

RESOLUTION NO. 2024-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, INVOKING ZONING IN PROGRESS; DECLARING THE CITY IS CONSIDERING AMENDING ITS LAND DEVELOPMENT CODE BY ADOPTING AMENDED REGULATIONS FOR PLANNED DISTRICT AMENDMENTS AND ALL APPLICATIONS FOR PLANNED DISTRICT AMENDMENTS SHALL BE SUBJECT TO THE ZONING IN PROGRESS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, pursuant to Article VIII, Section 2 of the Florida Constitution and Section 166.021, Florida Statutes, municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, the City Council has determined that it is in the best interest and welfare of the City to consider the adoption of an ordinance revising the requirements for Planned District amendments ("Pending Ordinance") to ensure compatibility and other zoning interests; and

WHEREAS, the City has considered the limitations of Section 14 of Chapter 2023-304, Laws of Florida and finds the Pending Ordinance does not propose more restrictive or burdensome amendments to the City's land development regulations or more restrictive or burdensome procedures concerning review, approval, or issuance of a development permit or development order; and

WHEREAS, the City desires to invoke "zoning in progress" until such time as it adopts the Pending Ordinance, and places all parties on notice that it is considering such regulations and that parties applying for an amendment to a Planned District shall be made subject to the ultimate determinations to be made by the City Council.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA:

SECTION 1. The foregoing Whereas clauses are hereby ratified and confirmed as true and correct and are hereby incorporated by reference as though fully set forth herein as the legislative intent and administrative findings of the City Council.

SECTION 2. The City hereby invokes the doctrine of "zoning in progress" in order for City staff to prepare and process the Pending Ordinance. Parties applying for a Planned District amendment shall be subject to the zoning which is in progress, providing such regulations are adopted within the next one hundred fifty (150) days, even though not finalized and adopted at the time the

particular application was submitted. Applicants are hereby deemed on notice of the applicability of the provisions of the requirements of the Pending Ordinance.

SECTION 3. The adoption of this Resolution shall be evidenced by placement, in a newspaper of general circulation within the City, of an advertisement within two weeks after adoption of this Resolution. A copy of this Resolution shall also be posted at City Hall for the next one hundred fifty (150) days.

SECTION 4. This Resolution shall become effective immediately upon its adoption.

APPROVED AND ADOPTED AT A REGULAR MEETING OF THE VENICE CITY COUNCIL HELD ON THE 22ND DAY OF OCTOBER 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 a Resolution duly adopted by the City Council of the City of Venice, Florida, at a meeting thereof duly convened and held on the 22nd day of October 2024, a quorum being present.

WITNESS my hand and official seal of said City this 22nd day of October 2024.

Kelly Michaels, MMC, City Clerk

(S E A L)

Approved as to form:

Kelly Fernandez, City Attorney