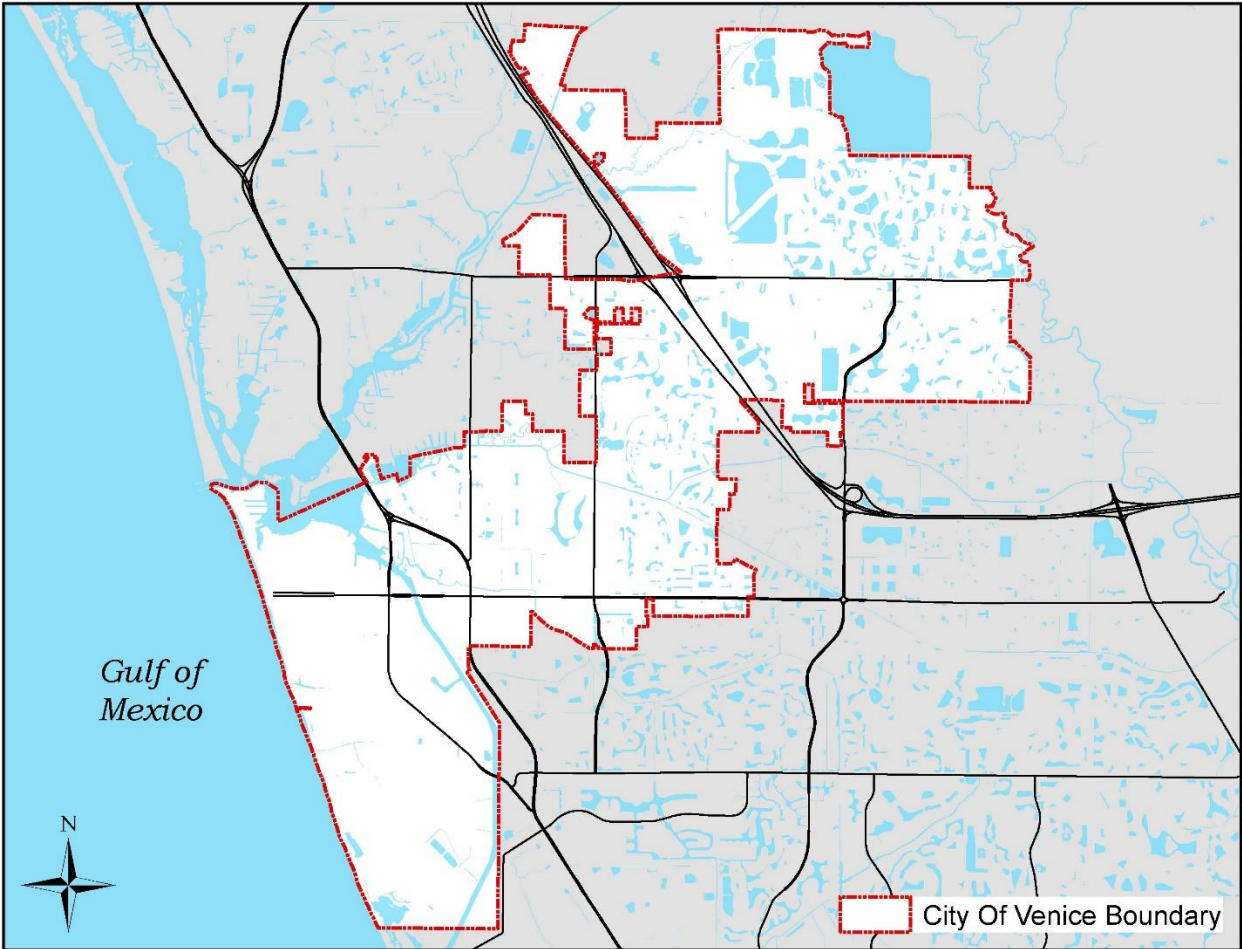


# 23-11AM – City / Petitioners Land Development Code Revisions

## Staff Report

### I. PROJECT DESCRIPTION

The changes proposed through this petition are proposed as a result of negotiation with the citizens' group Venice Unites. The intent of each change is to address the requests of the citizen petitioners while maintaining a Land Development Code that will serve the needs of the City. Proposed text changes were first presented to City Council on January 6<sup>th</sup> at a special meeting, and discussion concluded with another presentation at the Council meeting on January 24<sup>th</sup>. Council has agreed to these changes in general, and this petition provides the specific changes in strikethrough-underline format for approval and adoption into the Code.



## List of Changes

Page	Section	Change
1	Ch. 87, Sec. 1.2.C.10	Added items A-G from previous Policy 8.2 regarding compatibility as a common review procedure requirement
1-2	Ch. 87, Sec. 2.2.4.5.A.7	Added intent statement regarding non-residential uses in a PUD
2-3	Ch. 87, Table 2.2.7	Removed “Retail sales and Service (single user 65,000 square feet or larger)” and renumbered subsequent uses
3-4	Ch. 87, Table 2.3.4	Added qualifier to height exceptions to define properties eligible for 75’ and 55’ separately in the Downtown Edge District
4-5	Ch. 87, Table 2.3.14	Removed “Retail sales and Service (single user 65,000 square feet or larger)” and renumbered subsequent uses
6-15	Ch. 87, Sec. 2.4.5	Removed “Retail sales and Service (single user 65,000 square feet or larger)” and renumbered subsequent uses
15	Ch. 87, Sec. 3.1.1	Changed the definition of “building height” to measure to the highest point of the roof, rather than midline
16	Ch. 87, Sec. 9.1	Changed the definition of “building height” to measure to the highest point of the roof, rather than midline
16	Ch. 87, Sec. 9.1	Changed the definition of “infill” to match the Comprehensive Plan definition
16-17	Ch. 89, Sec. 2.3.D	Re-ordered and reworded requirements for the Resource Management Plan
17	Ch. 89, Sec. 2.3.E	Added subsection E. for a protected species assessment on vacant lots or parcels ≤5 acres not subject to development review

## II. PLANNING ANALYSIS

In this section of the report, analysis of the subject text amendment petition evaluates consistency with the Comprehensive Plan.

### Consistency with the Comprehensive Plan

In general, the Land Development Regulations (LDR) implement the Comprehensive Plan and should be kept as up-to-date, correct, and functional as possible to accomplish that purpose. Specifically, the LDR adopted through Ordinance No. 2022-15 fulfills Comprehensive Plan Strategy LU-1.2.12 to adopt a form-based code for context-sensitive design. Several other Comprehensive Plan strategies have been satisfied

through the new LDR as well, including Open Space strategies related to wildlife and wetlands, Transportation & Mobility strategies addressing Complete Streets principles, and Housing strategies for affordable housing incentives.

Overall, these proposed amendments do not change the LDR's established consistency with the Comprehensive Plan. Environmental assessment changes may help strengthen the Open Space element by giving more regulatory power to the City to require these Resource Management Plan and Protected Species Assessments, which also come with a requirement to provide mitigation and (in the case of the Resource Management Plan) continued monitoring. Height limits and retail use definitions are not addressed specifically in the Comprehensive Plan, though retail will still be governed by intensity limits in the Plan. Other changes, including the change to Planned Unit Development language and the definition of "infill," bring the LDR even closer to the Comprehensive Plan by matching its wording exactly.

***Conclusions/Findings of Fact (Consistency with the Comprehensive Plan):***

Analysis has been provided to determine consistency with all elements and strategies of the Comprehensive Plan. As indicated above, no inconsistencies have been identified. This analysis should be taken into consideration upon determining Comprehensive Plan consistency.

### III. CONCLUSION

These revisions come as a result of the petition filed to repeal the Land Development Regulations and subsequent negotiations between petitioners and City staff. Council reached majority agreement on each of these changes in general terms in January 2023, and staff now presents the specific wording that will implement each agreed-upon amendment.

#### **Planning Commission Report and Recommendation**

Upon review of the petitions and associated documents, Comprehensive Plan, Land Development Code, staff report and analysis, and testimony provided during the public hearing, there is sufficient information on the record for the Planning Commission to make a recommendation to City Council on Text Amendment petition no. 23-11AM.