

LOCAL PLANNING AGENCY
SEPTEMBER 25, 2002

1. ROLL CALL

The meeting was called to order at 7:12 p.m. Agency members present were Chair George Greb, Vice-Chair Mike Bender, Casey Lee, Mimi Turin and Bob Waitkus. Also present were Town Attorney Monroe Kiar, Planner Marcie Nolan and Board Secretary Janet Gale recording the meeting.

2. APPROVAL OF MINUTES: September 11, 2002

Vice-Chair Bender made a motion, seconded by Ms. Lee, to approve the minutes of September 11, 2002. In a voice vote, all voted in favor. **(Motion carried 5-0)**

3. PUBLIC HEARING

Ordinance – Rural Lifestyle Regulations

“AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE, CHAPTER 12; ADDING REGULATIONS TO PRESERVE THE RURAL LIFESTYLE CHARACTERISTICS OF THE ONE-UNIT PER ACRE LAND USE CATEGORIES BY CREATING A NEW SECTION ENTITLED RURAL LIFESTYLE REGULATIONS; PROVIDING FOR INTENT AND APPLICABILITY; CREATING A NEW SECTION ENTITLED SCENIC CORRIDORS; PROVIDING FOR INTENT, APPLICABILITY, BOUNDARIES, LANDSCAPING, PERMITTED AND PROHIBITED USES, LANDSCAPING AND SIGNAGE REQUIREMENTS; CREATING A NEW SECTION ENTITLED RURAL LIFESTYLE REGULATIONS; PROVIDING REGULATIONS IN THE AG, A-1, AND R-1 ZONING DISTRICTS FOR CONDITIONAL USES, SUPPLEMENTAL RESTRICTIONS, DEVELOPMENT STANDARDS, INCENTIVES, SITE DESIGN, STREET ACCESS AND CIRCULATION, ARCHITECTURAL STANDARDS, STREET STANDARDS, LANDSCAPING REQUIREMENTS, OPEN SPACE RELATIONSHIPS, AND LIGHTING; CREATING A NEW SECTION ENTITLED OPEN SPACE DESIGN OVERLAY DISTRICTS; PROVIDING FOR INTENT, APPLICABILITY, DEFINITIONS, BOUNDARIES, DESIGN PROCESS, PERMITTED DWELLING TYPES, DEVELOPMENT REGULATIONS, AND OPEN SPACE DESIGN REQUIREMENTS; AND AMENDING ARTICLES OF THE LAND DEVELOPMENT CODE IN CONFLICT WITH THE PROPOSED LAND DEVELOPMENT CODE AMENDMENTS SPECIFICALLY BUT NOT LIMITED TO ARTICLE II ENTITLED ESTABLISHMENT OF ZONING DISTRICTS AND LAND USES; PROVIDING FOR INTENT LANGUAGE FOR THE AGRICULTURAL PARCELS WITHIN THE TOWN; AMENDING ARTICLE III ENTITLED USE REGULATIONS; PROVIDING FOR RURAL LIFESTYLE REGULATIONS PERTAINING TO FENCES, WALLS, BUFFERS, AND STREET FRONTAGE; AMENDING ARTICLE IV ENTITLED DISTRICT PERFORMANCE STANDARDS AND CAPACITY ANALYSIS; PROVIDING FOR RESIDENTIAL AND NON-RESIDENTIAL PERFORMANCE STANDARDS; AMENDING ARTICLE V DEVELOPMENT AND USE STANDARDS; PROVIDING FOR DISTRICT PERFORMANCE STANDARDS; AMENDING ARTICLE VI ENTITLED SITE LANDSCAPING; PROVIDING FOR LANDSCAPING STANDARDS AND DEFINITIONS; AMENDING ARTICLE VIII ENTITLED SIGNS, LIGHTING;

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PROVIDING FOR SIGNS LOCATED WITHIN SCENIC CORRIDORS AND STREET LIGHTING; AMENDING ARTICLE X ENTITLED PLANNING AND DEVELOPMENT; PROVIDING FOR TOWN COUNCIL APPROVAL OF THE OPEN SPACE DESIGN OVERLAY; AMENDING ARTICLE XI ENTITLED DEVELOPMENT REVIEW PROCEDURES; PROVIDING FOR ACCESS TO DEVELOPMENT AND DESIGN CRITERIA FOR LOCAL STREETS; AMENDING ARTICLE XII ENTITLED SUBDIVISION AND SITE PLANS; PROVIDING FOR SITE PLAN AND PLAT SUBMISSION REQUIREMENTS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR AN EFFECTIVE DATE.”

Ms. Nolan explained the intent of the ordinance. She advised that the Rural Lifestyle Regulations would be reviewed in two parts, the first being “Division 1, Generally,” the second was “Division 5, Open Space Design Overlay.” Ms. Nolan systematically discussed each section and answered questions for a complete understanding of the proposed ordinance. A specific item of concern was that the lot sizes in the configurations were “net dry.” She assured the Agency that it had been specified in the proposed ordinance at every available opportunity. Another point of concern was the amount of net dry land which could be dedicated to open space. Ms. Nolan believed that somewhere between five and 10% could contain water.

Chair Greb asked if anyone wished to speak for or against this item.

Julie Aitken, 3801 Flamingo Road, spoke in support of the proposed ordinance and indicated that the Davie Agricultural Advisory Board was unanimously in favor as well.

Bill Laystrom, on behalf of Southern Homes, expressed dismay at having received this draft at noon today and, therefore, refrained from making comments on it. He advised that several of his projects were affected by the zoning in progress for approximately a year and a half and he was disappointed that this draft which was supposed to be completed by July 3rd, was made available to him only today.

Jason Curtis, 3801 Flamingo Road, commented that this was not a vested rights issue and that the open space incentives were an option.

Alejandro Delfino asked if a market study had been considered in order to gain insight on the prospective homebuyer’s point of view. Ms. Nolan responded that this was a viable concept and a current trend in development patterns which created a sense of community. Later in the meeting, Ms. Aitken offered that Forest Ridge was a close example of successful cluster housing.

Carlos Ballbe of Keith and Ballbe, Inc., Consulting Engineers, asked about the open space credit for lakes in the open space overlay district. Ms. Nolan responded that the water body counted for between five and 10% of the open space requirement based on the overall acreage of the development.

It was reiterated by Ms. Nolan that there was a choice in the open space design overlay districts for AG, A-1 and R-1 zoned categories as shown on map One, and that a developer could request that the Town Council rezone their property to the open space design overlay.

Mr. Kiar introduced “special outside counsel” Andrew Maurodis to address the Agency. Mr. Maurodis clarified that the open space design overlay was clearly optional; however, the land development regulations for the rural lifestyle initiative, if adopted, would not be a choice

- they would be binding regulations. He specified that there would be differences designed to further enhance the rural atmosphere.

As there were no other speakers, the public hearing was closed.

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A discussion ensued among the Agency members regarding the concept and its pros and cons. Mr. Kiar clarified that the first vote would be on "Rural Lifestyle Regulations, Division 1, Generally." Chair Greb asked that it be confirmed for clarification purposes that all referenced lot sizes were "net dry land." Ms. Nolan responded affirmatively.

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to approve subject to finding consistency with the Comprehensive Plan. In a roll call vote, the vote was as follows: Chair Greb - yes; Vice-Chair Bender - yes; Ms. Lee - no; Ms. Turin - yes; Mr. Waitkus - yes. **(Motion carried 4-1)**

Ms. Nolan clarified that "Rural Lifestyle Regulations, Division 5" encompassed the "Open Space Design Overlay" process exclusively and that all referenced lot sizes were net dry land.

Vice-Chair Bender made a motion, seconded by Mr. Waitkus, to approve subject to finding consistency with the Comprehensive Plan. In a roll call vote, the vote was as follows: Chair Greb - yes; Vice-Chair Bender - yes; Ms. Lee - no; Ms. Turin - yes; Mr. Waitkus - yes. **(Motion carried 4-1)**

4. OLD BUSINESS

There was no old business discussed.

5. NEW BUSINESS

There was no new business discussed.

6. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

7. ADJOURNMENT

As there was no further business and no objections, the meeting was adjourned at 9:08 p.m.

Date Approved: _____

Chair/Agency Member