



MEMORANDUM

FROM: Amy Nelson, AICP, Planning Manager
DEPT: Planning and Zoning
TO: Mayor/City Council
DATE: March 22, 2023
RE: Transmittal of Petition for Council Action – Annual Data Update for Comprehensive Plan Amendment Petition No. 22-63CP
SUBJECT: Annual Development Data Update - Comprehensive Plan Amendment (22-63CP)
Adoption Hearing: Expedited State Review Comments from other Agencies

In accordance with the Expedited State Review process for comprehensive plan amendments, the City received responses from review agencies (**see attached responses received**). None of these agencies provided comments that affect the City's adoption of the proposed amendment, and therefore no revisions are required to the proposed Comprehensive Plan Amendment for the subject property. This information will be provided at the public hearing for inclusion into the record.

Ron DeSantis
GOVERNOR



Meredith Ivey
ACTING SECRETARY

February 20, 2023

RESPONSE VIA E-MAIL ONLY

Mr. Roger Clark, AICP
Planning and Zoning Director
City of Venice
401 West Venice Avenue
Venice, Florida 34285

RE: 22-63 CP Development Data Update

Dear Mr. Clark:

Thank you for submitting Venice's proposed comprehensive plan amendment for our review pursuant to the Expedited State Review process. The reference number for this amendment package is 23-01ESR.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than March 19, 2023.

If you have any questions please contact Donna Harris, Plan Processor at (850) 717-8491 or Scott Rogers, Regional Program Administrator, who will be overseeing the review of the amendments, at (850)717-8510.

Sincerely,

Barbara Powell, Deputy Bureau Chief
Bureau of Community Planning and Growth

BP/dh

cc: External Agencies

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | www.Twitter.com/FLDEO | www.Facebook.com/FLDEO

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CITY OF VENICE
PLANNING AND ZONING DEPARTMENT

401 W. Venice Avenue Venice, FL. 34285-2006

Phone: (941) 486-2626 Fax: (941) 480-3031

February 14, 2023

Florida Department of Economic Opportunity
Attn: Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, FL 32399

RE: Expedited Comprehensive Plan Amendment – Petition No. 22-63CP Development Data Update

Dear Mr. Eubanks:

The City of Venice, in accordance with the procedures for Expedited State Review, Florida Statutes (FS) Chapter 163.3184(3), is transmitting an Amendment to the City of Venice 2017-2027 Comprehensive Plan. Petition No. 22-63CP specifically updates development data for each mixed use future land use designated area in each of the seven comprehensive plan neighborhoods of the City. The petition updates the numbers regarding both residential and non-residential development in each of the identified areas through November 1, 2022.

The proposed Comprehensive Plan Amendment, Petition No. 22-63CP, was heard by the City Council in a transmittal hearing on February 14, 2023, and on a vote of 6-1, City Council approved Ordinance 2023-04 on first reading and approved transmittal of the petition to the Department of Economic Opportunity for review. Pursuant to Florida Statutes (FS), Chapter 163.3184(3)(b), this memo serves to certify that the proposed Comprehensive Plan Amendment and related documentation is also being transmitted to required review agencies listed at the bottom of this letter.

Description of Proposed Comprehensive Plan Amendment:

The subject Comprehensive Plan Amendment specifically updates development data for each mixed use future land use designated area in each of the seven comprehensive plan neighborhoods of the City. The petition updates the numbers regarding both residential and non-residential development activity in each of the identified areas through November 1, 2022.

This Amendment is **not** related to:

- An area of critical state concern pursuant to FS Chapter 380.05,
- A rural land stewardship area pursuant to FS Chapter 163.3248,
- A sector plan pursuant to FS Chapter 163.3245,
- A new plan for a newly incorporated municipality pursuant to FS Chapter 163.3167,
- An Evaluation and Appraisal Report (EAR) pursuant to FS Chapter 163.3191.

Included with this electronic expedited transmittal letter is: Ordinance No. 2023-04, Staff Memo, Planning Commission 1/3/23 meeting minutes, City Council 2/14/23 draft action summary from the City Council Transmittal Hearing with their decision of approval and Strikethrough Underline (10 pages).

It is anticipated that the subject Comprehensive Plan Amendment will be Adopted by the City of Venice City Council in April/May 2023.

For additional information or clarification regarding this transmittal, please contact me at (941) 882-7432 or via email at rclark@venicefl.gov.

Sincerely,

A handwritten signature in blue ink that reads "Roger Clark". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Roger Clark, AICP
Director of Planning and Zoning

cc: Department of Economic Opportunity, Bureau of Comprehensive Planning
Department of Education
Department of Environmental Protection
Department of State
Department of Transportation, District One
Southwest Florida Regional Planning Council
Southwest Florida Water Management District
Sarasota County Planning Department
Sarasota County School Board
Sarasota/Manatee County Metropolitan Planning Organization



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Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899

(352) 796-7211 or 1-800-423-1476 (FL only)

WaterMatters.org

Bartow Office

170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office

78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office

7601 U.S. 301 North (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

Joel Schleicher

Chair, Charlotte, Sarasota

Ed Armstrong

Vice Chair, Pinellas

Michelle Williamson

Secretary, Hillsborough

John Mitten

Treasurer, Hernando, Marion

Kelly S. Rice

Former Chair, Citrus, Lake,
Levy, Sumter

Ashley Bell Barnett

Polk

Jack Bispham

Manatee

John Hall

Polk

Brian J. Armstrong, P.G.

Executive Director

March 7, 2022

Mr. Roger Clark, AICP
Planning and Zoning Director
City of Venice
401 W. Venice Avenue
Venice, FL 34285-2006

Subject: **Venice 23-1ESR**

Dear Mr. Clark:

The Southwest Florida Water Management District (District) has reviewed the proposed amendment. It does not appear that the proposed amendment will result in any adverse regional water resource-related impacts. Therefore, we are not forwarding any comments for consideration.

We appreciate this opportunity to participate in the review process. If you have any questions or require further assistance, please do not hesitate to contact me at (352) 269-6937 or james.golden@watermatters.org.

Sincerely,

James J. Golden, AICP
Senior Planner

JG

cc: Barbara Powell, DEO

March 16, 2023

The Honorable Nick Pachota
Mayor, City of Venice
401 West Venice Avenue
Venice, Florida 34285

Dear Mayor Pachota:

The Department of Economic Opportunity (“Department”) has reviewed the proposed comprehensive plan amendment for the City of Venice (Amendment No. 23-01ESR) received on February 17, 2023. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the City is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the City. **If the City receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the City that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

If you have any questions concerning this review, please contact Matthew Preston, Planning Analyst, by telephone at (850) 717-8490 or by email at matt.preston@deo.myflorida.com.

Sincerely,



Scott Rogers, Regional Planning Administrator
Bureau of Community Planning and Growth

SR/mp

Enclosure(s): Procedures for Adoption

cc: Roger Clark, Director of Planning and Zoning

Margaret Wuerstle, Executive Director, Southwest Florida Regional Planning Council

SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR EXPEDITED STATE REVIEW

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using the Department's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**"

(<https://floridajobs.secure.force.com/cp/>) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

From: [Roger Clark](#)
To: [Lisa Olson](#)
Cc: [Amy Nelson](#)
Subject: FW: Venice 23-01ESR Proposed
Date: Wednesday, March 22, 2023 7:45:17 AM
Attachments: [image001.png](#)

For the file. Thanks

From: Plan_Review <Plan.Review@dep.state.fl.us>
Sent: Tuesday, March 21, 2023 5:50 PM
To: Roger Clark <RClark@venicefl.gov>; DCPexternalagencycomments <dcpexternalagencycomments@deo.myflorida.com>
Cc: Plan_Review <Plan.Review@dep.state.fl.us>
Subject: Venice 23-01ESR Proposed

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To: Roger Clark, AICP, Director of Planning and Zoning

Re: Venice 23-01ESR – Expedited State Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.



