



City of Venice
Development Services

MEMORANDUM

To: Mayor & City Council

From: Chad L. Minor, AICP, LEED® G.A., Community Development Director

Date: April 18, 2013

Re: Transmittal of Petition for Council Action
Comprehensive Plan Amendment No. 12-1CP

CLERK 18APR'13 AM 11:24

Background

Comprehensive Plan Amendment 12-1CP is a City-initiated large scale amendment to include new goals, objectives and policies in the Future Land Use & Design Element and Capital Improvements Element for the creation of an Urban Service Boundary to establish long range planning efforts for the provision of Capital Infrastructure.

The policy text amendments were prepared and submitted to accomplish the following:

Create City of Venice Urban Service Area boundary;

On April 16, 2013, the Planning Commission, sitting as the local planning agency, found the request consistent with the Comprehensive Plan and, therefore, voted to recommend to City Council APPROVAL of Comprehensive Plan Amendment Petition No.12-1CP.

Action:

The order and action of processing the petition will first be recommendation by Planning Commission to City Council. The Planning Commission shall base its recommendation upon analysis contained within the staff report and public input presented during the public hearing. The analysis and recommendation are forwarded to City Council for final action. Approval of the comprehensive plan amendment is by ordinance and requires two City Council public hearings.

cc: File No. 12-1CP

**City of Venice
Planning and Zoning Department**

MEMORANDUM

To: Planning Commission

From: Chad L. Minor, AICP, LEED® G.A., Community Development Director

Re: Comprehensive Plan Text Amendment (12-1CP)

Date: April 1, 2013

Request:

Staff requests Planning Commission recommend APPROVAL of Comprehensive Plan Text Amendment Petition No. 12-1CP. The text amendment establishes an urban service area with the city limits as its boundary. The establishment of the urban service area makes the entire city eligible for participation in the Sarasota County Energy Economic Zone which provides a wide-range of financial and regulatory incentives for the creation of jobs in the green business and green technology.

The Planning Commission, sitting as the local planning agency, shall hold at least one advertised public hearing on a proposed plan amendment to review the amendment and provide recommendation to City Council.

Rationale for Request:

The request supports the full implementation of a new state-authorized Energy Economic Zone (EEZ) economic development program. Sarasota County was one a few jurisdictions in the state selected to participate in the EEZ pilot program. After successful implementation of the EEZ pilot program, the state made all local governments eligible to participate in the EEZ program. Since then the City of Sarasota and City of North Port have officially designated energy economic zones. 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. City Council directed staff to prepare the comprehensive plan amendment to make the entire city eligible for Sarasota County's EEZ program.

The stated goals of the EEZ program are to:

- Cultivate green economic development
- Encourage renewable electric energy generation
- Encourage manufacturing of products that contribute to energy conservation
- Promote the development of green jobs, and
- Promote mixed-use land use patterns that incorporate multi-modal features

Eligible businesses can take advantage of financial and other incentives. To participate in the program businesses must meet the following criteria:

- Be located within the boundaries of an EEZ,
- Be either a Clean Technology Business or a Green Business,
- Meet or exceed specified Energy Efficiency Standards, and
- Create five new full-time permanent jobs in the Clean Technology sector or ten new full-time permanent jobs in the Green Business Sector.

Available incentives for eligible business include six tax credits, three tax refunds, a tax exemption, a quick-response training grant and the ability to be exempt from the development of regional impact process.

Under the Sarasota County's EEZ program, only specified properties in the county are located within the EEZ boundary. However, urban service areas within Sarasota County municipalities can be included in the county EEZ provided that the municipality has adopted a resolution or ordinance authorizing those areas to be included in the EEZ. Currently, only those properties in the city west of the interstate are eligible to participate in the program (this area is technically within the county's urban service area). The proposed comprehensive plan text amendment would make all properties in the city eligible to participate in the county's EEZ program by establishing an urban service area consistent with the city limits, as may be amended by any future annexations.

An urban service area is defined by Section 163.364 Florida Statutes as:

Areas identified in the comprehensive plan where public facilities and services, including, but not limited to, central water and sewer capacity and roads, are already in place or are identified in the capital improvements elements. The term includes any areas identified in the comprehensive plan as urban service areas, regardless of local government limitation.

Although many counties and municipalities have utilized the urban service area as a means to better coordinate and plan for infrastructure growth, the city limits have traditionally been used as the de facto urban service area. The city's comprehensive plan coordinates and plans for the development growth areas in the city. A significant number of objectives and policies in the comprehensive plan already implement the planning principles embedded in the statutory definition of an urban service area. The establishment of an urban service area will have no impact on the city's existing comprehensive plan policies related to the planning for future facilities and services.

The proposed urban service area is intended to include all properties in the city within the county's EEZ boundary, making all properties in the city eligible to participate in the county's EEZ program.

The EEZ program is fully administered by Sarasota County. The Economic Development Corporation of Sarasota (EDC) facilitates the application process for EEZ incentives. The EDC

forwards all eligible, complete EEZ and state incentive applications to the Sarasota County Office of Economic Development (OED) that verifies the amount of EEZ incentive funding available for the current state fiscal year and schedules the application for consideration by the Board of County Commissioners. Based on the Board's determination, OED staff certify the business is eligible and forward the certification to the state Department of Economic Opportunity and the Department of Revenue.

Proposed Objective and Policy Text Amendments:

Staff has prepared the proposed Future Land Use and Design Element objective and policy to establish an urban service area for the entire city limits. The proposed objective and policy read as follows:

Objective 20 Urban Service Area. The City of Venice establishes an Urban Service Area Boundary (USAB) to provide a spatial framework within which urban scale development can occur and the location, capacity, and financing for roads and utilities necessary to support development, can be planned for and provided. All development orders and permits for future development activities shall be issued only if infrastructure facilities necessary to meet level of service standards (which are adopted as part of the Capital Improvements Element of this plan) are available concurrent with the impacts of the development pursuant to the USAB.

Policy 20.1 Urban Service Area. The City shall designate and maintain an urban service area boundary (FS § 163.3164) consistent with the municipal boundary, as amended, to promote land development that maximizes the use of public investments in facilities and services and ensures a proper level of public service during the planning period of this plan. The City shall not provide costly public investment or expansion of urban infrastructure to areas outside the urban service area to accommodate premature urban development.

Process for Adoption of Comprehensive Plan Amendments

Consistent with Section 163.3184(3), Florida Statutes, the Local Planning Agency (LPA) must hold at least one public hearing on the proposed comprehensive plan amendment. A public hearing is scheduled for April 16, 2013. The planning commission's recommendation, including a finding of consistency with the comprehensive plan, will be forwarded to city council for final action. Upon recommendation by the planning commission, city council shall hold two public hearings, a transmittal public hearing and an adoption public hearing. The proposed comprehensive plan amendment will follow the "expedited state review process for adoption of comprehensive plan amendments". Adoption of the proposed comprehensive plan amendment shall be by ordinance.