

ORDINANCE NO. 2023-05

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 87, LAND DEVELOPMENT CODE, SECTION 1.1.2. PLANNING COMMISSION (COMMISSION), SECTION 1.2. COMMON REVIEW PROCEDURES, SECTION 1.5.2. SPECIFIC APPLICATION REQUIREMENTS, SECTION 1.7.3. PLANNED DISTRICT ZONING AMENDMENTS, SECTION 1.8.4. ATTAINABLE HOUSING DENSITY BONUS, SECTION 1.9.3. SPECIFIC APPLICATION REQUIREMENTS, SECTION 1.10.1. PRELIMINARY PLAT (QUASI-JUDICIAL APPLICATION), TABLE 2.3.3. VENICE AVENUE DEVELOPMENT STANDARDS, TABLE 2.3.4. DOWNTOWN EDGE DEVELOPMENT STANDARDS, TABLE 2.3.5.1. SOUTH TRAIL DEVELOPMENT STANDARDS, TABLE 2.3.6. AIRPORT AVENUE DEVELOPMENT STANDARDS, TABLE 2.3.8. NORTH TRAIL GATEWAY DEVELOPMENT STANDARDS, TABLE 2.3.9. LAUREL WEST DEVELOPMENT STANDARDS, TABLE 2.3.10. LAUREL EAST DEVELOPMENT STANDARDS, TABLE 2.3.11. KNIGHTS TRAIL DEVELOPMENT STANDARDS, TABLE 2.3.12. KNIGHTS TRAIL TRANSITIONAL DISTRICT, SECTION 2.4.3. RESIDENTIAL USES, SECTION 3.1.9. ACCESSORY USES AND STRUCTURES, SECTION 3.5.4. PERMITTED SIGNS, TABLE 3.6.1. PARKING REQUIREMENTS BY USE, TABLE 3.6.3. PARKING REQUIREMENTS BY USE, SECTION 3.6.5. DESIGN STANDARDS, SECTION 3.7.6. MISCELLANEOUS LANDSCAPING, SECTION 4.2. PERIMETER BUFFER TYPES, SECTION 5.1.2. APPLICABILITY, SECTION 5.2.2. APPLICABILITY, SECTION 6.7. RESIDENTIAL GARAGE SALES, SECTION 7.3. MANAGER OF HISTORIC RESOURCES, SECTION 7.7 LOCAL REGISTER AND LANDMARKS, SECTION 7.8.1. CERTIFICATE OF ARCHITECTURAL COMPLIANCE (CAC), AND CHAPTER 89, ENVIRONMENTAL REGULATIONS, SECTION 3.5.2. REQUIRED BEST MANAGEMENT PRACTICES, PURSUANT TO TEXT AMENDMENT PETITION NO. 22-67AM, BY CORRECTING CLERICAL ERRORS, CLARIFYING CERTAIN PROVISIONS, AND ADDRESSING OTHER REGULATORY AND PROCEDURAL ISSUES; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on July 12, 2022, City Council adopted the new Land Development Regulations (LDRs) and official Zoning Map of the City; and

WHEREAS, the City submitted Text Amendment Petition No. 22-67AM to correct clerical errors, clarify certain provisions, and address other regulatory and procedural issues identified through the implementation of the LDRs; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, Venice City Council has duly designated the city's Planning Commission as the local planning agency for the City; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 3, 2023 regarding the Petition, and recommended approval to City Council of Text Amendment Petition No. 22-67AM; and

WHEREAS, City Council received and considered the report of the Planning Commission concerning Text Amendment Petition No. 22-67AM; and

WHEREAS, on February 14, 2023, and February 28, 2023, City Council held duly noticed public hearings on Text Amendment Petition No. 22-67AM in accordance with the requirements of the City’s Code of Ordinances and has considered the information received at said public hearings; and

WHEREAS, City Council finds that Text Amendment Petition No. 22-67AM is in compliance with, and meets, the requirements of the city’s Land Development Code and Comprehensive Plan.

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

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

SECTION 2. Text Amendment Petition No. 22-67AM is hereby approved. Chapter 87, Land Development Code and Chapter 89, Environmental Regulations of the City’s Land Development Regulations are hereby amended as shown on Exhibit “A”, which is incorporated herein by reference.

SECTION 3. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

SECTION 4. If any part, section, subsection, or other portion of this ordinance or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, such part, section, subsection, or other portion, or the prescribed application thereof, shall be severable, and the remaining provisions of this ordinance, and all applications thereof not having been declared void, unconstitutional, or invalid, shall remain in full force and effect.

SECTION 5. This ordinance shall become effective immediately upon its approval and adoption, as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 28th DAY OF FEBRUARY 2023.

First Reading: February 14, 2023

Second Reading: February 28, 2023

Adoption: February 28, 2023

Nick Pachota, Mayor

ATTEST:

Kelly Michaels, MMC, City Clerk

I, Kelly Michaels, MMC, City Clerk of the City of Venice, Florida, a municipal corporation in Sarasota County, Florida, do hereby certify that the foregoing is a full and complete, true and correct copy of an Ordinance duly adopted by the City of Venice Council, a meeting thereof duly convened and held on the 28th day of February 2023, a quorum being present.

WITNESS my hand and the official seal of said City this 28th day of February 2023.

Kelly Michaels, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney

CHAPTER 87 - LAND DEVELOPMENT CODE

1.1.2. Planning Commission (Commission)

A. - L. No change.

M. Specific Review Authority.

1. Review and Recommendation Authority. The Commission shall, in public hearings, review and make recommendations for approval, denial or modification in whole or in part, to the Council on all legislative processes to include Annexations, Comprehensive Plan Text Amendments, Future Land Use Map Amendments, ~~and~~ LDR Text Amendments except those proposed for Chapter 88, and on quasi-judicial Zoning Map Amendments.
2. - 3. No change.

1.2. Common Review Procedures

A. - B. No change.

C. **Application Requirements.** All applications regulated by this LDR shall be submitted in accordance with the rules provided herein and be filed with City Planning and Zoning Department per their procedures and forms. Each application form shall clearly state all items required for review. All the following items are required for all applications, unless deemed not applicable by the Director:

1. Completed application and applicable fees
2. Narrative
3. General location map, showing the relation of the site to major streets, schools, important landmarks or other physical features in and adjoining the project.
4. Summary of the neighborhood workshop (if applicable) per Section 1.2.F including mailing list, list of attendees, and a summary of comments provided and applicant responses.
5. Accurate survey, reflecting existing conditions, no more than two years old and the corresponding legal description in a copyable electronic format.
6. Agent authorization (if applicable)

7. Statement of ownership and control

8. ~~Concurrency application (if applicable; see Section 5)~~

~~a. School (when required)~~

~~b. Public facilities~~

~~i. Water~~

~~ii. Wastewater~~

~~iii. Solid waste~~

~~iv. Parks~~

~~v. Stormwater~~

9. ~~Traffic Study (if new or net trip generation exceeds 50 PM peak hour trips) in accordance with Section 5.2: Mobility.~~

D. - J. No change.

1.5.2. *Specific Application Requirements*

A. Any person, board, agency or their authorized representative affected by the city's Comprehensive Plan may apply to amend the plan text. An application to amend the future land use plan map may only be filed by the City Council, Planning Commission, staff, or an owner of property, or their designated agent, subject to the amendment. At minimum, the application shall require, as part of or in addition to the requirements set out in Section 1.2:

1. - 3. No change.

4. A transportation analysis of three planning periods consistent with Strategy TR 1.2.2.a and Sec. 5.2.2.A.1 of this LDR (map amendments only).

5. – 6. No change.

1.7.3. *Planned District Zoning Amendments*

A. No change.

B. Additional Application Requirements.

1. – 2. No change.

3. Concurrency application

a. School (when required)

b. Public facilities

i. Water

ii. Wastewater

iii. Solid waste

iv. Parks

v. Stormwater

~~3.~~ 4. Transportation Analysis. If the proposed project generates 50 or more new or net PM peak hour trips, then a traffic study shall be submitted per Section 5.2: Mobility. Prior to the study being performed, a methodology meeting must be held with the applicant, City staff and Sarasota County staff (if applicable).

4. 5. A statement of the land use density/intensity sought for the Planned District and supporting evidence or documentation justifying the request.

~~5.~~ 6. A Binding Master Plan depicting the zoning standards and requirements of the proposed planned district zoning district, including the following at a minimum:

a. – c. No change.

C. – D. No change.

1.8.4 Attainable Housing Density Bonus

A. No change

B. Additional Application Requirements. All development applications proposing to use a density bonus for attainable housing shall provide the following:

1.-3. No change.

4. Concurrency application

a. School (when required)

b. Public facilities

i. Water

ii. Wastewater

iii. Solid waste

iv. Parks

v. Stormwater

5. Transportation Analysis. If the proposed project generates 50 or more new or net PM peak hour trips, then a traffic study shall be submitted per Section 5.2: Mobility. Prior to the study being performed, a methodology meeting must be held with the applicant, City staff and Sarasota County staff (if applicable).

C.-D. No change.

1.9.3. *Specific Application Requirements*

A. No change

B. The application shall, at minimum, include the following items, as part of or in addition to the requirements set out in Section 1.2:

1.-14. No change

15. Concurrency application (if applicable; see Section 5)

a. School (when required)

b. Public facilities

c. Water

d. Wastewater

e. Solid waste

f. Parks

g. Stormwater

16. Transportation Analysis. If the proposed project generates 50 or more new or net PM peak hour trips, then a traffic study shall be submitted per Section 5.2: Mobility. Prior to the study being performed, a methodology meeting must be held with the applicant, City staff and Sarasota County staff (if applicable).

~~15.~~17. Such additional data, maps, plans or statements as may be determined by the Director to be required for the particular use or activity involved.

1.10.1. Preliminary Plat (Quasi-Judicial Application)

A. No change.

B. Application Requirements. Site improvements such as parking lot improvements, utility design (stormwater, reclaimed water, water and wastewater), paving and grading plan, and best management plans shall be signed and sealed by a state-licensed professional engineer on each sheet. Landscaping plan shall be signed and sealed by a state-licensed landscape architect and/or a state-licensed professional engineer. The application shall, at minimum, include the following, as part of or in addition to the requirements set out in Section 1.2:

1. – 2. No change.

3. Concurrency application (if applicable; see Section 5)

- a. School (when required)
- b. Public facilities
 - i. Water
 - ii. Wastewater
 - iii. Solid waste
 - iv. Parks
 - v. Stormwater

4. Transportation Analysis. If the proposed project generates 50 or more new or net PM peak hour trips, then a traffic study shall be submitted per Section 5.2: Mobility. Prior to the study being performed, a methodology meeting must be held with the applicant, City staff and Sarasota County staff (if applicable).

~~3.5.~~ Such additional data, maps, plans or other documentation as may be determined by the Director to be required.

Table 2.3.3. Venice Avenue Development Standards

Venice Avenue Development Standards Table	
Standard	Measurement Requirement
Building Height (max)	35' 45' through Height Exception Subject to Section 4: Compatibility

Building Placement (min/max) ^a	Front (Street)	0' / 2'
	Side	0' / 2'
	Rear	0' / 20'
	Waterfront	20'
Lot	Length (min)	100'
	Width (min)	25'
	Coverage (min/max)	75% / 100%
Building Frontage Requirement	% Requirement	100%
	Encroachments	Maximum Length: 50% of building frontage Maximum Encroachment: 2' Minimum Clearance: 8'
	Active Use Area (AUA)	Active Use Areas defined by/as Design Alternative. As part of Design Alternative request, building placement and building frontage requirements may be modified to accommodate the AUA.
	Entrances	Oriented to street. Prioritization order of primary streets shall govern placement of entrances.
Architecture ^b	Style	Venice Historical Precedent
Parking	Placement	Rear. Side may be permitted through a Design Alternative
	Percentage of Minimum Parking Required	No parking required
	Access	Rear
	Loading ^c	No loading required

Venice Avenue Development Standards Table Notes:

^a Building Placement. Where adjacent to and/or fronting existing waterway, Build-To-Zone (BTZ) may be increased up to 50' to accommodate boardwalks and other publicly accessible recreational features.

^b Architecture. As some parcels located in the Venice Avenue district are also located within the Historic Venice or Venetian Theme Architectural Districts, new construction or substantial improvements may be subject to Section 7: Historic Architectural Preservation Controls and Standards.

^c Loading. Loading/unloading is not permitted on Venice Avenue, Tamiami Trail, or Harbor Drive. Parking and loading shall not encroach, infringe or otherwise hinder accessibility through or along any alleyway.

Table 2.3.4. Downtown Edge Development Standards

Downtown Edge Development Standards Table		
Standard		Measurement Requirement
Building Height		35' by right 75' through Height Exception ^a Subject to Section 4: Compatibility
Building Placement (min/max) ^b	Front (Street)	0' / 20'
	Side	0' / 10'
	Rear	0' / 20'
	Waterfront	20'
Lot	Length (min)	100'
	Width (min)	50'
	Coverage (min/max)	50% / 75% 100% coverage permitted if parking structure is provided
Building	% Requirement	80%

Frontage Requirement	Encroachments	Maximum Length: 25' or 50% of building frontage, whichever is lesser Maximum Encroachment: 6' Minimum Clearance: 8'
	Active Use Area (AUA)	Active Use Areas defined by/as Design Alternative. As part of Design Alternative request, building placement and building frontage requirements may be modified to accommodate the AUA
	Entrances	Oriented to street. Prioritization order of primary streets shall govern placement of entrances.
Architecture ^c	Style	Venice Historical Precedent
Parking	Placement	Side / Rear Parking within 50' of waterfront must provide for a landscaped buffer consisting of a continuous hedge at a height of 6' at installation.
	Percentage of Minimum Parking Required	50%
	Access	Side/Rear
	Loading ^d	See Section 3.6.5: Design Standards

Downtown Edge Development Standards Table Notes:

^a Height Exception. Any Height Exception shall require, at a minimum, a vertical mix of uses (residential, office, retail/commercial) with a maximum 85% of Gross Floor Area dedicated to any singular use. Additional architectural features are required and will be reviewed during the Height Exception application process.

^b Building Placement. Where adjacent to or fronting existing waterway, the BTZ may be increased up to 50' to accommodate boardwalks and other publicly accessible recreational features.

^c Architecture. As some parcels located in the Downtown Edge district are also located within the Historic Venice or Venetian Theme Architectural Districts, new construction or substantial improvements may be subject to Section 7: Historic and Architectural Preservation Controls and Standards.

^d Parking-Loading. Loading/unloading is not permitted on Tamiami Trail or Harbor Drive. Parking and loading shall not encroach, infringe or otherwise hinder accessibility through or along any alleyway.

Table 2.3.5.1. South Trail Development Standards

South Trail Development Standards Table			
Standard		Measurement Requirement	
Building Height		35' by right 57' through Height Exception ^a Subject to Section 4: Compatibility	
Building Placement (min/max)		Subarea 1. North of Milan	Subarea 2. South of Milan
	Front (Street)	5' / 25'	5' / 90'
	Side	0' / 15'	0' / 50'
	Rear	0' / 20'	0' / 75'
	Waterfront	N/A	20'
Lot	Length (min)	100'	
	Width (min)	50'	
	Coverage (min/max)	35% / 75%	
	% Requirement	75%	
Building Frontage Requirement	Encroachments	Maximum Length: 25' or 50% of Building Frontage (whichever is lesser)	Maximum Length: None

	Active Use Area (AUA)	Maximum Encroachment: 6' Minimum Clearance: 8' Active Use Areas defined by/as Design Alternative. As part of Design Alternative request, building placement and building frontage requirements may be modified to accommodate the AUA	Maximum Encroachment: None Minimum Clearance: None
Architecture	Entrances	Oriented to street. Prioritization order of primary streets shall govern placement of entrances.	
	Style	Venice Historical Precedent ^b	
Parking	Placement	Side / Rear	
	Percentage of Minimum Parking Required	100%	
	Access	Side / Rear	
	Loading ^c	See Section 3.6.5: Design Standards	
South Trail Development Standard Table Notes:			
<p>^a <u>Height Exception</u>. Any Height Exception shall requires at a minimum a vertical mix of uses (residential, office, retail/commercial) with a maximum 85% of gross floor area dedicated to any singular use). Additional architectural features are required, which will be reviewed during the Height Exception application process.</p> <p>^b <u>Architecture</u>. As some parcels located in the South Trail district are also located within the Historic Venice or Venetian Theme Architectural Districts, new construction or substantial improvements may be subject to Section 7: Historic Architectural Preservation Controls and Standards.</p> <p>^c <u>Loading</u>. Loading/unloading is not permitted on Tamiami Trail.</p>			

Table 2.3.6. Airport Avenue Development Standards

Airport Avenue Development Standards Table

Standard		Measurement Requirement
Building Height		35' by right/57' through Height Exception Compliance with Airport Master Plan is required See also Ch. 333, F.S.
Building Placement	Front (Street)	10' / 25'
	Side	5' / 15'
	Rear	5' / 20'
Lot	Length (min)	100'
	Width (min)	50'
	Coverage (min/max)	35% / 75%
Building Frontage Requirement	% Requirement	60%
	Encroachments	Maximum Length: 25' or 50% of building frontage (whichever is lesser) Maximum Encroachment: 6' Minimum Clearance: 8'
	Active Use Area (AUA)	Maximum Length: 25' or 50% of building frontage (whichever is lesser) Maximum AUA Depth: 8'
	Entrances	Oriented to street
Architecture	Style	Venice Historical Precedent
	Blank Wall Area	Blank wall area is prohibited when the wall is adjacent to a street. Where applicable, design elements of the Venice Historic Precedent may be found in Sec. 7.10.6. through 7.10.7.
Parking	Placement	Side / Rear

	Percentage of Minimum Parking Required	100%
	Access	Side / Rear
	Loading	Follow standards in Sec. 7.43.6.5.G
Signage		See Table 5.2.1

Table 2.3.8. North Trail Gateway Development Standards

North Trail Gateway Development Standards Table		
Standard		Measurement Requirement
Building Height		57' by right 75' through Height Exception Subject to Section 4: Compatibility
Building Placement (min/max)	Front (Street)	0' / 150'
	Side	0' / 50'
	Rear/Waterfront	Not Required
Lot	Length (min)	50'
	Width (min)	25'
	Coverage (min/max)	5% / 75%
Building Frontage Requirement	% Requirement	25%
	Encroachments	Maximum Length: 25' or 50% of building frontage, whichever is lesser Maximum Encroachment: 6' Minimum Clearance: 8'
	Active Use Area (AUA)	Active Use Areas defined by/as Design Alternative. As part of Design Alternative request, building placement and building frontage requirements may be modified to accommodate the Active Use Area.

	Entrances	Oriented to Street
Architecture	Style	Not Restricted
	Blank Wall Area	Blank wall area is prohibited when the wall is adjacent to a street. Where applicable, design elements of the Venice Historic Precedent may be found in Sec. 7.10.6. through 7.10.7.
Parking	Placement	Front / Side / Rear
	Percentage of Minimum Parking Required	100%
	Access	Side / Rear
	Loading	See Section 3.6.5: Design Standards

Table 2.3.9. Laurel West Development Standards

Laurel West Development Standards Table		
Standard		Measurement Requirement
Building Height		46' by right 75' through Height Exception Subject to Section 4: Compatibility
Building Placement (min/max) ^a	Front (Street)	15' / 100'
	Side	10' / 50'
	Rear	10' / 50'
Lot	Length (min)	100'
	Width (min)	50'
	Coverage (min/max)	10% / 75%
Building	% Requirement	Not Restricted

Frontage Requirement	Encroachments	Maximum Length: 25' or 50% of building frontage, whichever is lesser Maximum Encroachment: 10' Minimum Clearance: 12'
	Active Use Area (AUA)	Active Use Areas defined by/as Design Alternative. As part of Design Alternative request, building placement and building frontage requirements may be modified to accommodate the Active Use Area.
	Entrances	Oriented to street. Direct pedestrian access is required from the public sidewalk to the primary street-facing entrance of the building.
Architecture	Style	The following Venice Historic Precedent standards are preferred: 7.10.3. Facades and Exterior Walls 7.10.5. Roofs 7.10.7. Other Building Features (2 or more categories A-D)
	Blank Wall Area	Blank wall area is prohibited when the wall is adjacent to a street. Where applicable, design elements of the Venice Historic Precedent may be found in Sec. 7.10.6. through 7.10.7.
Parking	Placement	Not restricted On-street parking may be permitted on internal streets
	Percentage of Minimum Parking Required	100%
	Access	Side or rear access to internal street only; access directly into parking from Laurel Road prohibited
	Loading	Side / Rear

Table 2.3.10. Laurel East Development Standards

Laurel East Development Standards Table		
Standard		Measurement Requirement
Building Height		35' by right 46' through Height Exception Subject to Section 4: Compatibility
Building Placement (min/max) ^a	Front (Street)	15' / 100'
	Side	10' / 50'
	Rear	10' / 50'
Lot	Length (min)	100'
	Width (min)	50'
	Coverage (min/max)	10% / 75%
Building Frontage Requirement	% Requirement	Not Restricted
	Encroachments	Maximum Length: 25' or 50% of building frontage, whichever is lesser Maximum Encroachment: 10' Minimum Clearance: 12'
	Active Use Area (AUA)	Active Use Areas defined by/as Design Alternative. As part of Design Alternative request, building placement and
		building frontage requirements may be modified to accommodate the Active Use Area.
	Entrances	Oriented to street. Direct pedestrian access is required from the public sidewalk to the primary street-facing entrance of the building.

Architecture	Style	The following Venice Historic Precedent standards are required: 7.10.3. Facades and Exterior Walls 7.10.5. Roofs 7.10.7. Other Building Features (2 or more categories A-D)
	Blank Wall Area	Blank wall area is prohibited when the wall is adjacent to a street. Where applicable, design elements of the Venice Historic Precedent may be found in Sec. 7.10.6. through 7.10.7.
Standard		Measurement Requirement
Parking	Placement	Not restricted. On-street parking may be permitted on internal streets.
	Percentage of Minimum Parking Required	100%
	Access	Side or rear access to internal street only; access directly into parking from Laurel Road prohibited.
	Loading	Side / Rear

Table 2.3.11. Knights Trail Development Standards

Knights Trail Development Standards Table		
Standard		Measurement Requirement
Building Height		35' by right 46' through Height Exception Subject to Section 4: Compatibility
Building Placement (min/max)	Front (Street)	15' / 100'
	Side	10' / 50'
	Rear	10' / 50'

Lot	Length (min)	100'
	Width (min)	50'
	Coverage (min/max)	10% / 75%
	% Requirement	Not Restricted
Building Frontage Requirement	Encroachments	Maximum Length: 25' or 50% of building frontage, whichever is lesser Maximum Encroachment: 6' Minimum Clearance: 8'
	Active Use Area (AUA)	Active Use Areas defined by/as Design Alternative. As part of Design Alternative request, building placement and building frontage requirements may be modified to accommodate the Active Use Area.
	Entrances	Oriented to street. Direct pedestrian access is required from the public sidewalk to the primary street-facing entrance of the building.
Architecture	Style	The following Venice Historic Precedent standards are required: 7.10.3. Facades and Exterior Walls 7.10.5. Roofs 7.10.7. Other Building Features (2 or more categories A-D)
	Blank Wall Area	Blank wall area is prohibited when the wall is adjacent to a street. Where applicable, design elements of the Venice Historic Precedent may be found in Sec. 7.10.6. through 7.10.7.
Parking	Placement	Not restricted. On-street parking may be permitted on internal streets.
	Percentage of Minimum Parking Required	100%
	Access	Side or rear access to internal street only; access directly into parking from Knights Trail prohibited where an alternative exists.

	Loading	See Section 3.6.5: Design Standards
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Table 2.3.12. Knights Trail Transitional District

Knights Trail Transitional Development Standards Table			
Standard		Measurement Requirement	
		Residential Uses	Non-Residential Uses
Building Height		35' by right 75' through Height Exception	
Building Placement (min)	Front (Street)	20'	20'
	Side	6' Minimum, 15' Combined	15'
	Rear	10'	15'
Lot	Length (min)	100 feet	N/A
	Width (min)	50 Feet	100 Feet
	Coverage (min/max)	10% minimum/75% maximum	
Building Frontage Requirement	% Requirement	N/A	N/A
	Encroachments	Maximum Length: 25' or 50% of Building Frontage (whichever is lesser) Maximum Encroachment: 6' Minimum Clearance: 8'	N/A
	Active Use Area (AUA)	Active Use Areas defined by/as Design Alternative. As part of Design Alternative request, building placement and building frontage requirements may be modified to accommodate the Active Use Area.	

	Entrances	Oriented to Street. Direct Pedestrian Access is Required from the Public Sidewalk to the Primary Street-Facing Entrance of the Building.
Architecture	Style	The following Venice Historic Precedent standards are preferred: 7.10.3. Facades and Exterior Walls 7.10.5. Roofs 7.10.7. Other Building Features (2 or more categories A-D)
	Blank Wall Area	Blank wall area is prohibited when the wall is adjacent to a street. Where applicable, design elements of the Venice Historic Precedent may be found in Sec. 7.10.6. through 7.10.7.
Parking	Placement	Not Restricted. On-street Parking may be permitted on internal streets.
	Percentage of Minimum Parking Required	100%
	Access	Side or rear access to internal street only.
	Loading	See Section 3.6.5: Design Standards

2.4.3. Residential Uses

For all residential uses, family shall be defined as one or more persons living together as a single housekeeping unit and occupying a single dwelling unit. There shall be a rebuttable presumption no family exists if there are more than six persons and none are related by law, blood, adoption, marriage, domestic partnership, or are not under judicial order for foster care living together in the same dwelling unit. Such presumption may be rebutted by the Director.

A. No change.

B. Single-Family Attached Dwelling

1. – 3. No change.

1. *Exclusions.* Villas and townhouses not on individual lots are considered under Two Family Dwelling/~~Duplex~~ Paired Villas or Multifamily Dwelling.

5. No change.

C. – L. No change.

3.1.9. Accessory Uses and Structures

A. No change.

B. General Standards.

1.- 6. No change.

7. No accessory structure or use shall be located in any ~~required~~ front yard, except statues, arbors, trellises, flagpoles thirty-five (35) feet or less in height, planters, porches, U.S. Postal Service authorized mailboxes, outdoor lighting, or similar structures. Parking and fences are also allowed in the required front yard, unless otherwise stated in other sections of this Code.

C.-F. No change.

3.5.4. Permitted Signs

A. General Applicability.

1. No change.

2. **Landscaping.** Ground signs shall be placed in a landscaped setting appropriate to the size and scale of the sign, and character of the site. Landscaping shall comply with Section 3.75: Landscaping.

3.-9. No change.

B. Permitted Sign Types

1.-4. No change.

5. Wall Signs



<p>1. Description</p>	<p>An on-premise sign attached directly to a building wall above the given store front place. A wall sign shall include murals conveying the name of a business or a commercial message. A wall sign shall not extend more than 18 inches from the building.</p>
<p>2. Location and Number</p>	<p>Wall signs shall be located on the supporting building wall directly above a business. Wall signs are not allowed to extend above the roof line or the parapet wall. <u>For multitenant buildings,</u> One one sign is allowed per tenant, unless a tenant is on the corner, in which case one sign per street frontage may be permitted.</p>

3. Size	<p><u>Multi-Tenant Buildings:</u></p> <p>A. 1.5 square feet for each linear foot of building or tenant frontage, maximum 150 square feet.</p> <p><u>Single Tenant Buildings greater than 60,000 square feet:</u></p> <p>A. One square foot per linear foot of building or tenant frontage, maximum 400 square feet.</p> <p><u>Single Tenant Buildings less than 60,000 square feet:</u></p> <p>A. 1.5 sq. ft. per linear foot of building frontage OR 150 sq. ft. total, whichever is less.</p>
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6.-8. No change.

C. No change.

Table 3.6.1. Parking Requirements by Use

PARKING REQUIREMENTS BY USE			
	MINIMUM REQUIRED	MAXIMUM ALLOWED	ADDITIONAL STANDARDS
RESIDENTIAL USE CLASSIFICATION			
Single Family Dwelling	1.0/Dwelling Unit	None	Exclusive of garage or parking structure, which shall not be included in minimum and maximum. Except for parking lots and residential driveways, parking in front yards, including on grass areas, shall be prohibited.
Two Family Dwelling/Duplex	1.0/Dwelling Unit	1.5/Dwelling Unit	Guest parking at a maximum of 10% of total parking count may be permitted. If above 10 dwelling units, Minimum Required shall be at a ratio of 0.75/Dwelling Unit.
Multifamily Dwelling	0.5 1.0/Dwelling Unit	2.0/Dwelling Unit	
Manufactured Home Dwelling	1.0/Dwelling Unit	2.0/Dwelling Unit	
Upper Story Residential Dwelling	0.5/Dwelling Unit	1.5/Dwelling Unit	
Assisted Living Facility	0.25/Bed	0.5/Bed	
Independent Living Facility	0.25/Dwelling Unit	0.50/Dwelling Unit	

Community Care Facility	0.25/Dwelling Unit	0.50/Dwelling Unit	
Day Care, Home (6 or Less Persons)	1.0 Dedicated Space	4.0 Dedicated Spaces	
Group Living	2.0/Dwelling Unit	4.0/Dwelling Unit	

Table 3.6.3. Parking Requirements by Use

CITY OF VENICE - PARKING REQUIREMENTS BY USE			
	MINIMUM REQUIRED	MAXIMUM ALLOWED	ADDITIONAL STANDARDS
COMMERCIAL USE CLASSIFICATION			
Retail Sales and Service (single user less than 65,000 square feet)	4.0/1,000 SF	6.0/1,000 SF	
Retail Sales and Service (single user 65,000 square feet or larger)	3.0/1,000 SF	6.0/1,000 SF	Shopping centers will be based on an aggregate of square feet, not uses, to determine required parking.
Gas Station with Convenience Store	2.0/1,000 SF	5.0/1,000 SF	
Car Wash	2.0/1,000 SF	4.0/1,000 SF	
Appliance Repair	2.0/1,000 SF	3.0/1,000 SF	
Laundromat	2.0/1,000 SF	3.0/1,000 SF	
Pawn Shops	2.0/1,000 SF	3.0/1,000 SF	
Car, Boat, Other Vehicle Sales and Rentals	2.5/1,000 SF	3.5/1,000 SF	
Minor Vehicle Service	3.0/1,000 SF	4.0/1,000 SF	
Sit Down Restaurant (Casual, Fine Dining)	6.0/1,000 SF	10.0/1,000 SF	Outdoor seating shall be included in square footage used for minimum and maximum parking.
Quick Service/Fast Food Restaurant	4 6.0/1,000 SF	10.0/1,000 SF	

Bar and Tavern	6.0/1,000 SF	10.0/1,000 SF	
Brewpub	6.0/1,000 SF	10.0/1,000 SF	
Microbrewery/Distillery	3.0/1,000 SF	8.0/1,000 SF	
Rooftop Dining	6.0/1,000 SF	10.0/1,000 SF	
Theater	1.0/3 Seats	1.0/2 Seats	Plus 50% of the required parking for any accessory uses open to the public.
Artist Studio	2.0/1,000 SF	3.0/1,000 SF	
LODGING, AS LISTED BELOW:			
Hotel	0.75/Room	1.25/Room	
Bed & Breakfast	0.5/Room Available To Rent	1.5/Room Available To Rent	
Day Center (More Than 6 Persons)	2.0/1,000 SF	4.0/1,000 SF	
Fitness, Athletic, Health Club	2.0/1,000 SF	3.0/1,000 SF	
Airport	Refer to Airport Master Plan		
Marina	1.0/4 Boat Slips	1.0/2 Slips	
Commercial Parking Lots	No dedicated parking is required		
Commercial Parking Structures	No dedicated parking is required		
Tattoo and Piercing Parlors	4.0/1,000 SF	6.0/1,000 SF	
Palmist and Fortune Tellers	4.0/1,000 SF	6.0/1,000 SF	
Taxidermists	4.0/1,000 SF	6.0/1,000 SF	

3.6.5. Design Standards

A. – F. No change.

G. Off-Street Loading/Unloading Facilities.

1. No change.

2. Loading/Unloading Spaces

~~a. **Design.** Service areas including loading/unloading spaces, or similar areas that serve commercial delivery trucks, semi-trailers, and similar vehicles that are not located within the interior of the building shall be designed to include screen walls, landscaping, and/or other treatments to limit the visibility of the service area to the adjacent boundary or public street.~~

~~b.~~ **a. Right-of-way.** Service areas shall be located outside of a public right-of-way when practicable and be indicated through signage.

~~c.~~ **b. Size.** The size of loading/unloading spaces may be adjustable based upon the needs of the use in a building. Loading and unloading space for vehicles which can fit in the minimum parking space size per the Code (10 feet width, 18 feet length) shall be the same size as the minimum parking space. For uses that require commercial delivery trucks or semi-trailers and similar vehicles which cannot fit into the minimum parking space size per the Code, loading/unloading spaces shall be made to accommodate the typical commercial delivery vehicle. The expected typical size of vehicles shall be included with any loading/unloading plan. Provisions shall be made to accommodate the range of anticipated vehicles.

3. No change.

3.7.6. Miscellaneous Landscaping

A. No change.

B. Landscaping Adjacent to Mechanical Equipment, Lift Stations, Services Areas and Dumpster Enclosures. The exterior of any service area, lift station, or dumpster enclosure shall be landscaped with:

1. No change.

2. An opaque solid fence or wall consistent with the requirements of Section 3.86: Fences, Walls, Berms and Retaining Walls, may be used to satisfy the planting requirements for these facilities provided such fence or wall is at least six (6) feet in height from grade and completely encloses the area.
3. No change.

4.2. Perimeter Buffer Types

A. – C. No change.

D. Permitted Items Within Buffers.

1. No change.
2. **Fences and Walls.** Required fences and walls shall be installed in accordance with Section 3.86: Fences, Walls, Berms, and Retaining Walls and shall be located inside the buffer. Required plant material shall be installed in front of any required fence so the required plant material is completely visible from the adjacent property or right-of-way. Consistent with Section 3.6 and with Chapter 89, no fence or wall shall exceed 500 linear feet in length without a minimum 25-foot break to allow for wildlife movement.
- 3.-4. No change.

E.-F. No change.

5.1.2. Applicability

- A. The provisions of this section shall apply to the following land use petitions:
1. No change.
 2. Conditional Use for the Attainable Housing Density Bonus; and
 3. No change.

5.2.2. Applicability

- A. **Transportation Impact Analysis Required.** The City shall review land development applications, including applications for rezones to planned districts, conditional uses for the attainable housing density bonus, site and development plans, and ~~subdivisions~~ preliminary

plats, for transportation impact, as provided in the City’s adopted Comprehensive Plan, City Code of Ordinances, and this LDR.

1. No change.

6.7. Residential Garage Sales

A. – B. No change.

C. **Garage Sale Standards.** Garage sales conducted in the city shall comply with the following standards:

1. – 3. No change.
4. Placement of temporary signs shall be subject to the standards contained in Section 3.5.3: Signs.

D. No change.

7.3. Manager of Historic Resources

A. **General Duties and Responsibilities.** The City Manager shall appoint a Historical Resources Manager (HRM) who shall serve as the City’s Historic Preservation Officer and provide needed expertise and advice to the HAPB on historic preservation matters. The HRM will be responsible for processing all National and Local Register applications, developing and maintaining the inventory of historic architectural properties, providing educational opportunities regarding historic preservation, and furthering public participation in local historic preservation and architectural programs. The HRM will also perform such other duties, activities, and reporting as necessary to help the City maintain a CLG designation.

B. No change.

7.7 Local Register and Landmarks

A. The City has a Local Register of Historical Resources (“Local Register”) which consists primarily of properties built during the John Nolen Era (1925-1929) and architecturally designed consistent with the Venice Historical Precedent style that the property owner

has requested be included on the Local Register. The benefits to the property owners include:

1.-5. No change.

6. They are exempt from fees normally required for building or development review permits.

B.-H. No change.

7.8.1. *Certificate of Architectural Compliance (CAC)*

A. No change.

B. Exceptions.

1.No CAC shall be required for the following:

a.-f. No change.

g. Structures in the VT District that are not constructed in the VHP style but are on the Local Register are subject to review by the Historical Resources Manager.

h. No change.

C. – G. No change.

CHAPTER 89 – ENVIRONMENTAL REGULATIONS

3.5.2. Required Best Management Practices

A.-B. No change.

C. Beyond the limits of the tree protection zone (TPZ), fill shall not be placed in a manner that restricts overland flow of stormwater runoff away from the TPZ. Proposed grades around each protected tree shall be shown on landscape plans or drainage engineering plans to illustrate how surface water will be conveyed away from the TPZ. In cases where overland flow away from the TPZ is not possible, a different method as determined by the project engineer or landscape architect, and approved by city staff, shall be required to ensure there is no ponding or saturated soil within the TPZ.

~~C.~~ D. Prior to commencing work and throughout the duration of the authorized activity, the owner, developer, contractor, or agent shall clearly mark with red flagging all trees proposed to be removed and shall erect barricades around all trees to be protected. The barricades must remain in place and be in good condition for the duration of the authorized activity. Protective barricades for protected trees shall be installed no closer than the outer edge of the designated TPZ of the tree. Barricades shall be placed no closer than three (3) feet from the trunk of palms. Barricades shall be constructed in a post and rail configuration or with orange barrier fencing and be no less than four (4) feet in height. The upright posts shall be a minimum of a two by two-inch (2"x2") wooden stake. Posts shall be implanted deep enough into the ground to be stable and extend a minimum height of four (4) feet above the ground. A minimum of a one (1) four-inch by one inch by eight feet (1"x 4"x 8') in length wooden board shall be used to connect the upright posts. The maximum distance allowed between upright posts is eight (8) feet. Silt barriers, hay or straw bales, or similarly effective erosion control barriers may be substituted and required in any area where erosion or siltation may cause damage to TPZ upon approval by the City Arborist. Barricades that result in greater protection may be substituted with the approval of the City Arborist. In all cases, the barriers must remain in place until the final finish grade is established at the end of the project or project phase, and all construction activity is completed. Damage to protection barriers and encroachments into the TPZ will be subject to the fines and penalties established in Section 3.1.4 and Section 3.7. Signs shall be posted at fifty (50) foot intervals for single trees or tree clusters of twenty (20) trees or less and; 100foot intervals for areas of more than twenty (20) trees; that clearly state potential fines and "*Tree Protection Area, Keep Out*".

~~D.~~ E. Throughout the duration of the authorized activity, the owner, developer, contractor, or agent shall not cause or permit the cleaning of equipment or material or the storage or disposal of debris, fill, waste materials such as paints, oils, solvents, asphalt, concrete, mortar, or any other material within any TPZ.

~~E.~~ F. No damaging attachment ropes or wires (other than supportive measures for a tree), signs, posters, handbills, tree permits, or other objects may be fastened to any tree except pursuant to authorization under the provisions of this section. No gaseous, liquid, equipment exhaust or solid substance which may be harmful to trees shall come into contact with any portion of the tree.

- ~~F.~~ G. Where elevation changes are proposed, within the TPZ, the applicant will be required to justify the need for the elevation change and install retaining walls and/or provide accommodations for drainage unless the applicant demonstrates that such protection would be impractical. Where elevation changes are proposed within the TPZ of any Protected tree as defined in Section 3.4.1, the applicant will be required to install retaining walls and/or provide accommodations for drainage unless the applicant demonstrates such protection would be impractical. These root protection measures shall be in place prior to the deposition of fill, or excavation of soil within the TPZ. Tree species' tolerances for grade changes, size and age will be considered when locating tree wells and retaining walls. Tree wells or retaining walls will be required as applicable when grade changes of more than six (6) inches are needed within more than twenty percent (20%) of the TPZ. Tree well and retaining wall distances from the face of the trunk range from three-quarters (0.75) feet for each one (1) inch DBH for a construction tolerant species to one- and one-half (1 ½) feet for each one (1) inch DBH of mature or less tolerant species. The applicant will be required to present a report bearing the signature of a Certified Arborist or Professional Landscape Architect with a statement of minimal impact design. The applicant may also request a pre-application meeting with the City Arborist before submitting a design. Retaining walls shall be built with posts or pilings, shallow and small footers or footers of stone or sand to lessen the impact of cut or compacted roots. In cases where grade changes can be accomplished with less than 20 percent (20%) of the CRZ being impacted, the change should be as gradual and as far from the trunk face as possible with no more than six (6) inches of fill over 20 percent (20%) of the TPZ. Under no circumstances will fill be allowed over the root plate.
- ~~G.~~ H. The City Arborist may conduct periodic inspections of the site during land clearing and construction to ensure compliance with this Chapter.
- ~~H.~~ I. The City Arborist may allow certain activities to be conducted within the barricaded TPZ, upon a determination that the tree will not be adversely affected, such as driveways, swimming pool decks, and patio pavers.
- ~~I.~~ J. If temporary equipment or vehicle access into the TPZ is required for construction activity, steps must be taken to protect the TPZ from compaction and damage. For short-term temporary access of three (3) weeks or less, a six (6) to twelve (12) inch layer of organic mulch in the area of encroachment shall be installed and maintained. For longer periods the

applicant will be required to install and maintain a four (4) inch layer of mulch and place three quarter (3/4) inch plywood on the mulch layer to create a path for equipment or vehicles. Under no circumstances should these access paths be placed on or where they may impact the root plate. The City Arborist shall be informed and approve of any alterations to the original approved Tree Protection Plan. Violations will be subject to fines and penalties as established in the schedule of fees and charges per this Section.

✚ K. The use of posts, pilings, or a similar system shall be used as the construction method for structures within the TPZ. Continuous footers and stem walls shall not be installed within the TPZ unless approved by the Director and/or Director's designee. These posts or pilings shall be engineered only as large as necessary to support the proposed structure. All efforts shall be made to reduce the impact to large roots and in no circumstances should the structure encroach on the root plate of a tree.

✚ L. No trenches are permitted within the TPZ without prior approval of the City Arborist. With approval of the City Arborist, hand dug trenches may be allowed and roots pruned cleanly as directed in "ANSI A (300) Part 8, Root Management Standard". All efforts should be made to bypass the TPZ with underground utilities and irrigation lines unless tunneling methods are used a minimum of thirty-six (36) inches below the existing grade.

✚ M. Soil Volumes - Required Soil Volumes for Trees
1.-4. No change.