

ORDINANCE NO. 2017-29

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE 2010 CITY OF VENICE COMPREHENSIVE PLAN, LAND USE AND DEVELOPMENT CHAPTER, FUTURE LAND USE AND DESIGN ELEMENT, POLICY 18.8 BORDER ROAD TO MYAKKA RIVER NEIGHBORHOOD STANDARDS, TO REMOVE SECTION E THAT PROVIDES FOR CONSTRUCTION OF A COLLECTOR ROADWAY SYSTEM THROUGH THE COMMUNITY NEIGHBORHOOD WHICH PROVIDES FOR THE INTERCONNECTION OF N. JACKSON ROAD FROM BORDER ROAD TO LAUREL ROAD; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE (17-3CP)

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, pursuant to the Act, Chapter 86 of the city code of ordinances designates the City of Venice Planning Commission as the local planning agency, responsible for the preparation of the comprehensive plan and amendments and updates thereto; and

WHEREAS, the city has received application to remove the requirement to provide for the interconnection of Jackson Road from Border Road to Laurel Road in the Border Road to Myakka River Neighborhood (Joint Planning Area 3); and

WHEREAS, the city provided due public notice of the planning commission public hearing, which was conducted in a manner affording public participation to the fullest extent possible; and

WHEREAS, the city planning commission held a public hearing on August 1, 2017, to review the comprehensive plan amendment, and provided its recommendation to the city council as the local governing body; and

WHEREAS, the Venice City Council, after due public notice, held public hearings on September 12, 2017 and XXXXXXXXX, to consider adoption of the comprehensive plan amendment as recommended by the planning commission.

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

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

SECTION 2. The proposed amendment to the city’s comprehensive plan to delete Section E of Policy 18.8 contained in the Future Land Use & Design Element of the Land Use & Development Chapter, attached hereto as Exhibit “A”, is hereby approved for adoption by the city council of the City of Venice.

SECTION 3. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of the ordinance shall not be affected.

SECTION 4. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. 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. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS XXTH DAY OF XXXX 2017.

First Reading: September 12, 2017

Second Reading:

Adoption:

John W. Holic, Mayor

ATTEST:

Lori Stelzer, MMC, City Clerk

I, Lori Stelzer, 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 xxth day of xxxx, 2017 a quorum being present.

WITNESS my hand and the official seal of said City this xxth day of xxxx, 2017.

Lori Stelzer, MMC, City Clerk

Approved as to form:

David Persson, City Attorney

EXHIBIT A

- Policy 18.7 Border Road to Myakka River Neighborhood (JPA/ILSBA Area No. 3). *Development Policy:* Ensure the timely development of urban services and facilities that are compatible with natural resources and community character by designating the Border Road to Myakka River Neighborhood, an area of approximately 629 acres. For planning purposes, this neighborhood shall be divided into two subareas:
- A. Subarea No. 1: The area west of North Jackson Road.
 - B. Subarea No. 2: The area east of North Jackson Road.
- For the detailed map sheet that depicts this planning area, see Map FLUM-18.*
- Policy 18.8 Border Road to Myakka River Neighborhood Standards. Development in the Border Road to Myakka River Neighborhood shall reflect the following development scenario:
- A. The maximum residential density in this neighborhood shall be:
 - 1. Subarea No. 1: Up to 5 units per acre, calculated on a gross area basis.
 - 2. Subarea No. 2: Up to 3 units per acre, calculated on a gross area basis.
 - B. Up to 5% of the acreage in this neighborhood will be allowable for accessory non-residential (retail, office, and commercial) uses. The square footage of accessory non-residential uses allowed in this neighborhood shall not exceed a floor area ratio (FAR) of 0.25.
 - 1. The accessory non-residential uses are intended to provide convenient access and walk/bikeability for residents of the area to these services.
 - 2. Residential and non-residential use may be adjusted according to the needs of the community.
 - 3. Conversion between residential and non-residential land uses may be made on an equivalent dwelling unit basis of 1 dwelling unit per 4,000 square feet non-residential space, gross acreage.
 - C. Building envelope:
 - 1. Maximum height shall be limited to 2 stories, up to 35' including parking.
 - 2. Mitigating techniques as described in Objective 8, Policy 8.2 of this Element shall be required to ensure compatibility with adjacent uses.
 - D. Conservation and open space shall be at least 57 acres.
 - 1. The total amount of conservation and open space area will be determined upon submittal of an application for development and an evaluation of the value and function of site specific environmental features.
 - 2. Every effort shall be made to conserve existing environmental features, including functioning wetland or upland habitat, and to

buffer the Myakka River watershed from adjacent uses with native vegetation.

3. A public greenway along the Myakka River shall be considered as a means of providing open space.

~~E. Construction of a collector roadway system through the community neighborhood which provides for the interconnection of Jackson Road from Border Road to Laurel Road as a two-lane collector facility as depicted on Map TRANS 1, Future Traffic Circulation Plan, of the Transportation Infrastructure & Service Standards Element.~~