

**ORDINANCE NO. 2023-24**

**AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE 2017-2027 COMPREHENSIVE PLAN PURSUANT TO PETITION NO. 23-31CP BY AMENDING STRATEGY HG 1.5.2 TARGETED ATTAINABLE HOUSING LOCATIONS, AND TABLE HG-2 ATTAINABLE HOUSING – MAXIMUM DENSITY (DWELLING UNITS PER GROSS ACRE) WITH DENSITY BONUS, TO ALLOW AN ATTAINABLE HOUSING DENSITY BONUS FOR THE MODERATE DENSITY FUTURE LAND USE DESIGNATION (RESIDENTIAL MULTI-FAMILY ZONING DISTRICTS ONLY); PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

**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**, the City of Venice adopted the 2017-2027 Comprehensive Plan on November 28, 2017 in accordance with said Act; and

**WHEREAS**, the City desires to allow an attainable housing density bonus for the Moderate Density future land use designation (Residential Multi-Family zoning districts only); and

**WHEREAS**, Chapter 87 of the City Code of Ordinances designates the City of Venice Planning Commission as the local planning agency; and

**WHEREAS**, the City of Venice Planning Commission held a duly noticed public hearing on June 6, 2023, and based upon review of the application materials, staff report, and testimony provided during the public hearing, recommended that City Council approve Petition No. 23-31CP; and

**WHEREAS**, the City Council has received and considered the report of the Planning Commission concerning Petition No. 23-31CP; and

**WHEREAS**, on July 11, 2023, the City Council, after due public notice, held a public hearing on Petition No. 23-31CP and approved, on first reading, the transmittal of the comprehensive plan amendments to the Department of Economic Opportunity, as the state land planning agency, for review; and

**WHEREAS**, no reviewing agency has identified any adverse impacts to important state resources and facilities within their authorized scope of review if the comprehensive plan amendments are adopted; and

**WHEREAS**, on September 12, 2023, the Venice City Council, after due public notice, held a second public hearing on Petition No. 23-31CP and determined it complies with the requirements of the Act.

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

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

**SECTION 2:** Strategy HG 1.5.2 Targeted Attainable Housing Locations, and Table HG-2 Attainable Housing – Maximum Density (dwelling units per gross acre) with Density Bonus, of the City of Venice 2017-2027 Comprehensive Plan are hereby amended as shown on the revised pages of the Comprehensive Plan attached hereto as Exhibit “A” and incorporated herein by reference.

**SECTION 3.** All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed to the extent of the conflict.

**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.** The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after adoption. 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.

**PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 12<sup>TH</sup> DAY OF SEPTEMBER 2023.**

First Reading: July 11, 2023  
Second Reading: September 12, 2023

**ADOPTION:** September 12, 2023

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Nick Pachota, Mayor

**ATTEST:**

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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 12th day of September 2023, a quorum being present.

**WITNESS** my hand and the official seal of said City this 12th day of September 2023.

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Kelly Michaels MMC, City Clerk

Approved as to form:

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Kelly Fernandez, City Attorney