

**ORDINANCE NO. 2017-12**

**AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING CHAPTER 86, LAND DEVELOPMENT CODE, ARTICLE V, USE REGULATIONS, DIVISION 8, PLANNED DEVELOPMENT ZONING DISTRICTS, SECTION 86-132, PID PLANNED INDUSTRIAL DEVELOPMENT DISTRICT, SUBSECTION (c), PERMITTED USES, TO ADD NEW SUBSECTIONS (15) CHILD CARE CENTERS; AND SUBSECTION (16) PRINCIPAL PARKING; AMENDING ARTICLE VIII, GENERAL ADMINISTRATIVE PROVISIONS, SECTION 86-570, DEFINITIONS, SUBSECTION (b), TO ADD A NEW DEFINITION OF PARKING, PRINCIPAL; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the city has received two text amendment applications (Petition Nos. 17-01AM and 17-01AM.1) to amend the Land Development Code; and

**WHEREAS**, the text amendment applications request an amendment to the Planned Industrial Development zoning district to add child care centers as a new permitted use and principal parking as a new permitted use (Petition No. 17-01AM), and an amendment to Section 86-570(b) to add a definition for the term parking, principal (Petition No. 17-01AM.1); and

**WHEREAS**, the Planning Commission considered Petition 17-01AM and following a duly noticed public hearing on March 21, 2017, forwarded its recommendation for approval and findings of consistency with the comprehensive plan to City Council as required by law; and

**WHEREAS**, the Planning Commission considered Petition 17-01AM.1 and following a duly noticed public hearing on April 18, 2017, forwarded its recommendation for approval and findings of consistency with the comprehensive plan to City Council as required by law; and

**WHEREAS**, City Council has received and considered the reports of the Planning Commission recommending approval.

**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.** Chapter 86, Land Development Code, Article V, Use Regulations, Division 8, Planned Development Zoning Districts, Section 86-132, PID planned industrial development district, Subsection (c), Permitted uses, is hereby amended as follows:

**Sec. 86-132. PID planned industrial development district.**

(a) and (b) No change.

(c) *Permitted uses.* In a PID district, buildings or structures on land or water shall be used

only for the following purposes:

(1) through (14) No change.

(15) Child care centers.

(16) Principal parking.

(d) through (s) No change.

**SECTION 3.** Chapter 86, Land Development Code, Article VIII, General Administrative Provisions, Section 86-570, Definitions, Subsection (b), is amended by adding the following definition:

**Sec. 86-570. Definitions.**

(a) No change.

(b) Any word not specifically defined herein shall be interpreted as meaning its most commonly used definition.

*Parking, principal* means any parking garage or surface level parking lot at which the parking of vehicles is the principal use of the lot or parcel and whether operated for commercial or private purposes, and is directly associated with a permitted use on abutting property or both parcels are under common ownership.

**SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed.

**SECTION 5. Severability.** 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. The city council specifically declares that no invalid or prescribed provision or application was an inducement to the enactment of this ordinance, and that it would have enacted this ordinance regardless of the invalid or prescribed provision or application.

**SECTION 6. Effective Date.** This Ordinance shall take effect immediately upon approval and adoption as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 23RD DAY OF MAY 2017.**

First Reading: May 9, 2017

Final Reading: May 23, 2017

Adoption: May 23, 2017

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John W. Holic, Mayor

ATTEST:

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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 Venice City Council at a meeting thereof duly convened and held on the 23rd day of May, 2017 a quorum being present.

WITNESS my hand and the official seal of said City this 23rd day of May, 2017.

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Lori Stelzer, MMC, City Clerk

(SEAL)

Approved as to form:

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City Attorney