

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, Planning Supervisor

SUBJECT: Ordinance – Detailed Use Regulations for Residential Office (RO) Zoning District

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING CODE AMENDMENT APPLICATION ZB(TXT)7-1-03, AMENDING THE CODE OF ORINANCES FOR THE TOWN OF DAVIE, AMENDING SECTION 12-34 ENTITLED “STANDARDS ENUMERATED” PROVIDING FOR DETAILED USE REGULATIONS REGARDING THE SITING OF DRIVE-IN FACILITIES WITHIN THE RO, RESIDENTIAL/OFFICE, ZONING DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

The RO zoning district was amended in 2002 to include the following additional uses, banks/financials, medical/dental clinic, nursery/childcare, and mortuary, excluding viewing services. The banks/financial use was amended at Council’s direction to require a special permit.

Pursuant to Council’s direction, staff is proposing detailed use regulations for the bank/financial use which will require the placement of drive-thru windows, including vehicular stacking lanes, only in the rear yard. Please note, the Local Planning Agency found it appropriate that these regulations be applicable to all uses which may utilize drive-thru windows. In addition, the drive-thru windows or stacking lanes are required to be visually screened from the public right-of-way.

PREVIOUS ACTIONS: None

CONCURRENCES: Local Planning Agency recommended approval at its July 23, 2003, meeting (Motion carried 5 -0)

FISCAL IMPACT: None

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

Attachment(s): Ordinance

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING CODE AMENDMENT APPLICATION ZB(TXT)7-1-03, AMENDING THE CODE OF ORDINANCES FOR THE TOWN OF DAVIE, AMENDING SECTION 12-34 ENTITLED "STANDARDS ENUMERATED" PROVIDING FOR DETAILED USE REGULATIONS REGARDING THE SITING OF DRIVE-IN FACILITIES WITHIN THE RO, RESIDENTIAL/OFFICE, ZONING DISTRICT; PROVIDING FOR CONFLICT; 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 provide for land development regulations for the Residential Office (RO) zoning district; and

WHEREAS, the Local Planning Agency of the Town of Davie held a public hearing on July 23, 2003; and

WHEREAS, the Town Council of the Town of Davie held a public hearing duly advertised as required by State Statute on August 20, 2003, and on the date of adoption of this Ordinance.

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

SECTION 1. That Section 12-34 (V), Detailed Use Regulations, of the Town code is amended to read as follows:

- (1) Drive-thru windows, including vehicular stacking lanes, are prohibited except in the rear yard and window or stacking lanes shall be visually screened from the public right-of-way.

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 _____, 2003

PASSED ON SECOND READING THIS _____ DAY OF _____, 2003

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2003