

ORDINANCE NO. 2024-04

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 87, LAND DEVELOPMENT CODE, BY AMENDING TABLE 2.2.2.B., RMF MULTIFAMILY STRUCTURES DEVELOPMENT STANDARDS TABLE AND SECTION 2.4.3., RESIDENTIAL USES, PURSUANT TO TEXT AMENDMENT PETITION NO. 23-53AM, BY ESTABLISHING DEVELOPMENT STANDARDS FOR SINGLE-FAMILY TOWNHOMES IN THE RESIDENTIAL MULTI-FAMILY (RMF) ZONING DISTRICTS; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, on July 12, 2022, City Council adopted the new Land Development Regulations (LDRs) and official Zoning Map of the City; and

WHEREAS, Lafayette RE Management, LLC, submitted Text Amendment Petition No. 23-53AM requesting to establish development standards for single-family townhomes in the Residential Multi-Family (RMF) zoning districts; and

WHEREAS, pursuant to Section 163.3174, Florida Statutes, Venice City Council has duly designated the city's Planning Commission as the local planning agency for the City; and

WHEREAS, the Planning Commission held a duly noticed public hearing on February 20, 2024 regarding the Petition, and recommended approval to City Council of Text Amendment Petition No. 23-53AM; and

WHEREAS, City Council received and considered the report of the Planning Commission concerning Text Amendment Petition No. 23-53AM; and

WHEREAS, on March 26, 2024, and April 9, 2024, City Council held duly noticed public hearings on Text Amendment Petition No. 23-53AM in accordance with the requirements of the City's Code of Ordinances and has considered the information received at said public hearings; and

WHEREAS, City Council finds that Text Amendment Petition No. 23-53AM is in compliance with, and meets, the requirements of the city's Land Development Code and Comprehensive Plan.

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

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

SECTION 2. Text Amendment Petition No. 23-53AM is hereby approved. Chapter 87 Land Development Code, Table 2.2.2.B., RMF Multifamily Structures Development Standards Table,

and Section 2.4.3., Residential Uses, of the City’s Land Development Regulations, are hereby amended as shown in Exhibit “A”, which is incorporated herein by reference.

SECTION 3. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

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. This ordinance shall become effective immediately upon its approval and adoption, as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 9th DAY OF APRIL 2024.

First Reading: March 26, 2024

Second Reading: April 9, 2024

Adoption: April 9, 2024

Nick Pachota, 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 9th day of April 2024, a quorum being present.

WITNESS my hand and the official seal of said City this 9th day of April 2024.

Kelly Michaels, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney

Exhibit "A"

Table 2.2.2.B. RMF Multifamily Structures Development Standards Table

EXPAND

RMF Multifamily Structures Development Standards Table					
		RMF-1	RMF-2	RMF-3	RMF-4
Building Height (max)		35' An additional 10' is allowed for understory parking only		46' An additional 10' is allowed for understory parking only	
Building Height Exception (max)		46' total + 10' for understory parking		57' total + 10' for understory parking	75' total + 10' for understory parking
Building Height Exception Standards		Subject to Section 4: Compatibility			
Building Placement (Setbacks) (min)	Front (Street)	20'			
	Side	12' <u>*</u>		15' <u>*</u>	
	Rear	10'			
	Waterfront	20'			
Lot	Width (min)	75' <u>*</u>		100' <u>*</u>	
	Area (minimum per dwelling unit)	7,260 sq. ft. <u>*</u>	4,840 sq. ft. <u>*</u>	3,350 sq. ft. <u>*</u>	2,420 sq. ft. <u>*</u>
	Coverage (max)	35% <u>*</u>		40% <u>*</u>	45% <u>*</u>

* For single-family attached dwellings the above lot standards will be applied per building structure, not for each individual dwelling, and lot coverage will be applied on a project wide basis, not for each individual lot.

2.4.3. Residential Uses

For all residential uses, family shall be defined as one or more persons living together as a single housekeeping unit and occupying a single dwelling unit. There shall be a rebuttable presumption no family exists if there are more than six persons and none are related by law, blood, adoption, marriage, domestic partnership, or are not under judicial order for foster care living together in the same dwelling unit. Such presumption may be rebutted by the Director.

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 for villas and eighteen (18) feet for townhouses, 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.