

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 –Residential Office (RO) Zoning District

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING SECTION 12.32 ENTITLED "TABLE OF PERMITTED USES" TO REVISE MORTUARY USES AS A PERMITTED USE IN THE RESIDENTIAL OFFICE (RO) ZONING DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

At the direction of Town Council at their February 4, 2004 meeting, staff proposes to eliminate mortuary uses as a permitted use in the RO zoning district. Permitted uses in the RO district include, banks/financials, medical/dental clinic and, nursery/childcare uses. Mortuary use remains a permitted use in the commercial, office, and business zoning districts (SC, WT, UC, B-1, B-2, B-3, O, FB, CC, and CI).

PREVIOUS ACTIONS: None

CONCURRENCES: Local Planning Agency recommended approval at its March 10, 2004, 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, AMENDING SECTION 12.32 ENTITLED "TABLE OF PERMITTED USES" TO REVISE MORTUARY USES AS A PERMITTED USE IN THE RESIDENTIAL OFFICE (RO) ZONING DISTRICT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a mortuary use is currently a permitted use in the RO zoning district; and

WHEREAS, the Town Council desires to eliminate a mortuary use as a permitted use in the RO zoning district; and

WHEREAS, the Town of Davie Local Planning Agency held a public hearing on March 10, 2004; and

WHEREAS, the Town Council of the Town of Davie held a public hearing duly advertised as required by State Statute on April 7, 2004 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 12-32, Table of Permitted Uses, of the Town Code is amended to read as follows:

(B) COMMERCIAL, OFFICE, AND BUSINESS DISTRICTS

GENERAL USE

	SC	WT	UC					
	&	&	&					
	B-1	B-2	B-3	O	FB	CC	CI	RO
Mortuary, excluding viewing services	P	P	P	P	P	P	P	P <u>N</u>

P = Permitted by right in this district

N= Not permitted by right 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 _____, 2004

PASSED ON SECOND READING THIS _____ DAY OF _____, 2004

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2004

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