

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director / (954) 797-1101
Prepared by Deborah Ross, AICP, Planner III

SUBJECT: Ordinance – Land Development Code Residential Office Zoning District –
Expansion of permitted uses

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING CODE AMENDMENT APPLICATION ZB(TXT) 02-2, AMENDING THE CODE OF ORINANCES FOR THE TOWN OF DAVIE, SECTION 12-32, ENTITLED “TABLE OF PERMITTED USES”; REVISING THE CATEGORY OF RESIDENTIAL/OFFICE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

At the October 2, 2002, Town Council meeting staff identified banks/financial, medical/dental clinic, nursery/childcare, and mortuary, excluding viewing services as additional permitted uses appropriate for the Residential Office zoning district. Per Council’s direction, the bank/financial use was modified from a permitted use to a use which requires a special permit. Under separate application staff will revise Section 12-34. Standards enumerated of the Land Development Code in regard to banks/financial uses. A Local Planning Agency in January of 2003 and Town Council in February of 2003 is anticipated.

PREVIOUS ACTIONS: None

CONCURRENCES: Planning and Zoning Board recommended approval at its November 13, 2002 meeting (Motion carried 3-0, with Mike Bender and Casey Lee absent.)

FISCAL IMPACT: None

RECOMMENDATION: Staff finds the subject text change complete and suitable for transmittal to Town Council for further consideration.

Attachments: Ordinance

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING CODE AMENDMENT APPLICATION ZB(TXT) 02-2, AMENDING THE CODE OF ORINANCES FOR THE TOWN OF DAVIE, SECTION 12-32, ENTITLED "TABLE OF PERMITTED USES"; REVISING THE CATEGORY OF RESIDENTIAL/OFFICE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie desires to amend the Land Development Code to expand the number of permitted uses within the Residential Office (RO) zoning district; and

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing on November 13, 2002; and

WHEREAS, the Town Council of the Town of Davie held a public hearing on November 20, 2002.

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

SECTION 1. That Section 12-32, Table of Permitted Uses, of the Town Code is amended to read as follows:

(B) COMMERCIAL, OFFICE, AND BUSINESS DISTRICTS

GENERAL USE

	SC & B-1	WT & B-2	UC & B-3	O	FB	CC	CI	RO
Banks, Financial	P	P	P	P	P	P	P	N *
Medical Clinic and Doctor's Office	P	P	P	P	P	P	P	N <u>P</u>
Mortuary, excluding viewing services	P	P	P	P	P	P	P	N <u>P</u>
Nursery, Child Care Facility	P	P	P	P	P	P	P	N <u>P</u>

P = Permitted by right in this district

N = Not permitted in this district

* = Conditionally permitted subject to detailed use regulations (Section 12-34)

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 3. 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 4. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2002

PASSED ON SECOND READING THIS _____ DAY OF _____, 2002

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2002