

ORDINANCE NO. 2014-01

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN, VOLUME I, LAND USE AND DEVELOPMENT CHAPTER, FUTURE LAND USE AND DESIGN ELEMENT, DELETING SECTION B.1 OF POLICY 16.6 RELATIVE TO THE SOUTHERN GATEWAY CORRIDOR STANDARDS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (13-1CP)

WHEREAS, the Community Planning Act, Sections 163.3161 through 163.32466, Florida Statutes, ("Act") authorizes and requires the City of Venice to adopt and amend a comprehensive plan in accordance with the Act; and

WHEREAS, pursuant to the Act, Chapter 86 of the city code of ordinances designates the City of Venice Planning Commission as the local planning agency, responsible for the preparation of the comprehensive plan and amendments and updates thereto; and

WHEREAS, the city desires to remove land use restrictions on the development of public lands in the Southern Gateway Corridor (Planning Area C); and

WHEREAS, the city provided due public notice of the planning commission public hearing, which was conducted in a manner affording public participation to the fullest extent possible; and

WHEREAS, the planning commission held a public hearing on November 5, 2013 to review the comprehensive plan amendment, and provided its recommendation to city council as the local governing body; and

WHEREAS, on January 14, 2014, the Venice City Council, after due public notice, held a public hearing on the proposed comprehensive plan amendment and authorized the transmittal of the amendment to the Department of Economic Opportunity as the state land planning agency for review; and

WHEREAS, on xxxxxx, the Department of Economic Opportunity issued a letter to the City concerning its review of the proposed comprehensive plan amendment; and

WHEREAS, the City has considered the letter from the Department of Economic Opportunity and comments from the public and review agencies; and

WHEREAS, on xxxxx, the Venice City Council, after due public notice, held a second public hearing on the proposed comprehensive plan amendment; and

WHEREAS, the Venice City Council wishes to adopt the comprehensive plan amendment and transmit it to the Florida Department of Economic Opportunity for final review pursuant to Chapter 163, Part II, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

SECTION 1. The whereas clauses above are ratified and confirmed as true and correct.

SECTION 2. The city's comprehensive plan is amended to delete Section B.1 of Policy 16.6 contained in the Future Land Use & Design Element of the Land Use & Development Chapter, attached hereto as Exhibit "A", and is hereby adopted by the Venice City Council.

SECTION 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

SECTION 4. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS XXTH DAY OF XXXX 2014.

First Reading: January 14, 2014

Second Reading: XXXX, XX, 2014

Adoption: XXXX, XX, 2014

John W. Holic, Mayor

ATTEST:

Lori Stelzer, MMC, City Clerk

(SEAL)

Approved as to form:

David Persson, City Attorney