

## Errors

Page	Section	Change	Need/Justification
<b>2-10</b>	Ch. 87, Tables 2.3.3-2.3.5.1, 2.3.8- 2.3.11	References to Sec. 4: Compatibility in the Height row should be removed	Section 4 no longer has any regulations specific to height
<b>2-10</b>	2.3.4 2.3.5.1 2.3.6 2.3.8-12	“lesser” should be “less” in the Building Frontage row	Grammatical error
<b>11</b>	Ch. 87, Table 2.3.6	The Loading reference should be 3.6.5.G, not 7.4, and the Signage row should be removed	Loading reference is a typo; no other table has a signage row so this is removed for consistency (this row only provided a reference, no regulatory content)
<b>12</b>	Ch. 87, Sec. 2.4.3.B.4	The word “duplex” should be exchanged for the term “paired villas”	Consistency with the definition in 2.4.3.B.5
<b>13</b>	Ch. 87, Sec. 3.1.9.B.7	Removed the word “required”	Causes unnecessary confusion. The area defined as a “front yard” for any given property may be larger than the minimum requirement but still subject to this code. Accessory structures would not be allowed in front of the primary structure, regardless of yard size.
<b>14</b>	Ch. 87, Sec. 3.5.4.A.2	Landscape reference should be 3.7, not 3.5	Typo (sections were rearranged and the reference was not updated)
<b>15</b>	Ch. 87, Sec. 3.7.6.B.2	The reference to Fences, Walls, and Berms in 3.6 should be 3.8	The referenced section moved
<b>16</b>	Ch. 87, Sec. 4.2.D.2	The reference to Fences, Walls, and Berms in 3.6 should be 3.8	The referenced section moved
<b>17</b>	Ch. 87, Sec. 6.7.C.4	The reference to temporary sign code should be 3.5.3	The reference was incorrect
<b>18-19</b>	Ch. 87, Sec. 7.3.A & 7.8.1.G	“Historic Resources Manager” should be updated to “Historical Resources Manager”	This matches the City’s job description for the position

Table 2.3.3. Venice Avenue Development Standards

Venice Avenue Development Standards Table		
Standard		Measurement Requirement
<b>Building Height (max)</b>		35'
		45' through Height Exception
<b>Building Placement (min/max) <sup>a</sup></b>	Front (Street)	0' / 2'
	Side	0' / 2'
	Rear	0' / 20'
	Waterfront	20'
<b>Lot</b>	Length (min)	100'
	Width (min)	25'
	Coverage (min/max)	75% / 100%
<b>Building Frontage Requirement</b>	% 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.
<b>Architecture <sup>b</sup></b>	Style	Venice Historical Precedent
<b>Parking</b>	Placement	Rear. Side may be permitted through a Design Alternative
	Percentage of Minimum Parking Required	No parking required
	Access	Rear
	Loading <sup>c</sup>	No loading required
<b>Venice Avenue Development Standards Table Notes</b>		
<p><sup>a</sup> <b>Building Placement.</b> 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.</p> <p><sup>b</sup> <b>Architecture.</b> 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.</p> <p><sup>c</sup> <b>Loading.</b> 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.</p>		

Table 2.3.4. Downtown Edge Development Standards

Downtown Edge Development Standards Table		
Standard		Measurement Requirement
<b>Building Height</b>		35' by right 75' through Height Exception <sup>a</sup>
<b>Building Placement (min/max) <sup>b</sup></b>	Front (Street)	0' / 20'
	Side	0' / 10'
	Rear	0' / 20'
	Waterfront	20'
<b>Lot</b>	Length (min)	100'
	Width (min)	50'
	Coverage (min/max)	50% / 75% 100% coverage permitted if parking structure is provided
<b>Building Frontage Requirement</b>	% Requirement	80%
	Encroachments	Maximum Length: 25' or 50% of building frontage, whichever is less 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.
<b>Architecture <sup>c</sup></b>	Style	Venice Historical Precedent
<b>Parking</b>	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 <sup>d</sup>	See Section 3.6.5: Design Standards
<b>Downtown Edge Development Standards Table Notes</b>		

<sup>a</sup> **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.

<sup>b</sup> **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.

<sup>c</sup> **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.

<sup>d</sup> **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	
<b>Building Height</b>		35' by right 57' through Height Exception <sup>a</sup>	
<b>Building Placement (min/max)</b>		<b>Subarea 1. North of Milan</b>	<b>Subarea 2. South of Milan</b>
	Front (Street)	5' / 25'	5' / 90'
	Side	0' / 15'	0' / 50'
	Rear	0' / 20'	0' / 75'
	Waterfront	N/A	20'
<b>Lot</b>	Length (min)	100'	
	Width (min)	50'	
	Coverage (min/max)	35% / 75%	
<b>Building Frontage Requirement</b>	% Requirement	75%	
	Encroachments	Maximum Length: 25' or 50% of Building Frontage (whichever is less)	Maximum Length: None
		Maximum Encroachment: 6'	Maximum Encroachment: None
		Minimum Clearance: 8'	Minimum Clearance: None
	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.		

<b>Architecture</b>	Style	Venice Historical Precedent <sup>b</sup>
<b>Parking</b>	Placement	Side / Rear
	Percentage of Minimum Parking Required	100%
	Access	Side / Rear
	Loading <sup>c</sup>	See Section 3.6.5: Design Standards
<b>South Trail Development Standard Table Notes</b>		
<p><sup>a</sup> <b>Height Exception.</b> 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><sup>b</sup> <b>Architecture.</b> 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><sup>c</sup> <b>Loading.</b> Loading/unloading is not permitted on Tamiami Trail.</p>		

Table 2.3.8. North Trail Gateway Development Standards

<b>North Trail Gateway Development Standards Table</b>		
<b>Standard</b>		<b>Measurement Requirement</b>
<b>Building Height</b>		57' by right 75' through Height Exception
<b>Building Placement (min/max)</b>	Front (Street)	0' / 150'
	Side	0' / 50'
	Rear/Waterfront	Not Required
<b>Lot</b>	Length (min)	50'
	Width (min)	25'
	Coverage (min/max)	5% / 75%
<b>Building Frontage Requirement</b>	% Requirement	25%
	Encroachments	Maximum Length: 25' or 50% of building frontage, whichever is less 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

<b>Architecture</b>	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.
<b>Parking</b>	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
<b>Building Height</b>		46' by right 75' through Height Exception
<b>Building Placement (min/max) <sup>a</sup></b>	Front (Street)	15' / 100'
	Side	10' / 50'
	Rear	10' / 50'
<b>Lot</b>	Length (min)	100'
	Width (min)	50'
	Coverage (min/max)	10% / 75%
<b>Building Frontage Requirement</b>	% Requirement	Not Restricted
	Encroachments	Maximum Length: 25' or 50% of building frontage, whichever is less 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.
<b>Architecture</b>	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.
<b>Parking</b>	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
<b>Building Height</b>		35' by right 46' through Height Exception
<b>Building Placement (min/max)<sup>a</sup></b>	Front (Street)	15' / 100'
	Side	10' / 50'
	Rear	10' / 50'
<b>Lot</b>	Length (min)	100'
	Width (min)	50'
	Coverage (min/max)	10% / 75%
<b>Building Frontage Requirement</b>	% Requirement	Not Restricted
	Encroachments	Maximum Length: 25' or 50% of building frontage, whichever is less 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.
<b>Architecture</b>	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.
<b>Standard</b>		<b>Measurement Requirement</b>
<b>Parking</b>	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

<b>Knights Trail Development Standards Table</b>		
<b>Standard</b>		<b>Measurement Requirement</b>
<b>Building Height</b>		35' by right 46' through Height Exception
<b>Building Placement (min/max)</b>	Front (Street)	15' / 100'
	Side	10' / 50'
	Rear	10' / 50'
<b>Lot</b>	Length (min)	100'
	Width (min)	50'
	Coverage (min/max)	10% / 75%
<b>Building Frontage Requirement</b>	% Requirement	Not Restricted
	Encroachments	Maximum Length: 25' or 50% of building frontage, whichever is less 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.
<b>Architecture</b>	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.
<b>Parking</b>	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

Table 2.3.12. Knights Trail Transitional District

<b>Knights Trail Transitional Development Standards Table</b>			
<b>Standard</b>		<b>Measurement Requirement</b>	
		<b>Residential Uses</b>	<b>Non-Residential Uses</b>
<b>Building Height</b>		35' by right  75' through Height Exception	
<b>Building Placement</b>	Front (Street)	20'	20'
<b>(min)</b>	Side	6' Minimum, 15' Combined	15'
	Rear	10'	15'
<b>Lot</b>	Length (min)	100 feet	N/A
	Width (min)	50 Feet	100 Feet

	Coverage (min/max)	10% minimum/75% maximum	
<b>Building Frontage Requirement</b>	% Requirement	N/A	N/A
	Encroachments	Maximum Length: 25' or 50% of Building Frontage (whichever is less)  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.	
<b>Architecture</b>	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.	
<b>Parking</b>	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	

Table 2.3.6. Airport Avenue Development Standards

Airport Avenue Development Standards Table		
Standard		Measurement Requirement
<b>Building Height</b>		35' by right/57' through Height Exception Compliance with Airport Master Plan is required See also Ch. 333, F.S.
<b>Building Placement</b>	Front (Street)	10' / 25'
	Side	5' / 15'
	Rear	5' / 20'
<b>Lot</b>	Length (min)	100'
	Width (min)	50'
	Coverage (min/max)	35% / 75%
<b>Building Frontage Requirement</b>	% Requirement	60%
	Encroachments	Maximum Length: 25' or 50% of building frontage (whichever is less) 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
<b>Architecture</b>	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.
<b>Parking</b>	Placement	Side / Rear
	Percentage of Minimum Parking Required	100%
	Access	Side / Rear
	Loading	Follow standards in Sec. 3.6.5.G

## **B. Single-Family Attached Dwelling**

- 1. *Characteristics.*** A dwelling unit that is physically attached to one or more units, with each unit on its own lot. Parking, open space, recreation features, and the like may or may not be part of a larger tract under common ownership by the landowners of the individual lots.
- 2. *Accessory Uses.*** Accessory uses commonly found are similar to those in single-family detached or two-family dwellings, including recreational facilities, parking of autos for the occupants, pools, piers and docks, home occupations, and family day care homes (6 or fewer children). Noncommercial plant nurseries, greenhouses, private garages, tool houses and garden sheds, garden work centers, children's play areas and play equipment, private barbecue pits, private swimming pools, private docks and the like are also permitted as accessory uses.
- 3. *Examples.*** Examples include paired villas and townhouses on individual lots.
- 4. *Exclusions.*** Villas and townhouses not on individual lots are considered under Two-Family Dwelling/Paired Villas or Multifamily Dwelling.
- 5. *Use Standards.***
  - a.** In RSF-1, -2, and -3 zoning districts, single-family attached dwellings must meet the required lot size in the applicable zoning district for each unit.
  - b.** In RSF-4 and RMF-1, -2, and -3 zoning districts, individual lots for single-family attached dwellings must meet a minimum lot width of thirty (30) feet and a maximum lot coverage of sixty-five (65) percent.
  - c.** All accessory uses shall be clearly incidental to permitted single-family use.
  - d.** Pools and accessory uses and structures with a roof impervious to weather shall not be located in required front yards.
  - e.** Home occupations may have up to two employees or independent contractors, not including remote employees, who reside outside the home in which the business is located. Parking, exterior modifications, conducting of retail transactions, and mitigation of potential nuisances must be conducted in accordance with F.S. § 559.955. A home occupation shall be subject to all applicable City occupational license and other business taxes.

### 3.1.2. *Accessory Uses and Structures*

- A. Purpose and Intent.** Accessory uses and structures are defined as uses and structures which are typically incidental and subordinate to the principal use or structure and unless otherwise provided, on the same premises. "On the same premises" shall be construed as meaning on the same lot or on a contiguous lot in the same ownership. Typical examples of accessory structures include, but are not limited to, swimming pools, spas, sheds, gazebos, shade structures, and similar structures. Where a building is structurally attached to the principal building, it shall be considered a part of the principal building, and not an accessory building.
- B. General Standards.**
1. Permitted accessory uses and structures are those customarily associated with the permitted uses within the zoning district and are not intended to allow for accessory uses and structures that are not consistent with the district's purpose and intent. Accessory uses and structures must be located on the same property/parcel as the principle use for which they are intended.
  2. Except as otherwise provided in this Code, no accessory use or structure shall be approved, established, or constructed, before the principal use or structure is approved, established or constructed.
  3. No accessory structure shall be occupied or utilized unless the principal structure, to which it is accessory, is occupied or utilized.
  4. All accessory uses shall be designed to serve primarily the residents, customers, guests, or employees of the principal use with which they are associated.
  5. If an accessory building shares a structural wall with a principal building, it shall be deemed to be a part of the principal building and shall comply in all respects with the requirements of this Code applicable to the principal building.
  6. No accessory structure or use may be located in a utility easement, right-of-way, drainage easement, or visibility triangle.
  7. No accessory structure or use shall be located in any 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.

### *3.5.4. Permitted Signs*

#### **A. General Applicability.**

- 1. Design.** Permitted signs are defined in this section with standards provided. All signs shall be constructed in a professional manner and shall be architecturally consistent with the buildings they identify. Signs shall be or appear to be constructed of stone, masonry, metal, ceramic, glass, plastic, or wood. Fluorescent, metal flake or iridescent colors are prohibited. Ground signs shall include base, cap and column in their design.
- 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 3.7: Landscaping.

### 3.7.6. *Miscellaneous Landscaping*

- A. Landscaping Adjacent to Right-of-Way without Off-Street Parking.** Perimeter standards for development without off-street parking areas adjacent to a right-of-way shall meet the following requirements:
1. A minimum of one canopy tree per thirty-five (35) linear feet (or portion thereof), on center, shall be planted along the right-of-way. See also Chapter 89 for canopy tree requirements.
  2. A continuous hedge comprised of shrubs planted not more than thirty-six (36) inches, on center, shall be planted along the right-of-way. Species must be of sufficient type to achieve a mature height of five (5) feet from grade.
  3. Where perimeter buffers are required per Section 4.3, the right-of-way buffer shall be credited toward the perimeter buffer requirement along the portion of the lot line parallel to the to the right-of-way buffer. If the perimeter buffer is more intense than the right-of-way buffer, the required components of the right-of-way buffer are not required.
- 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. A minimum of one (1) shrub for every three linear feet, on center, and one (1) small understory tree for every 35 linear feet. Maximum growth height shall not exceed eight (8) feet or conflict with existing trees or utilities.
  2. An opaque solid fence or wall consistent with the requirements of Section 3.8: 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. Landscaping and or walls/fences shall be installed no less than three (3) feet from the equipment, service area, or dumpster enclosure to allow for access, maintenance and required air flow.

## 4.2. Perimeter Buffer Types

- A. Perimeter Buffer Area Standards.** This section describes minimum perimeter buffering standards. A *Perimeter Buffer Area* (i.e. buffer) is determined exclusive of any required yard; however, perimeter buffers may be located in required yards.
- B. Intent.** Perimeter buffer areas shall consist of a landscaped buffer intended to mitigate and screen the property from adjacent properties and public right-of-way. No buildings, structures, or principal or accessory uses are allowed in the buffer unless otherwise specified in this section.
- C. Location.** Perimeter buffers begin at the property line. Where there is a perimeter easement (such as a drainage or utility easement) that does not allow for the installation of the buffer, then the required buffer shall be placed as close to the property line, adjacent to the easement, as possible.
- D. Permitted Items Within Buffers.**
  - 1. Plant Material.** Required plant material, including ground cover and lawn grasses, shall be planted within the buffer. Plant material may be planted parallel to the buffer perimeter or may be meandered for aesthetic purposes. Required plant material shall be planted in accordance with this section and Section 3.5. Buffers may incorporate greater width and additional plant materials. Perimeter buffer standards for each buffer type are defined in 4.2.E and are illustrated in Section 4.2.F.
  - 2. Fences and Walls.** Required fences and walls shall be installed in accordance with Section 3.8: Fences, Walls, Berms, and Retaining Walls and shall be located inside the buffer.



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

1. Garage sales shall be allowed in residential districts as defined in Section 2: Zoning.
2. Any one address in a residential district shall have no more than four (4) garage sales during a calendar year and the duration of such garage sales shall not exceed three (3) consecutive days.
3. Garage sales shall be open to the public no earlier than 7:00 a.m. and no later than 6:00 p.m.
4. Placement of temporary signs shall be subject to the standards contained in Section 3.5.3: Signs.

## 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.

### 7.8.1. Certificate of Architectural Compliance (CAC)

#### **A. Applicability.**

1. A CAC is required for the following within the HV and VT districts:
  - a. All new structures, including accessory structures.
  - b. New carports and canopies.
  - c. Any exterior alteration to a street or alley facing elevation which requires a building permit, unless exempted by this section.
  - d. When there is an alteration to a facade or elevation that requires a CAC (excluding a minor alteration where a minor alteration is \$7,500 or less to construct, not including design and permit fees), then the entire elevation or facade shall be brought into compliance with the regulations. Other elevations or facades are not required to be brought into compliance at that time.
  - e. Any color change to a nonresidential or multifamily residential structure. For properties within the HV District, color changes for single family and single family attached structures must comply with the colors of the VHP but are not required to obtain a CAC. For properties within the VT District, color regulations do not apply to single family and attached single family structures.
2. A CAC will also be required for all Nolen-Era properties included on the Local Register.

#### **B. Exceptions.**

1. No CAC shall be required for the following:
  - a. Detached single family and attached single family residential properties in the VT District not on the Local Register.
  - b. Minor maintenance and repair work where such work does not require a building permit in either the HV or VT District.

- c.** Accessory structures that are screened to adjoining properties or rights-of-way with a wall or fence or intervening principal structure.
- d.** Screened enclosures where such enclosures are screened by a fence or wall from adjacent rights-of-way.
- e.** Actions required to repair damage to a structure caused by natural forces, fire, or other events beyond the control of the owner unless the total cost of the repairs (which include material and labor) exceeds 50 percent of the market value of the structure as it existed prior to the damage as determined by the Sarasota County Property Appraiser or as determined by a more recent appraisal.
- f.** Replacement of only windows and doors provided there is no change in the size of the openings and provided the replacement doors and windows comply with the VHP.
- 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.** The Director or designee shall determine whether an exception applies and may defer such a decision to the HAPB.

## Clarifications

Page	Section	Change	Need/Justification
<b>21</b>	Ch. 87, Sec. 1.1.2.M.1	Adding “except those proposed for Chapter 88” to clarify the review authority for LDR text amendments	Amendments to Ch. 88 are not subject to Planning Commission Review
<b>22</b>	Ch. 87, Sec. 3.5.4.B.5	The phrase “for multitenant buildings” should be added to the Location and Number row of the table for wall signage	This provision is specific to multitenant scenarios, and without this clarification the wording has caused reviewers confusion when looking at single user buildings
<b>23-32</b>	Ch. 87, Sec. 1.2, 1.7.3, 1.8.4, 1.9.3, 1.10.1 & Sec. 5.1.2 and 5.2.2	Concurrency and Traffic Study requirements should be removed from Common Application Requirements and placed in the specific requirements for the appropriate application types (RZ to Planned Districts, PP, SD, CU for attainable housing). Some wording has been edited for clarity in Sec. 5 to reflect these changes as well.	Having these items on other applications where they are irrelevant may cause confusion for applicants and is unnecessary overall. The Code clearly defines where these items should be considered.

**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, LDR Text Amendments except those proposed for Chapter 88, and on quasi-judicial Zoning Map Amendments.
- 2. Final Decision Authority.** The Commission shall, in public hearings, have final decision authority for Preliminary Plat, Site and Development Plan, Conditional Use, Design Alternative, and Variance applications.
- 3. Appeals from Decisions of Planning Commission.** Wherever in this code the Commission is required to make a final decision, such decision may be appealed to Council in accordance with the provisions of this chapter.

## 1. 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. For multitenant buildings, 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>
<p>3. Size</p>	<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>

## 1.2. Common Review Procedures

- A. Applicability.** The requirements below are common to all applications contained in this Section. Additional provisions may also be required as specified in each application.
- B. Schedule of Fees.** Council shall establish, and may amend, a schedule of fees and charges for matters pertaining to this chapter by resolution. It is the intent of this chapter that the City shall not be required to bear any part of the cost of applications or petitions under this chapter and that the fees and charges represent the actual costs involved in the processing of petitions for development approval and directly associated expenses including, but not limited to, advertising, mailing and professional and legal fees.
- 1. Review Deposit.** For the review and processing of the applications described in this LDR, in addition to the non-refundable application fee, a review deposit shall be submitted to the Planning and Zoning Department by the applicant to be drawn upon by the City as payment for advertising and mailing expenses, professional services and reviews, and legal fees pertaining to the review and processing of the application. This deposit shall be payable at the time of filing of the application. The application shall not be reviewed or processed by the City or presented to the Commission or Council until such time as the application fees and review deposit have been paid in full. When the account balance for a particular application is reduced to 25 percent of the review deposit, a supplemental fee shall be required to be paid before any further review and processing of the application continues, unless the City Clerk's office and Planning and Zoning Department determine that the remaining amount is adequate to secure payment for the remaining costs. Otherwise, the Director shall notify the applicant, in writing, that the review and processing of the application will cease unless an additional amount equal to 50 percent of the review deposit, or more if deemed necessary by the Director, is provided by the applicant within five days from the date of mailing said notice. This process shall be repeated each time the account balance is reduced to 25 percent of the review deposit.
    - a.** Upon completion of the review and processing of the application, any sums remaining in the account shall be refunded to the applicant. Similarly, if the application is withdrawn by the applicant, the applicant shall be eligible for a refund of the review deposit paid minus the directly associated expenses as determined by the Director. No interest shall be paid to the applicant on the review deposit or the amount refunded.
  - 2. Fee Increases.** The schedule of fees and charges shall be automatically increased by two and one-half percent each October 1 to account for the rate of inflation.
- 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

## 1.5. Future Land Use Map and/or Text Amendments (Legislative Application)

### 1.5.1. Purpose and Intent

- A. A Comprehensive Plan map amendment is the process to modify the future land use of a property as designated in the Comprehensive Plan or as may be necessary to designate the future land use for properties annexed into the City. A Comprehensive Plan text amendment is the process to modify the Visions, Intents, and/or Strategies of the Comprehensive Plan. All amendments to the Comprehensive Plan shall be consistent with F. S. § 163.3177 and with the overall Visions, Intents, and Strategies of the Plan. All Comprehensive Plan amendments are processed in accordance with F.S. § 163.3184 and 163.3187.

### 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. All data, maps, and text required to meet the submittal requirements for a Comprehensive Plan amendment as defined in F.S. § 163.3177. Data, maps, and text must be provided in strikethrough/underline format and in an editable electronic format.
  2. Applicant responses to F.S. § 163.3177(6)(a)(2), F.S. § 163.3177(6)(a)(8), and F.S. § 163.3177(6)(a)(9).
  3. Narrative justification for the future land use map amendment and its consistency with the Comprehensive Plan.



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. Any additional information deemed necessary by the Zoning Administrator to conduct a full analysis of the impact of the proposed amendment on the Comprehensive Plan.
6. Any amendment to create a new future land use designation shall be supported by additional data and analysis in accordance with F.S. § 163.3177.

### *1.7.3. Planned District Zoning Amendments*

**A. Purpose and Intent.** The planned district zoning district shall be utilized to promote efficient and economical land use, appropriate and harmonious variety in physical development, creative design, and the protection of adjacent and nearby existing and future city development. Regulations for planned district zoning districts are intended to accomplish the purpose of zoning, subdivision regulations and other applicable city regulations on a unified development approach rather than on a lot by lot basis. In view of the substantial public advantages of the planned zoning district, it is the intent of the city to promote and encourage development in this form where tracts suitable in size, location and character for the uses and structures proposed are to be planned and developed as a unified and coordinated development.

**B. Additional Application Requirements.**

1. Evidence of unified control of all land within the proposed planned district zoning district.
2. The applicant shall, by ordinance or separate written, signed, and notarized Development Agreement, agree to:
  - a. Proceed with the proposed development according to the provisions of this chapter and such conditions as may be set forth as a condition of approval for the development;
  - b. Provide agreements, contracts, deed restrictions and sureties acceptable to Council for completion of the development according to the provisions and plans approved at the time of acceptance of the area for a Planned District, and for continuing operation and maintenance of such areas, functions and facilities as are not to be provided, operated or maintained at public expense;
  - c. Bind successors in title to any commitments made under subsections (a) and (b) above.
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).

#### *1.8.4 Attainable Housing Density Bonus*

- A. Applicability.** Zoning Map Amendment, Preliminary Plat, and Site and Development Plan applications for properties in Residential Multi-Family 3 and 4 (RMF-3 and RMF-4) zoning districts and all mixed use zoning districts may request an attainable housing density bonus based on the level of affordability provided, which request shall be processed as a conditional use.
- B. Additional Application Requirements.** All development applications proposing to use a density bonus for attainable housing shall provide the following:
  1. Responses to each of the nine locational considerations in Comprehensive Plan Strategy HG 1.2 – Targeted Attainable Housing Locations;
  2. A detailed narrative describing the level of affordability proposed and the number of additional units sought through the density bonus incentive, including calculations confirming that the requested number of additional units meet the standards set by the Housing Element of the Comprehensive Plan and the corresponding categories set by the United States Department of Housing and Urban Development; and
  3. Documentation of a binding commitment to maintain attainability for at least ten (10) years, or a longer timeframe if required by Council at the time of approval, including information about how the project will be monitored and by whom.
  4. 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
  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).

### *1.9.3. Specific Application Requirements*

- A.** A site and development plan including all subsequent required documentation and associated plans shall be signed and sealed by the appropriate state licensed engineer, architect, landscape architect, surveyor, or practicing land planner for the applicable items.
- 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.** Site plan that contains the overall project layout, includes the title of the project and the name and contact information for the developer, property owner, and all applicable engineers, architects, planners, and any other professionals providing information as part of the project documents; date and north arrow; and is based on an exact survey of the property drawn to a scale of sufficient size to show existing and proposed information:
    - a.** Boundaries of the project, any existing streets, buildings or other structures, watercourses, easements and section lines;
    - b.** Access and traffic flow, including depictions of how vehicular traffic will be separated from pedestrian and other types of traffic;
    - c.** Off-street parking and off-street loading areas with typical cross sections;
    - d.** Recreational facilities locations (if applicable);
    - e.** Landscaped areas with standards and typical cross sections;
    - f.** Sign location;
    - g.** Location of compatibility requirements with typical cross sections(if any);
    - h.** Refuse collection areas;
    - i.** Access to utilities and points of utility hookups;
    - j.** Future land use and zoning designations of adjacent properties; and
    - k.** Environmental Assessment Report consistent with Chapter 89, which addresses potential contamination on the site and evaluates whether the site is a brownfield.
  - 2.** Tabulation of total gross acreage in the project and the percentages thereof proposed to be devoted to:
    - a.** The various permitted uses;
    - b.** Ground coverage by structures; and
    - c.** Impervious surface coverage.
  - 3.** Tabulations showing:
    - a.** The number of proposed off-street parking and off-street loading spaces and a calculation of the minimum number of such spaces required by this chapter; and
    - b.** Total project density in dwelling units per acre or total project intensity as a floor area ratio.
  - 4.** If common facilities, such as recreation areas or structures, private streets, common open space, parking areas, access drives, etc., are to be provided for the development,

statements as to how such common facilities are to be provided and permanently maintained. Such statements may take the form of proposed deed restrictions, deeds of trust, homeowners' associations, surety arrangements or other legal instruments providing adequate guarantee to the city that such common facilities will not become a future liability for the city.

5. Common use improvements regulated by the city standard details shall meet the minimum design standards established in the city standard details and subdivision design standards.
6. Storm drainage, potable water and wastewater collection system plans.
7. Color architectural elevations for all façades of each building in the development; and exact number of dwelling units, sizes and types, together with typical floor plans of each type.
8. Plans for signs, if any, including dimensions and design. For ground signs, architectural elevations will be required.
9. An exterior lighting plan, including location, dimensions, design, and photometric analysis.
10. A landscaping plan, including types, sizes and location of vegetation and decorative shrubbery, showing provisions for irrigation and maintenance, and showing all existing trees, identifying those trees to be removed. All calculations for landscaping and trees, per Chapter 87, must be included in the landscaping plan. A separate sheet should be provided in the landscape plan set that shows a utility overlay to ensure there are no conflicts with the proposed landscaping.
11. Plans for recreation facilities, if any, including buildings for such use.
12. An addressing plan per Section 3.4.1.C.
13. Vehicle turning path analysis (using design-based software) to confirm safe and efficient access for large vehicles, such as emergency vehicles, solid waste collection vehicles, delivery vehicles, and others.
14. 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 County staff (if applicable).
15. Concurrency application (if applicable; see Section 5)
  - a. School (when required)
  - b. Public facilities
    - vi. Water
    - vii. Wastewater
    - viii. Solid waste
    - ix. Parks
    - x. 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).
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. Purpose and Intent.** The preliminary plat provides the City the opportunity to review, and the public an opportunity to comment on, a proposed subdivision layout prior to construction of infrastructure and other physical improvements. A preliminary plat provides the map or delineated representation indicating the proposed layout of a subdivision consistent with the Comprehensive Plan and zoning for the subject property.
- 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. A preliminary plat plan set containing the title of the project and the names, addresses and telephone numbers of the project planner, utility suppliers, the engineer of record and the surveyor of record, and date and north arrow. The preliminary plat plan set must be based on an exact survey of the property drawn to a scale of sufficient size to show:
    - a. Boundaries of the project, along with any existing streets, buildings, watercourses, easements, and section lines;
    - b. Location of all existing and proposed buildings and structures;
    - c. Location of proposed use areas;
    - d. Natural features, such as lakes, marshes, swamps, watercourses, land subject to flooding and wooded areas;
    - e. The proposed location and width of streets, alleys and easements; all lot dimensions proposed street names; and cross-sections of each street type;
    - f. Access and traffic flow and how vehicular traffic will be separated from pedestrian and other types of traffic;
    - g. Tracts or parcels for off-street parking and off-street loading areas;
    - h. Tracts or parcels dedicated for recreation use or amenities;
    - i. Landscaping plan, including types, sizes and location of vegetation and decorative shrubbery, showing provisions for irrigation and maintenance, and showing all existing

trees, identifying those trees to be removed, including calculations for required tree inches, protections, and mitigation consistent with Chapter 89 of this LDR, and including a separate sheet showing the landscape plan with a utility overlay;

- j.** Analysis of compatibility requirements demonstrating compliance with Section 4 of this LDR;
  - k.** Refuse collection areas (if applicable);
  - l.** Existing and proposed utility lines including access and fire hydrants;
  - m.** Future land use and zoning for all adjacent properties;
  - n.** Plans for signs, if any, including dimensions and design. For ground signs, architectural elevations;
  - o.** An exterior lighting plan, including location, dimensions, design, and photometric analysis; and
  - p.** An addressing plan per Section 3.4.1.C.
- 2.** The preliminary plat application must include the following items, whether addressed in the plan set, narrative, or by separate document, with a key provided for locations of each item:
- a.** A narrative describing in detail the character and intended use of the development.
  - b.** The title under which the proposed subdivision is to be recorded and the name of the owner platting the tract.
  - c.** If common facilities such as recreation areas or structures, private streets, common open spaces, etc., are to be provided for the development, statements as to how such common facilities are to be provided and permanently maintained. Such statements may take the form of proposed deed restrictions, deeds of trust, surety arrangements or other legal instruments providing adequate guarantee to the city that such common facilities will not become a future liability for the city.
  - d.** A topographical survey signed and sealed by a state-licensed professional land surveyor indicating the property boundary, existing improvements, natural features, section lines, and topographic elevations of the tract to be subdivided and the property immediately adjacent to the parcel. The map indicating ground elevations of the tract to be subdivided shall show contours with an elevation interval of one foot based on the NAVD88. Datum basis must be stated on the survey.
  - e.** Proposed elevations or land contours at 0.5-foot intervals based on the NAVD88. Datum basis must be clearly stated.
  - f.** General location map, showing the relation of the site to major streets, schools, existing utilities, shopping areas, important physical features in and adjoining the project and other applicable items.

- g.** Aerial image of proposed site area, labeling all adjacent waterways, roads, alleys, and neighboring subdivisions.
- h.** Tabulation of the total gross acreage in the project and the percentages devoted to the various permitted uses, ground cover by structures, and other impervious surface coverage. Designation of impervious surfaces should be designated such as pavement, pool, pond, etc. Open space uses should be designated as either Conservation or Functional.
- i.** Tabulations showing the derivation of numbers for off-street parking and off-street loading spaces and the total project density in dwelling units per acre.
- j.** Representative architectural elevations demonstrating compliance with architectural requirements, where applicable.
- k.** 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 County staff, where applicable.
- l.** Vehicle turning path analysis (using design-based software) to confirm safe and efficient access for large vehicles, such as emergency vehicles, solid waste collection vehicles, delivery vehicles, and others.
- m.** Stormwater drainage, potable water, reclaimed water and wastewater collection plans. Any existing wastewater collection systems, storm sewers, water mains, reclaimed water lines, and culverts within the tract or immediately adjacent and within 150 feet thereof must be shown. The location, size and invert elevations of the nearest water main, wastewater collection system, reclaimed water lines, storm sewer or outlet are to be indicated on the plat.
- n.** General information and specifications regarding the grades of proposed streets, the facilities for stormwater drainage, proposed finished floor elevations, and any other proposed improvements within the subdivision. If a drainage well for the disposal of surface drainage water is proposed, a written statement from the Florida Department of Health shall be submitted indicating that agency's approval.
- o.** A flood hazard report including the location of the proposed project boundary and the flood designations from the Federal Emergency Management Agency Flood Insurance Rate Map.
- p.** A soil investigation report including the following information:
  - i.** Location and results of soil boring tests with relation to subsurface soil, rock and groundwater conditions.
  - ii.** Recommendations as to suitability for development purposes by a state-licensed professional engineer based on the results of these tests. Land

determined by a state-licensed professional engineer to be unsuitable for development due to poor soil quality, flooding, inadequate drainage or other unacceptable characteristics shall not be subdivided.

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

#### *5.1.2. Applicability*

- A. The provisions of this section shall apply to the following land use petitions:
  1. Rezoning to a Planned District;
  2. Conditional Use for the Attainable Housing Density Bonus; and
  3. Preliminary Plat and Site and Development Plans.

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



## Issues

Page	Section	Change	Need/Justification
34	Ch. 87, Sec. 3.6.3, Table 3.6.1	The minimum number of required parking spaces for multifamily should be 1.0/unit	Venice is not yet dense enough to support 0.5 spaces per dwelling unit; most trips are still vehicle trips in the city and it may be unreasonable to assume that there will be less than one car per household on average.
35	Ch. 87, Sec. 3.6.3, Table 3.6.3	The minimum number of required parking spaces for restaurants with drive through should be 4/1000 SF	The existing minimum of 6/1000 SF is likely to create conflict with the increased requirement for stacking spaces (from 6 in the previous code to 8 today), as has been demonstrated by a drive-through project already. It is more appropriate for this type of use to have increased stacking and decreased parking. 4/1000SF was chosen based on comparison with surrounding jurisdictions; this rate is towards the lower end of the range but is not the most permissive compared to other local codes.
36	Ch. 87, Sec. 3.6.5.G.2(a)	The requirement for landscaping or screening walls around loading spaces should be removed	Loading spaces are often just extra parking spaces, perhaps in a different orientation and sometimes larger than a typical space, but they are usually still part of the parking area and it may not be practical to wall them off or surround them with landscaping.
37	Ch. 87, Sec. 7.7.A.6	The words "building or" should be removed	Building fees cannot be waived, although development review fees can be.
38	Ch. 89, Sec. 3.5.2.C	Language related to stormwater runoff in a Tree Protection Zone (TPZ) should be added as item C under Required Best Management Practices	This language will require that surface water be conveyed away from the TPZ to prevent soil saturation. The intention for this provision is to have more resilient trees in development areas and was added in response to lessons learned from Hurricane Ian.

Table 3.6.1. Parking Requirements by Use

PARKING REQUIREMENTS BY USE			
	MINIMUM REQUIRED	MAXIMUM ALLOWED	ADDITIONAL STANDARDS
<b>RESIDENTIAL USE CLASSIFICATION</b>			
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.
Multifamily Dwelling	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
<b>COMMERCIAL USE CLASSIFICATION</b>			
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	4.0/1,000 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	

## **G. Off-Street Loading/Unloading Facilities.**

### **1. General Requirements.**

- a. General.** Off-street loading facilities are required by this section so that vehicles engaged in unloading will not encroach on or interfere with the public use of streets or pedestrian areas. Adequate space shall be available for the unloading and loading of goods, materials, or other things for delivery and shipping.
- b. Off-Street.** Off-street parking facilities may not be used or counted as meeting off-street loading requirements.
- c. Uninterrupted Flow.** If loading/unloading is proposed within the road or driveway, at least one vehicular travel lane shall be preserved to ensure the uninterrupted flow of traffic.
- d. Change of Use.** When the use of a structure or land or any part thereof is changed to a use requiring off-street loading facilities, the full amount of off-street loading space required shall be supplied and maintained.
- e. Change in Size of Structure.** When any structure is enlarged or any use extended so that the size of the resulting occupancy requires off-street loading space, the full amount of such space shall be supplied and maintained for the structure or use in its enlarged or extended size.
- f. Accessibility and Location.** Loading/unloading areas shall be convenient to the building it services. Each off-street loading space shall be directly accessible from a street or alley without crossing or entering any other required off-street loading space. Such loading space shall be accessible from the interior of the building it serves and shall be arranged for convenient and safe ingress and egress by motor truck and/or trailer combination. Loading/unloading areas for semi-trailers and similar vehicles shall not be located in the front of a building façade and not in any drive aisle or in any public right-of-way.
- g. Required Loading/Unloading Information.** As part of any required parking, loading and unloading locations and sizes shall be included on any parking plan.

### **2. Loading/Unloading Spaces**

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

## 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.** Qualified improvements are entitled to a 10-year Ad Valorem Tax Exemption equal to the amount that the taxes would have increased due to the improvements made.
  - 2.** Properties in a flood plain can be restored even if the cost exceeds 50% of the assessed value.
  - 3.** Properties are entitled to modified enforcement of the Florida Building Code (“FBC”) as provided by the FBC.
  - 4.** Properties are designated as conforming for zoning considerations.
  - 5.** Properties are given special consideration for home occupations and other special exceptions by the Planning Commission upon application.
  - 6.** They are exempt from fees normally required for development review permits.

### 3.5.2. Required Best Management Practices

- A. The following Best Management Practices shall be applicable to all tree permits, unless specified otherwise herein. These standard Best Management Practices shall also be applicable to all activities that affect Protected, Heritage, and Venetian Trees, trees located within a TPZ and CRPZ, and regardless of whether a tree permit is required for the proposed activity.
- B. Heritage trees, Venetian trees, and Canopy Road trees located on property adjacent to the proposed development activity shall be protected as described in this section.
- 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.
- 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*".