

ORDINANCE NO. 2013-16

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN, VOLUME I, LAND USE AND DEVELOPMENT CHAPTER, FUTURE LAND USE AND DESIGN ELEMENT, ADDING OBJECTIVE 20 AND POLICY 20.1 TO ESTABLISH AN URBAN SERVICE AREA; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (12-1CP)

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 Section 377.809, Florida Statutes, Sarasota County adopted Ordinance No. 2012-005 which created Sarasota County's Energy Economic Zone; and

WHEREAS, Section 38-304, Sarasota County Code, as adopted by Ordinance No. 2012-005 provides that a municipality may, by resolution or ordinance, authorize urban service areas within the municipality to be included into the Sarasota County Energy Economic Zone; and

WHEREAS, on January 8, 2013, city council adopted Resolution No. 2013-01 authorizing all properties within the city limits of the City of Venice to be included in the Energy Economic Zone as created by Sarasota County pursuant to Sarasota County Ordinance No. 2012-005; and

WHEREAS, the city council desires to establish an urban service area as defined in Section 163.3164(50), Florida Statutes, to enable all properties in the city to be included in the Sarasota County Energy Economic Zone; and

WHEREAS, the City of Venice comprehensive plan has sufficient data and analysis on the public services and facilities needed for planned growth areas; and

WHEREAS, the City of Venice comprehensive plan has a sufficient policy framework to implement the provision of public services and facilities in the urban service area; 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 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 April 16, 2013, to review the comprehensive plan amendment, and provided its recommendation to the city council as the local governing body; and

WHEREAS, the city council of the City of Venice, after due public notice, held public hearings on June 11, 2013 and MONTH XX, 2013, 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 city's comprehensive plan is amended to include a new objective 20 and policy 20.1 in the Land Use & Development Chapter, Future Land Use & Design Element, 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 2013.

First Reading: June 11, 2013

Second Reading: XXXX XX, 2013

Adoption: XXXX XX, 2013

John W. Holic, Mayor

ATTEST:

Lori Stelzer, MMC, City Clerk

(SEAL)

Approved as to form:

David Persson, City Attorney