

Davie, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 12 - LAND DEVELOPMENT CODE >> ARTICLE XIII. - SPECIAL PLANNING AREAS AND DISTRICTS >> DIVISION 11. REGIONAL ACTIVITY CENTER DISTRICTS >>

Sec. 12-438.7. - Permitted uses.

- (A) *Mixing of Uses.* Uses can be mixed horizontally or vertically, subject to the rules of this subsection.
- (1) Horizontal mixing via separate buildings is permitted, subject to compatible integration of buildings. Compatible integration shall ensure, at a minimum, that residential uses are not facing, proximate to or accessed through nonresidential loading areas; that all buildings within the development share one (1) harmonious architectural style, with nonresidential buildings having residential design features; and, nonresidential uses within separate buildings on the same lot as residential uses shall be limited to those uses that can also be integrated compatibly within the same building.
 - (2) Building setbacks and landscape buffers for mixed-use developments where the residential use is located in separate building(s) from the nonresidential use(s) but integrated into the overall development, shall be determined based upon the design of the proposed development as reflected in a master plan or site plan, as appropriate.
 - (3) Mixing of residential and nonresidential uses within the same building is encouraged in any location where both use types are permitted by Table 12-438.7(C), below, subject to functionally appropriate separation of the uses, which may include but is not limited to: separate stories; separate access; separation and buffering of residential units from loading areas and noisy nonresidential uses via one (1) or more intervening stories of office use, extra-thick concrete floors, soundproofing on ceilings, walls and sound-containing openings, operational standards and time limits, or other proven technique acceptable to the town. Live/work units shall provide internal access between the residential and nonresidential components.
 - (4) The residential and commercial portions of a live/work unit shall be mutually accessible from the interior of a building.
 - (5) Mixing of residential use with industrial uses shall be permitted only upon a town determination of compatibility, and shall require an upper floor location for residential use at the street frontage of the building.
- (B) *Accessory Uses are Permitted.* Family day care homes and home occupations are subject to the detailed use provisions of section 12-34(J) and (N), respectively. One (1) accessory dwelling with up to seven hundred and fifty (750) square feet of floor area (see definition of Floor Area, Minimum in section 12-503 for calculation), is permitted accessory to a single-family detached 1 residence, subject to density limitations of the comprehensive plan. Accessory dwellings may be part of the principal building, or an accessory building, on the ground floor or an upper story.

(C) Schedule of Permitted Uses.

KEY:

P = Permitted

N = Not Permitted

(*) = Permitted subject to section 12-34, "Detailed use regulations"

(#) = Permitted subject to corresponding table footnote

Unlisted uses that are similar to permitted uses within a given district shall be permitted, provided such uses are not listed as permitted uses in other districts.

TABLE 12-438.7(C) Table of Permitted Uses						
Permitted Uses	Transit-Oriented Street(9)	RAC-RTE RAC-RTW	RAC-ED	RAC-TC	RAC-ND2	RAC-ND4
RESIDENTIAL						
Dwelling, Single-Family Detached, Semi-Detached	N	N	N	N	P	P
Dwelling, Accessory to detached single-family residential	N	N	N	N	P (5)	P(5)
Dwelling, Single-Family Attached/Townhouse	N	P	P	P	P	P
Dwelling, Duplex	N	N	N	P	P(2)	P
Dwelling, Multiple-Family	(1)	P	P	P	(2)	P
Family Day Care Home (accessory to SFR detached)	N	N	N	N	P	P
Home Occupation	*	*	*	*	*	*
Special Residential Facilities	(*)	(*)3	(*)	(*)	(*)	(*)
Student Rental Housing	(*)	(*)	(*)	(*)	N	N
LODGING						
Hotels	P	P	P	P	N	P
Bed and breakfast, inn	P	P	P	P	P	P
RETAIL						
Retail sales permitted within the B-2 District, subject to section 12-34	P	P	P	P	(7)	(6)
Pet store	N	N	N	N	N	N
FOOD & ENTERTAINMENT						
Bakeries, Delicatessens	P	P	P	P	(7)	(6)
Bars, Lounges	(*)	(*)	P	P	(7)	(6)
Bowling, Skating	P	P	P	P	N	N
Game Room, Arcade	P	P	P	P	N	N
Adult Arcade, Amusement Center	(*)	(*)	(*)	(*)	N	(N)
Sexually Oriented Business	(11)	(11)	(11)	(11)	(11)	(11)
Bingo Establishments	P	P	P	P	N	(6)
Micro-brewery, micro-distillery	N	*	N	*	*(6)	*(6)
Movie Theater, Performing Arts	P	P	P	P	N	N
Night Club	(*)	(*)	(*)	(*)	N	N
Dance Hall, Club	P	P	P	P	N	N
Restaurants (all)	P	P	P	P	(7)	(6)
SERVICES						
Dry Cleaning	(*)	(*)	(*)	(*)	(*) (7)	(6)
Athletic Club, Gym	P	P	P	P	(7)	(6)
Banks, Financial	P	P	P	P	N	(6)
Catering, Food	P	P	P	P	N	(6)
Nursery, Child Care Facility	(*)	(*)	(*)	(*)	(7)	(6)
Personal Services	P	P	P	P	(7)	(6)
Animal Hospital*	P	P	P	N	N	(6)
Printer (walk-in)	P	P	P	P	N	(6)
Repair Shop, except vehicle and boat repair	P	P	P	P	(7)	(6)
Studios, Art, Dance, Photographic, Music Instruction	P	P	P	P	(7)	(6)
COMMERCIAL, OTHER						

TABLE 12-438.7(C) Table of Permitted Uses

Permitted Uses	Transit-Oriented Street(9)	RAC-RTE RAC-RTW	RAC-ED	RAC-TC	RAC-ND2	RAC-ND4
Recording studio	P	P	P	P	N	(6)
Auction House	(*)	(*)	N	(*)	N	(6)
Motion Picture Studio	P	P	P	N	N	N
Radio or TV Station	(*)	P	P	(*)	N	(6)
OFFICE						
Medical Clinic, Doctor's Office	P	P	P	P	(7)	(6)
Office, other	P	P	P	P	(7)	(6)
INSTITUTIONAL, CIVIC & PLACES OF ASSEMBLY						
Education, K—12	*	*	*	*	*	*(6)
Education, adult public or non-profit	P	N	P	N	N	N
Education, adult for-profit	P	P	P	P	N	*(6)
Mortuary	P	P	P	N	N	N
NCF District Permitted Uses (excluding any already listed herein, subject to any NCF conditions of use)	P	P	P	P	(7)	P
Governmental Buildings/Municipal Public Service Uses	P	P	P	P	P	P
Libraries, Museums	P	P	P	P	P	P
Place of Public Assembly	N	N	*	*	N	*
Public Park	P	P	P	P	P	P
INDUSTRIAL & UTILITIES						
See M-1 District Permitted Uses	N	P	N	N	N	(8)
Communication Apparatus	N	(*)	N	N	N	N
Cabinet, Carpentry Shop	N	P	N	N	N	N
Distribution Facility	N	P	N	N	N	N
Laboratory	P	P	P	N	N	(8)
Utilities	P	(*)	(*)	N	N	(8)
Wireless Telecommunication Facilities	(10)	(10)	(10)	(10)	(10)	(10)
AUTO-ORIENTED						
Motor Fuel Pumps	(4)	N	N	(4)	N	N
Automobile Rental Agency	P	(*)	(*)	N	N	N
Car Wash	(4)	N	N	N	N	N
Parking Lot Rental	N	P	P	P	P	P
Vehicle repair	(4)	(4)	(4)	(4)	N	(4)

Table notations:

- (*) See section 12-34 "Detailed Use Regulations" for conditions of use.
- (1) Not permitted on the ground floor within one (1) block or six hundred (600) feet of the intersection of two (2) Transit-Oriented Streets, whichever is greater. Transit-Oriented Streets are identified in section 12-438.5, "Transit-Oriented Streets."
- (2) Multiple-family and duplex dwellings shall be designed to resemble single-family dwellings pursuant to section 12-438.6(E)(4)(c).
- (3) Reserved.
- (4) Permitted only as follows:
 - a. At locations which vehicle repair was a lawfully permitted use on the date of the adoption of these regulations (February 6, 2008); or
 - b. On parcels zoned RAC-RTE or RAC-RTW, where vehicle repair work is conducted only within a completely enclosed building which is continuously air conditioned and not involving outdoor storage of parts or materials; or
 - c. By way of a special permit per section 12-35.
- (5) Maximum size is seven hundred fifty (750) square feet; permissibility is subject to density limitations of the comprehensive plan.
- (6) Permitted within any area in which M-1 uses are permitted.
- (7) May be permitted in other locations by special permit, pursuant to section 12-35, "Special Uses" for uses that blend with, and serve the neighborhood residents, and for commercial uses, in locations deemed appropriate for neighborhood commercial uses.
- (8) Industrial uses legally established as of the date of adoption of these regulations, and zoned M-1 or M-2 prior to the adoption of these regulations shall be entitled to the permitted uses of the M-1 District.
- (9) See section 12-438.5, "Transit-Oriented Streets" for applicability.

- (10) Governed by Chapter 12, Article XV, Wireless Telecommunication Facilities.
- (11) Governed by section 12-34(A), Location of Designated Sexually Oriented Business Uses.

(Ord. of 2-6-08, § 1(Exh. A); Ord. No. 2010-021, § 3, 9-7-10; Ord. No. 2012-1, § 2(Exh. A), 1-18-12; Ord. No. 2012-15, § 2(Exh. A), 8-1-12; Ord. No. 2012-28, § 2(Exh. A), 12-5-12; Ord. No. 2012-28, § 2(Exh. A)(§ 12-32.507), 12-5-12; Ord. No. 2013-10, § 2(Exh. A), 4-17-13; Ord. No. 2014-2, § 2(Exh. A), 1-15-14; Ord. No. 2014-23, § 2(Exh. A), 12-2-14; Ord. No. O2018-009, § 2(Exh. A), 4-4-18)