



# Town Council Agenda Report

**SUBJECT:** Ordinance

1999 Transportation Element

**TITLE OF AGENDA ITEM:** AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY REPEALING THE TRAFFIC CIRCULATION ELEMENT AND ADOPTING A TRANSPORTATION ELEMENT IN ITS PLACE AS REQUIRED BY FLORIDA LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The Town Council transmitted the proposed 1999 Transportation Element to the Department of Community Affairs (DCA), by resolution, after conducting a public hearing on August 4, 1999. The DCA has reviewed the proposed amendment to the comprehensive plan, and has raised 5 objections to the amendment. Staff believes most of the objections are relatively minor in nature, and DCA review staff has indicated many of the objections are typical of those made to other communities.

The DCA's Objections, Recommendations and Comments Report (ORC) will be provided for informational purposes. The consultant the Town retained to prepare the proposed element is now developing a response to the ORC for the Town. The ORC *response*, including any changes it makes to the proposed element, will be provided to Council as backup to the ordinance for second reading.

**PREVIOUS ACTIONS:** none.

**CONCURRENCES:** The Local Planning Agency recommended the Town Council transmit the proposed amendment with changes to the DCA at its July 19, 1999 meeting.

The Town Council transmitted the proposed amendment, with changes, to the DCA at its August 4, 1999 meeting.

The Planning and Zoning Division recommends the ordinance be approved on first reading, December 1, 1999.

**FISCAL IMPACT:**

Has request been budgeted?                    no  
If yes, expected cost \$  
Account Name:  
If no, amount needed \$                    not applicable  
What account will funds be appropriated from:  
Additional Comments:

**RECOMMENDATION:** Motion to approve.  
**Attachment(s):** Ordinance ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY REPEALING THE TRAFFIC CIRCULATION ELEMENT AND ADOPTING A TRANSPORTATION ELEMENT IN ITS PLACE AS REQUIRED BY FLORIDA LAW; PROVIDING

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA AMENDING THE TOWN OF DAVIE COMPREHENSIVE PLAN BY REPEALING THE TRAFFIC CIRCULATION ELEMENT AND ADOPTING A TRANSPORTATION ELEMENT IN ITS PLACE AS REQUIRED BY FLORIDA LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie wishes to adopt a Transportation Element in accordance with the requirements of Chapter 163, Part II, Local Government Comprehensive Planning and Land Development Regulation Act; and

WHEREAS, the Local Planning Agency of the Town of Davie held public hearings on the proposed amendment on July 14 and 19, 1999, and submitted its recommendations to the Town Council; and

WHEREAS, the Town Council held public hearings on August 4, 1999 and on the date of adoption of this ordinance; and

WHEREAS, the required public hearings were noticed in accordance with the requirements of the Code of the Town of Davie and Chapters 163 and 166 Florida Statutes.

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

SECTION 1. The Comprehensive Plan be and the same is hereby amended and changed as shown in Exhibit "A," attached hereto and made a part hereof.

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 on the date a final order is issued by the Department Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, F.S

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

DUE TO THE LARGE SIZE OF THE TRANSPORTATION ELEMENT, PLEASE BRING YOUR ORIGINAL COPY TO THE DECEMBER 1, 1999 COUNCIL MEETING. IF YOU REQUIRE AN ADDITIONAL COPY, PLEASE ADVISE PLANNING AND ZONING STAFF AND WE WILL PROVIDE ONE IMMEDIATELY.