

**ORDINANCE NO. 2023-54**

**AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 87, LAND DEVELOPMENT CODE, BY AMENDING SECTION 2.4.7., INDUSTRIAL USES, PURSUANT TO TEXT AMENDMENT PETITION NO. 22-64AM, BY MODIFYING THE STANDARDS FOR THE USE DEFINITION OF FLEX TO REDUCE THE MINIMUM BUILDING AREA DEVELOPED AS OFFICE OR RETAIL STORE FRONT FROM 15% TO 10%, AND TO ALLOW FOR OUTDOOR STORAGE AS AN ACCESSORY USE; 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**, Pool Development, LLC, submitted Text Amendment Petition No. 22-64AM requesting to modify the standards for the use definition of “Flex” to reduce the minimum building area developed as office or retail store front from 15% to 10%, and to allow outdoor storage as an accessory use; 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 November 7, 2023 regarding the Petition, and recommended approval to City Council of Text Amendment Petition No. 22-64AM; and

**WHEREAS**, City Council received and considered the report of the Planning Commission concerning Text Amendment Petition No. 22-64AM; and

**WHEREAS**, on December 12, 2023 and January 9, 2024, City Council held duly noticed public hearings on Text Amendment Petition No. 22-64AM 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. 22-64AM 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. 22-64AM is hereby approved. Chapter 87 Land Development Code, Section 2.4.7. Industrial Uses, of the City's Land Development Regulations, is hereby amended as follows:

**2.4.7. – Industrial Uses**

A.-G. No change.

H. Flex

1. *Characteristics.* Flex space buildings designed with a minimum ~~15%~~ 10% of building area developed as office or retail store front and remainder being storage for larger retail items, product assembly or light fabrication. May include offices, manufacturing, storage, wholesale sales, and limited retail sales all occurring within an enclosed building.
2. *Accessory Uses.* Accessory uses may include parking, associated offices, and ancillary indoor and outdoor storage.
3. Use Standards.
  - a. No outdoor ~~storage of goods, materials, or~~ production activities are permitted.
  - b.-c. No change.

I.-K. No change.

**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 9<sup>th</sup> DAY OF JANUARY 2024.**

First Reading: December 12, 2023

Second Reading: January 9, 2024

Adoption: January 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 9<sup>th</sup> day of January 2024, a quorum being present.

**WITNESS** my hand and the official seal of said City this 9<sup>th</sup> day of January 2024.

---

Kelly Michaels, MMC, City Clerk

Approved as to form:

---

Kelly Fernandez, City Attorney