

ORDINANCE NO. 2022-06

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE 2017-2027 COMPREHENSIVE PLAN PURSUANT TO PETITION NO. 21-64CP BY AMENDING STRATEGY LU 4.1.1 TRANSITIONAL LANGUAGE SPECIFIC TO COMPREHENSIVE PLAN REGULATORY LANGUAGE, FIGURE LU-13: PLANNING AREAS SUMMARY, TO ALLOW A MAXIMUM BUILDING HEIGHT FOR THE GCCF PLANNED UNIT DEVELOPMENT (PUD) OF 55 FEET IF GRANTED BY CITY COUNCIL IN THE SOUTH LAUREL NEIGHBORHOOD (PLANNING AREA I); 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, Petition No. 21-64CP, submitted by The NRP Group, is seeking to amend the text in Strategy LU 4.1.1 Transitional Language Specific to Comprehensive Plan Regulatory Language, Figure LU-13: Planning Areas Summary, of the 2017-2027 Comprehensive Plan to eliminate the 42 feet maximum building height limitation from the South Laurel Neighborhood (Planning Area I); and

WHEREAS, Chapter 86 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 February 15, 2022, to review the proposed comprehensive plan amendment, and recommended approval to City Council of Comprehensive Plan Amendment Petition No. 21-64CP with the addition that the maximum building height of the GCCF PUD may be up to 55 feet if granted by City Council, and un-striking the 42 feet; and

WHEREAS, on March 22, 2022, the City Council held a public hearing on the proposed comprehensive plan amendment and approved the transmittal of the amendment to the Department of Economic Opportunity as the state land planning agency for review; and

WHEREAS, on _____, 2022, the Venice City Council, after due public notice, held a second public hearing on the proposed comprehensive plan amendment and determined it necessary and desirable, in order to protect the public health, safety and welfare, to adopt said amendment to the Comprehensive Plan.

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: The City of Venice Comprehensive Plan is hereby amended to modify Strategy LU 4.1.1, Figure LU-13 to allow a maximum building height for the GCCF PUD of 55 feet in the South Laurel Neighborhood (Planning Area I), as shown on the revised Comprehensive Plan pages 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. Effective date. 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 ____ DAY OF ____
2022.**

First Reading: March 22, 2022

Second Reading: _____, 2022

ADOPTION: _____, 2022

Ron Feinsod, 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 ____ day of _____ 2022, a quorum being present.

WITNESS my hand and the official seal of said City this ____ day of _____ 2022.

Kelly Michaels, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney

Transitional Strategies (Policies) and the Land Development Code

Vision LU 4 - Land Development Code and Transition Issues

Intent LU 4.1 - Land Development Code and Transition Strategies

The City realizes that certain Policies adopted in the 2010 City of Venice Comprehensive Plan have been amended which included regulatory language and served as the basis for development applications.

Strategy LU 4.1.1 - Transitional Language specific to Comprehensive Plan regulatory language

The City shall adopt standards in the Land Development Code which regulate building height, architectural standards, and compatibility. Until such time as the Land Development Code is amended, the development standards included within the 2010 Comprehensive Plan shall continue to be applied as follows:

Planning Areas

The following Figure LU-13 provides a summary of the building height and architectural style standards from the 2010 Comprehensive Plan.

Figure LU-13: Planning Areas Summary

Planning Area	Maximum Building Height (feet)	Required Architectural Type
Tarpon Center/Esplanade Neighborhood (Planning Area A)	SubArea 1: 45' SubArea 2: 42'	Northern Italian Renaissance and Mediterranean Revival
Heritage Park Neighborhood (Planning Area B)	42'	Northern Italian Renaissance
Southern Gateway Corridor (Planning Area C)	42'	Northern Italian Renaissance
Island Professional Neighborhood (Planning Area D)	42'	Northern Italian Renaissance
City Center Sector (Planning Area E)	CBD Zoning District: 35' All Others: 42'	Venetian Theme Historic buildings and their architectural styles should be preserved.
Northern Gateway Corridor (Planning Area F)	45'	Northern Italian Renaissance
Seaboard Sector (Planning Area G)	42'	Northern Italian Renaissance
Eastern Gateway Corridor (Planning Area H)	42'	Northern Italian Renaissance Historic buildings and their architectural styles should be preserved.
South Laurel Neighborhood (Planning Area I)	42'	Northern Italian Renaissance
	For areas zoned to a City of Venice zoning designation prior to May 1, 2009, the	For areas zoned to a City of Venice zoning designation prior to May 1, 2009, the



	maximum height will not exceed the maximum building height previously approved through such rezoning. <u>The maximum building height of the GCCF PUD may be up to 55' if granted by City Council.</u>	architectural design style will be consistent with designs previously approved through such rezoning.
Shakett Creek Neighborhood (Planning Area J)	42'	Northern Italian Renaissance or Northern Mediterranean
Knights Trail Neighborhood (Planning Area K)	SubAreas 1, 2, 3: 42' SubArea 4: 45'	Northern Italian Renaissance or Northern Mediterranean
Gene Green Neighborhood (Planning Area L)	N/A	N/A

Note: See Appendix for Planning Area Maps. The 2010 Future Land Use Map is provided for the identification and location of the Planning Areas only.

Policy 8.2 Land Use Compatibility Review Procedures. Ensure that the character and design of infill and new development are compatible with existing neighborhoods. Compatibility review shall include the evaluation of the following items with regard to annexation, rezoning, conditional use, special exception, and site and development plan petitions:

- A. Land use density and intensity.
 - B. Building heights and setbacks.
 - C. Character or type of use proposed.
 - D. Site and architectural mitigation design techniques.
- Considerations for determining compatibility shall include, but are not limited to, the following:
- E. Protection of single-family neighborhoods from the intrusion of incompatible uses.
 - F. Prevention of the location of commercial or industrial uses in areas where such uses are incompatible with existing uses.
 - G. The degree to which the development phases out nonconforming uses in order to resolve incompatibilities resulting from development inconsistent with the current Comprehensive Plan.
 - H. Densities and intensities of proposed uses as compared to the densities and intensities of existing uses.

Potential incompatibility shall be mitigated through techniques including, but not limited to:

- I. Providing open space, perimeter buffers, landscaping and berms.
- J. Screening of sources of light, noise, mechanical equipment, refuse areas, delivery and storage areas.
- K. Locating road access to minimize adverse impacts.
- L. Adjusting building setbacks to transition between different uses.
- M. Applying step-down or tiered building heights to transition between different uses.
- N. Lowering density or intensity of land uses to transition between different uses.

Policy 8.5 Site Plan Design and Architectural Review Procedures. Implement the City's architectural and design standards by working with the applicant to ensure that community architectural standards have been addressed. The site plans are

