



## **CITY OF VENICE**

# **Land Development Regulations Fact Sheet**

### **Introduction**

The City's Comprehensive Plan, the vision for the City, was adopted in December 2017. The State requires adopted Comprehensive Plans to be implemented through consistent Land Development Regulations (LDRs). Over the course of the last five years, the Planning Commission, along with City Planning staff and a consultant, have accomplished this task and the new LDRs were adopted by City Council on July 12, 2022.

During this five-year period, there have been nearly 60 public Planning Commission workshops regarding the development of the LDRs, some including advisory boards, and multiple joint meetings with City Council. There were close to 100 meetings of the Planning staff and consultant during this time. In addition, the LDRs have been included on the majority of Planning Commission agendas as a discussion topic for the last four years, providing opportunity for public comment and input. The complete rewrite of a 40-plus-year-old code was a monumental task, and it was not a sprint, but a marathon. The cost of this project was approximately \$500,000, not including Planning staff time.

The new LDRs have been thoughtfully crafted and provide a path for the City to realize the goals of the Comprehensive Plan. The new code resolves many of the problems that arose over 40 years. It is a living document and will require ongoing review and revision, as with any plan or code that is used on a daily basis. Issues discovered will be corrected. Planning staff have no desire to maintain a set of LDRs that do not work or fail to implement the Comprehensive Plan, nor would it be wise to ignore State laws requiring consistency with the Plan.

A recent request for repeal of Ordinance No. 2022-15 that adopted the new LDRs has been submitted to the City. This request proposes to rescind the nearly 600 pages of the newly adopted code. This implies that the entire document is flawed and each line is unusable. However, staff is aware the public comments are limited to a few specific areas of the code based on discussions during the course of drafting the LDRs. These areas have been the subject of discussion and, at times, misunderstanding. Planning staff would like to clarify some of these areas specifically, and have created this document to present the relevant facts to the public. Please be advised that if the petition is a success, it could suspend the LDRs in their entirety for a considerable time. This could result in reverting back to the original code, which would impact our ability to properly manage growth in the City.

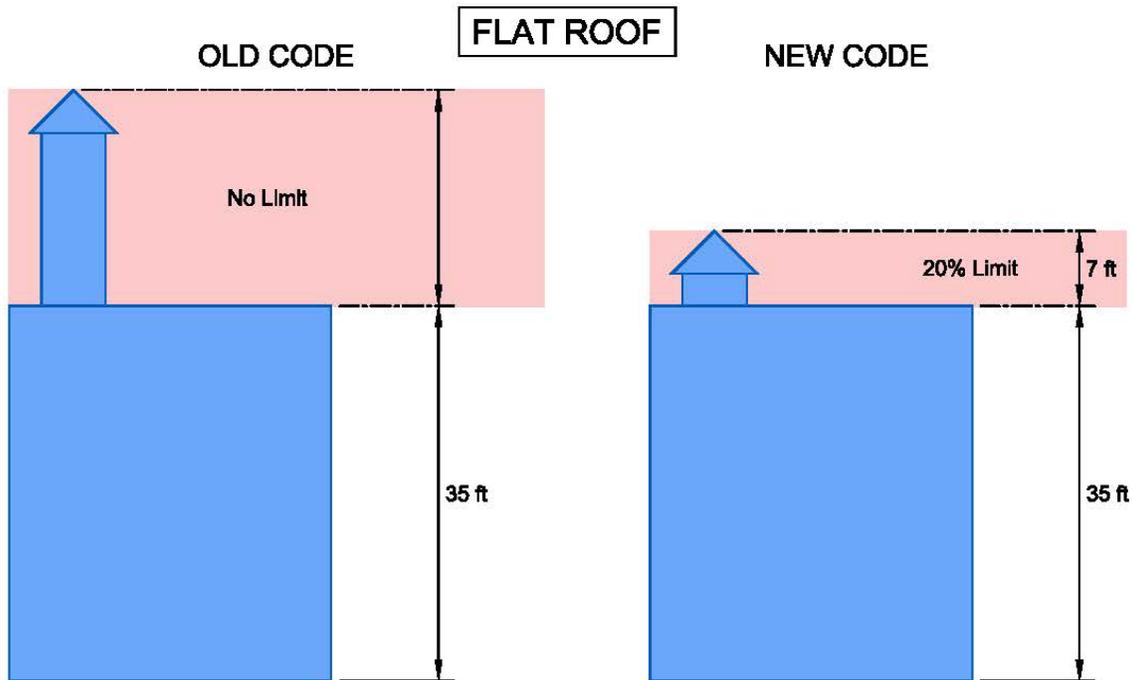
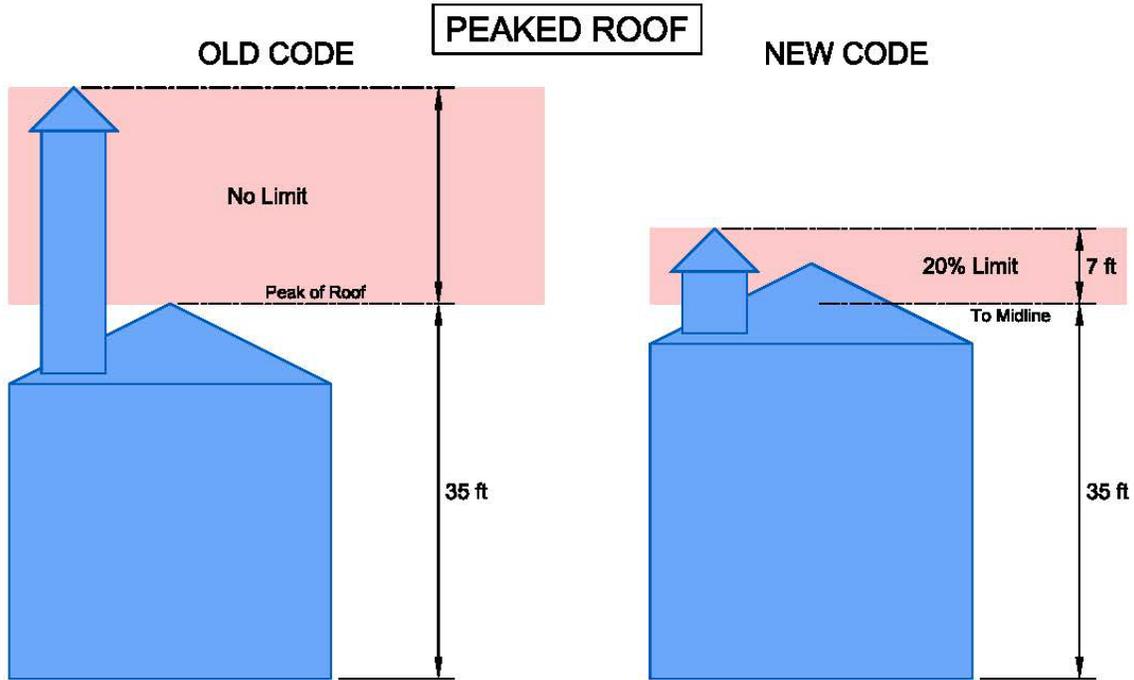
We hope this document will help to inform our citizens and eliminate any misunderstandings on these important topics. We also welcome any questions from the community on these items. Staff looks forward to continued refinement of the LDRs and the application of them to implement our City's Comprehensive Plan.

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There has been a lot of concern regarding building heights in the downtown. The following graphics show the only changes made under the new code. Peaked roofs will be measured to the midline of the roof, as they were from 1978 to 2013, instead of the peak. Under the old code, architectural features were allowed unlimited height. Under the new code, they are limited to 20% of the building height. Flat roof measurement has not changed except for the 20% limitation (instead of being unlimited).

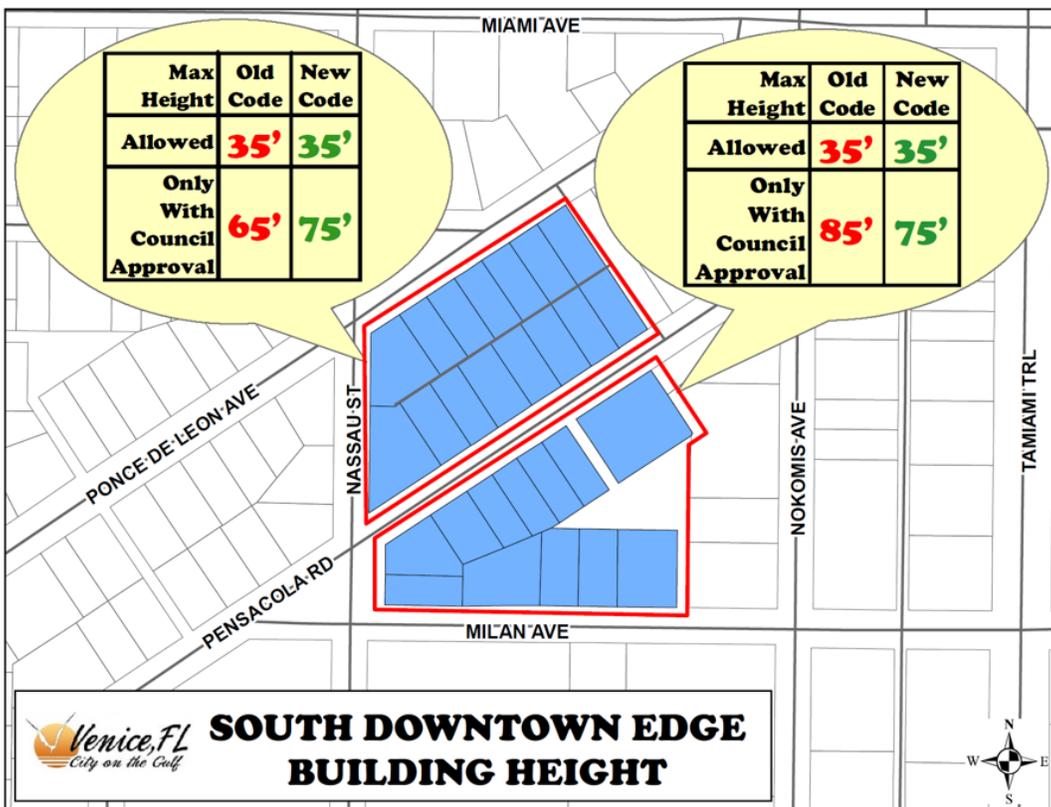
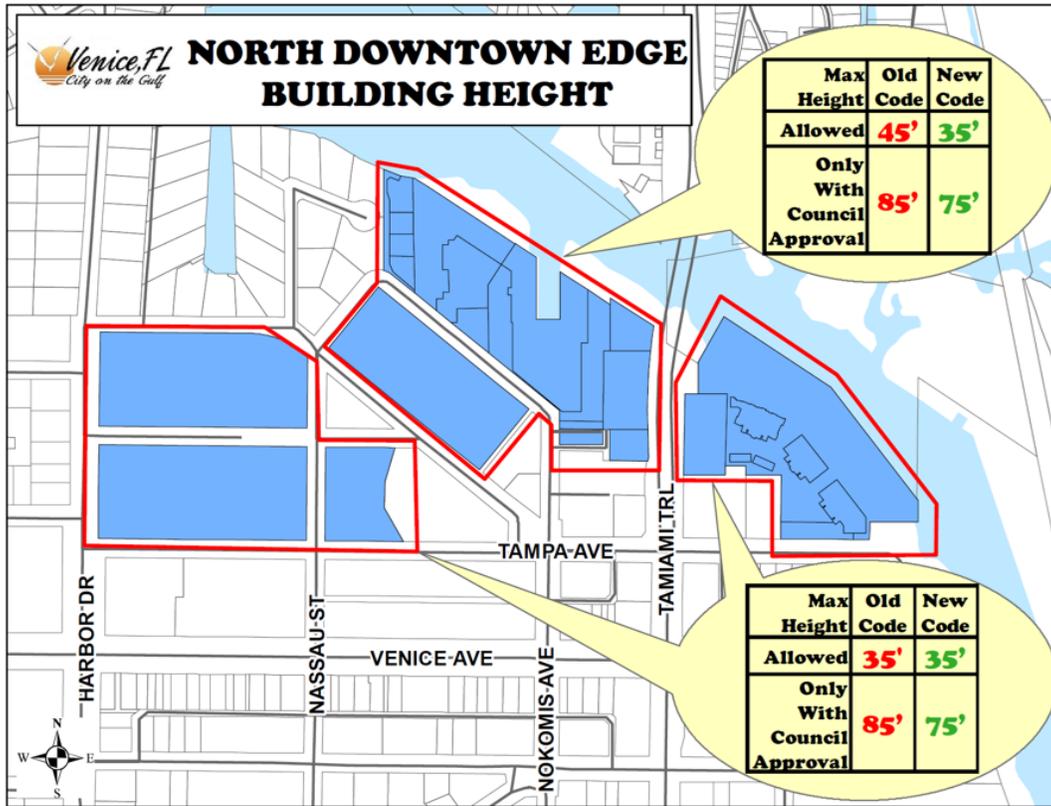


# DOWNTOWN BUILDING HEIGHT

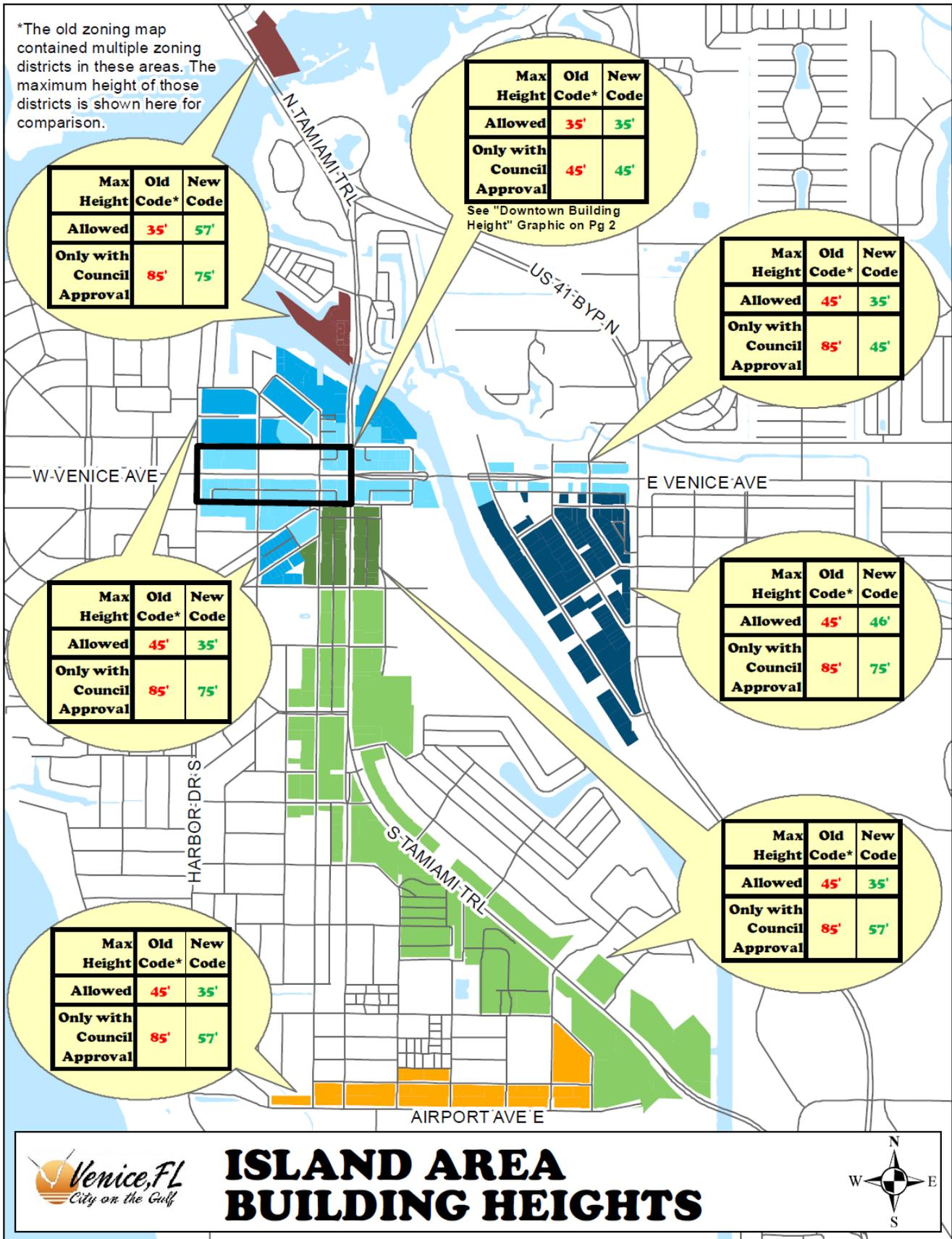


**Note: In both the old and new codes, 10 additional feet may be permitted only with City Council approval.**

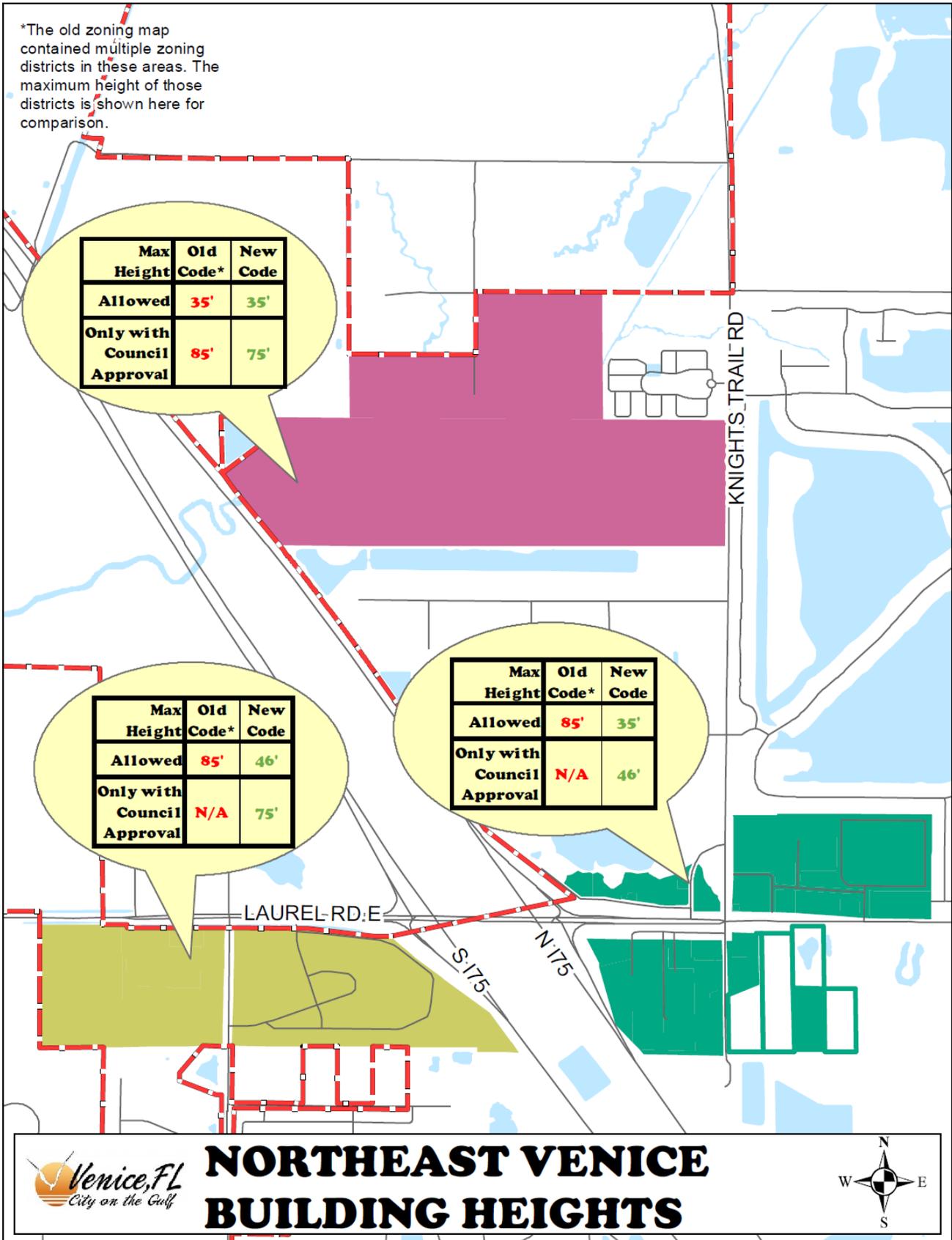
The Downtown Edge (DE) district has been an area of concern regarding building height. The following graphics show that, except for the area between Ponce De Leon and Pensacola, building heights were reduced or remained the same under the new code. Some districts in the old code allowed 10' of additional building height for understory parking. The new code does not allow that in this area.



Although the building height concerns were focused mainly on downtown, the following maps and tables show the majority of building heights were reduced or remained the same in the City's Mixed Use districts under the new code.



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Although the building height concerns were focused mainly on downtown, the following table shows traditional zoning district heights. The majority of building heights were reduced or remain the same across the entire City under the new code.

### Traditional Zoning District Heights (Residential)

Allowances	Residential Single Family-1 (RSF-1) through Residential Single Family-4 (RSF-4)		Residential Multi-Family-1 (RMF-1) and Residential Multi-Family-2 (RMF-2)*		Residential Multi-Family-3 (RMF-3) and Residential Multi-Family-4 (RMF-4)*	
	Old Code	New Code	Old Code	New Code	Old Code	New Code
Max Height Allowed	35'	35'	35'	35'	45'	46'
Only with Council Approval	35'	35'	65'	46'	75'/85'	57'/75'

\*10' for understory parking permitted in both old code and new code

### Traditional Zoning District Heights (Non-Residential)

Allowances	Commercial (CM)		Office, Professional, Institutional (OPI)		Industrial (IND)	
	Old Code	New Code	Old Code	New Code	Old Code	New Code
Max Height Allowed	35'	35'	35'	35'	45'	46'
Only with Council Approval	85'	46'	85'	46'	85'	75'

Three other areas of concern involved historic preservation, the environment, and Planned Unit Development (PUD) regulations. The following tables show the differences between the old code and the new code on these topics.

<b>HISTORIC PRESERVATION</b>			
<b>Topics</b>	<b>Old Code</b>	<b>New Code</b>	<b>New Code Reference</b>
Qualified to apply for Certified Local Government (CLG) (application process underway)	✘	✔	Ch. 87, Sec. 7, 7.2.B
Architectural guidelines codified and enforceable	✘	✔	Ch. 87, Sec. 7, 7.10
Standards and criteria applicable to properties with non-northern Italian architecture	✘	✔	Ch. 87, Sec. 7, 7.8
Historic preservation standards applicable to 7 parcels	✔	✔	Ch. 87, Sec. 7
Historic preservation standards applicable to 770 parcels	✘	✔	Ch. 87, Sec. 7
Process for addition to and removal from Local Register of Historic Resources	✔	✔	Ch. 87 Sec. 7, 7.7

<b>ENVIRONMENTAL</b>			
<b>Topics</b>	<b>Old Code</b>	<b>New Code</b>	<b>New Code Reference</b>
Efficiently provides environmental regulations in one chapter	✘	✔	Ch. 89
Environmental studies may be requested in some cases, but not required ( <i>replaced with the next two items below</i> )	✔	✘	–
Wildlife and Habitat Protection Assessment required for development of more than 5 acres	✘	✔	Ch. 89, Sec. 2, 2.2
Resource Management Plan required for development of 5 or fewer acres	✘	✔	Ch. 89, Sec. 2, 2.3.D
Standards requiring wildlife corridors	✘	✔	Ch. 89, Sec. 2, 2.5.B.1
Limited species list for required tree plantings, including non-Florida-Friendly species	✔	✘	–
Full Florida-Friendly species list available for required tree plantings	✘	✔	Ch. 89, Sec. 3, 3.4.5.A
Standards for wetland protection and mitigation	✘	✔	Ch. 89, Sec. 2, 2.6
Mining/resource extraction standards and required restoration plans	✘	✔	Ch. 89, Sec. 2, 2.7
Wellhead protection zone standards	✘	✔	Ch. 89, Sec. 2, 2.11.1
Pollutants and hazardous substances review requirements	✘	✔	Ch. 89, Sec. 2, 2.11.2
Coastal Waterway Management and coastal development standards compliant with state law	✔	✔	Ch. 89

<b>PLANNED UNIT DEVELOPMENTS</b>			
<b>Type of Change</b>	<b>Old Code</b>	<b>New Code</b>	<b>New Code Reference</b>
No reduction in open space after initial approval	✘	✔	Ch. 87, Sec. 2, 2.2.4
No swapping of land uses (cannot change a residential area to non-residential)	✘	✔	Ch. 87, Sec. 2, 2.2.4
Non-residential uses are permitted and are intended to be neighborhood scale, consistent with Comprehensive Plan	✔	✔	Ch. 87, Sec. 2, 2.2.4.5.A

Several other enhancements and additions of note are included in the new code and identified in the table below.

<b>OTHER STANDARDS/PROTECTIONS</b>			
<b>Standards</b>	<b>Old Code</b>	<b>New Code</b>	<b>New Code Reference</b>
Focus on location, appearance, and character of buildings throughout the city (Nolen Plan)			Ch. 87, Sec. 2 and 3
Requirements for electric vehicle charging stations			Ch. 87, Sec. 3, 3.6.2
Outdoor lighting standards			Ch. 87, Sec. 3, 3.9
All plants and trees must be Florida-Friendly species			Ch. 87, Sec. 3, 3.7.2
Landscaping only required next to parking and vehicle use areas			-
Canopy tree and landscaping requirements for buffers along all property lines, even without parking			Ch. 87, Sec. 3, 3.7.6

The following table shows the topics that City Council has directed staff to research for future LDR consideration. City staff is currently researching these topics and will report back to City Council for further direction.

<b>COUNCIL ACTION ITEMS REQUESTED - FUTURE LDR TEXT CONSIDERATIONS</b>	
	Affordable/workforce housing incentives
	Environmental assessment process on smaller lots for protected species
	Green building and sustainability standards
	Medical marijuana dispensaries
	Grassed lawn standards
	Dust abatement
	Hours of construction activity

## Conclusion

In conclusion, the newly adopted LDRs represent a major improvement to the previous 40 year-old outdated code. This new code implements the City's Comprehensive Plan, which is critical to managing and guiding the growth of our City. These upgraded LDRs are a working document that can and will continue to be refined, and City staff are committed to ensuring that occurs. If the request to repeal Ordinance 2022-15 is successful, it will result in the suspension of the LDRs. The consequences of this would be numerous and will impact all citizens and business owners in the City.

Please use the link below to access our Land Development Regulations (LDRs) in their entirety and explore any of the sections in more detail:

<https://www.venicegov.com/home/showpublisheddocument/10366/637934911644600000>. They can also be found at [venicegov.com](http://venicegov.com) under Government, then go to Planning and Zoning, then go to Land Development Regulations Update and click on Land Development Regulations Adopted and Signed Ordinance No. 2022-15.

For any additional questions concerning this Fact Sheet or the newly adopted Land Development Regulations (LDRs), please contact the City of Venice Planning and Zoning Department at 941-882-7444.