the front property line and that a covered boardwalk would cover the 10 feet distance from the building wall to the front property line. The CRA Board also recommended that upper floors should be allowed the option of extending above the first floor to the front property line (0 feet setback). Therefore, the extended second floor would become the covered boardwalk. There has been considerable thought given to requiring this 10 feet build to line for buildings along the south side of Griffin Road. The Vamel site plan has been approved with a 10 feet setback. The six laning of Griffin Road and the altering road elevations with adjacent property elevations may present problems for some buildings to be placed close to the right of way line, but it is felt that such development should be reviewed on a case by case basis. The CRA Board recommended that existing buildings along the south side of Griffin Road be provided with

the opportunity to build according to the 10 foot build to line or be permitted to provide a landscaped bufferyard up to 30 feet from the Griffin Road right of way line. The setback should be based upon the road grade differential with buildings with great elevation differences to have greater setbacks.

The CRA also recommended that buildings at the intersections of Davie Road with Orange Drive and Griffin Road should have covered boardwalks facing both street sides, not just one. These streets are major streets and should reflect this western theme treatment.

In regards to the building height, the CRA felt that the submitted building heights for site plan approval have been too low. They have averaged about 17 feet or so on the last few submissions for single story buildings. Building height is a very important consideration in downtown design. A higher front wall will help "enclose" the street for both pedestrians and motorists. Given a five lane Davie Road, a low building does not accomplish this feeling. For buildings that are setback on the rear of properties with parking in front makes this "enclosure" that much more difficult to achieve.

Therefore, the attached ordinance recommends a minimum height of new front building walls to be at least 18 feet with a minimum average of 21 feet. A two story building would generally meet this requirement. One story buildings in a western theme look usually have a high parapet. Just for comparison purposes, the McDonald restaurant's front wall on Davie Road is about 27 tall and the mobile home sales building (which has no front parapet) by Davie Road and SW 43rd Street is about 12 in height. The taller building (McDonald's) provides a much more impressive look because of its height, not even including the attractive western theme treatment. One can only imagine how much more imposing the McDonald's would be if it was originally constructed out to the front property line.

The ordinance recommends that this height requirement only be applied for new buildings and front facades on buildings that will be reconstructed. To require the additional height on an existing building could require a significant cost to property owners for structural bracing support. New and reconstructed front walls can be designed for such support in a less costly manner than bracing.