



# City of Venice

401 West Venice Avenue  
Venice, FL 34285  
www.venicegov.com

## Meeting Agenda City Council

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Tuesday, December 13, 2022

9:00 AM

Council Chambers

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### Broadcast

*This meeting will re-broadcast the week after the meeting on Access Sarasota (Comcast Channel 19)(Verizon Channel 32). To view the meeting live please log onto [www.venicegov.com](http://www.venicegov.com), click on meetings, find today's meeting and click "in progress".*

[22-5877](#)

Meeting Instructions and Request to Speak Form

**Attachments:**

[Meeting Instructions](#)

[Request to Speak Form](#)

### CALL TO ORDER

### ROLL CALL

### INVOCATION AND PLEDGE OF ALLEGIANCE

#### I. RECOGNITION

[22-5878](#)

Swearing in: Firemedics Matthew McKenzie, Sarah Wengerd, Cory Storch, and Joel Neagles

[22-5879](#)

Swearing in: Firefighter/Paramedics Eric Huovinen, David Montiel, and Anthony Fontaine

[22-5880](#)

Swearing in: Firemedic Brandon Dilmore Promoted to Lieutenant

[22-5881](#)

Swearing in: Lieutenant Christopher Ripo Promoted to Battalion Chief

[22-5882](#)

Swearing in: Lieutenant Matthew Tomer Promoted to Division Chief

[22-5883](#)

Swearing in: Battalion Chief Kyle Hartley Promoted to Assistant Fire Chief

#### II. AUDIENCE PARTICIPATION will be limited to one hour.

*Excluding Public Hearings (Five Minutes Each Speaker for City Residents, City Property Owners, and Owners of Businesses within the City Limits and Two Minutes for all Other Speakers unless Other Time Limits are Established).*

**III. CONSENT SECTION:**

*All matters listed under the Consent Section are considered to be routine and will be enacted by one motion unless an item is removed by a council member. There will be no separate discussion of these items. If discussion is desired by a council member, the item(s) will be considered and voted upon at the end of the Consent Section.*

**A. CITY CLERK**

[22-5885](#) Minutes of the November 29, 2022 Certification of Election Results and Regular Meeting

**Attachments:** [Certification of Election Results](#)  
[Regular Meeting](#)

[22-5884](#) Appoint Steve Carr to the Parks and Recreation Advisory Board to Serve a Term From 1/1/2023 to 12/31/2025

**Attachments:** [Applications](#)  
[MEMORANDUM](#)

**B. CITY MANAGER****Engineering**

[22-5886](#) Authorize the Mayor to Accept Utility Easement from Hatchett Creek Associates, LLC, Identified as Waterfront on Hatchett Creek

**Attachments:** [Memorandum](#)  
[Utility Easement](#)

[22-5887](#) Authorize the Mayor to Execute the State of Florida Department of Environmental Protection Standard Grant Agreement Number 22SRP76 for \$625,000 to Design and Construct Tarpon Center Drive Nature Based Flood Mitigation Pilot Project

**Attachments:** [Memorandum](#)  
[Standard Grant Agreement](#)

**IV. ITEMS REMOVED FROM CONSENT****V. PRESENTATIONS AT 10 A.M.**

[22-5888](#) Dr. Shawn Landry, Research Associate Professor, School of Geosciences, Director, University of South Florida Water Institute, and Jim Yelverton, City Arborist/Tree Program Administrator: 2020 City of Venice Tree Canopy Analysis Presentation (15 min.)

**Attachments:**     [Memorandum](#)  
                              [Presentation](#)  
                              [Venice Tree Canopy Analysis](#)

[22-5889](#)             Diane Cominotti, Planning Department Director, Sarasota County Schools,  
                              and Amy Anderson, Planning Analyst, Sarasota County Schools: 2022  
                              Educational Facilities Impact Fees (10 min.)

**Attachments:**     [Presentation](#)

## VI. PUBLIC HEARINGS

### **ORDINANCES – FINAL READING**

[ORD. NO.](#)             An Ordinance of the City of Venice, Florida, Amending the 2017-2027  
[2022-29](#)             Comprehensive Plan Pursuant to Petition No. 22-36CP by Amending  
                              Strategy LU-LR 1.1.1 Mixed Use Corridor (MUC) by Changing the Percent  
                              Allocation of Residential and Non-Residential Uses Within the Laurel Road  
                              Neighborhood; Providing for Repeal of All Ordinances in Conflict Herewith;  
                              Providing for Severability; and Providing an Effective Date

**Attachments:**     [Revised Ordinance](#)  
                              [Corrected Comprehensive Plan Replacement Pages](#)  
                              [Updated Ordinance](#)  
                              [Ordinance](#)  
                              [Staff Memorandum](#)  
                              [Transmittal Memo to City Clerk](#)  
                              [Staff Report](#)  
                              [Applicant - Application and Narrative](#)  
                              [Applicant - Land Use Map](#)  
                              [Applicant - Location Map](#)  
                              [Applicant - Strikethrough and Underline](#)  
                              [Planning Commission Minutes 9.6.22](#)  
                              [DEO Comment Letter](#)  
                              [SFWMD comments](#)  
                              [DEP Comments](#)

[ORD. NO.](#)             An Ordinance of the City of Venice, Florida, Amending the Code of  
[2022-30](#)             Ordinances, Chapter 46, Parks and Recreation, Article III, Conduct in  
                              Parks, Section 46-62, General Rules and Regulations for All Parks,  
                              Beaches and Recreational Areas; By Prohibiting Smoking Except as  
                              Exempted by the Florida Legislature; Providing for Repeal of All  
                              Ordinances in Conflict Herewith; Providing for Severability; and Providing  
                              an Effective Date

**Attachments:**[Ordinance](#)[Memorandum](#)**ORD. NO.**  
**2022-31**

An Ordinance of the City Of Venice, Florida, Amending the Code of Ordinances, Chapter 87, Land Development Code, Section 1.7.2 Specific Application Requirements, Section 1.10.1 Preliminary Plat (Quasi-Judicial Application), Section 1.15.3 Minor Site and Development Plan, Section 1.15.4 Minor Preliminary Plat Amendment, Section 2.2.2 Residential Zoning Districts, Section 3.1.4 Building Placement Requirements, Section 3.5.2 Exempt Signs, Section 3.5.4 Permitted Signs, Section 3.6.2 Electrical Vehicles and Charging Standards, Section 3.7.5 Parking Lot Landscaping Requirements, Section 6.2.2 Exemptions, Section 6.7. Residential Garage Sales, Section 7.3. Manager of Historic Resources, Figure 7.6.3 Architectural Control Districts Overlay Map, Section 7.7. Local Register and Landmarks, Section 7.8.1 Certificate of Architectural Compliance (CAC), Section 7.10.9 Fences and Walls, Section 8.5. Nonconforming Structures, and Chapter 88, Building Regulations, Sections 3.2 and 3.3, Pursuant to Text Amendment Petition No. 22-54AM, by Correcting Clerical Errors, Omissions, and Other Regulatory and Procedural Issues; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

**Attachments:**[Ordinance](#)[Transmittal Memo to City Clerk](#)[Staff Report](#)[Application](#)[Project Narrative - Text Amendments to Land Development Code](#)[Comprehensive Plan Consistency Report](#)[Strikethrough Underline Pages](#)[Clean Copy Version](#)[Planning Commission Minutes 10.18.22](#)**ORD. NO.**  
**2022-32**

An Ordinance Amending the Code of Ordinances of the City of Venice, Florida, Chapter 6, Alcoholic Beverages, Article II, Alcoholic Beverage Establishments, Section 6-40, Consumption of Alcoholic Beverages or Possession of an Open Container on Public Property and Right-of Way Prohibited; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

**Attachments:**[Ordinance](#)[Memorandum](#)**ORD. NO.**  
**2022-33**

An Ordinance Amending the Code of Ordinances of the City of Venice, Florida, Chapter 2, Administration, Article VIII, Boards, Section 2-383, Public Art Advisory Board, Modifying the Membership Composition; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for

Severability; and Providing an Effective Date

Attachments:

[Ordinance](#)

ORD. NO.  
2022-35

An Ordinance of the City of Venice, Florida, Providing an Annual Update of the Five Year Capital Improvement Schedule for Fiscal Years 2023-2027 Including a Long Range Schedule of Capital Improvements for Years 2028-2032 Contained in the Appendix of the City of Venice 2017-2027 Comprehensive Plan; Providing for Repeal of all Ordinances in Conflict Herewith; Providing for Severability; and Providing an Effective Date

Attachments:

[Updated Ordinance](#)

[Draft Proposed 2023-2027 Capital Improvement Schedule](#)

[Ordinance](#)

[Staff Report](#)

[Proposed 2023-2027 Capital Improvement Schedule](#)

[Transportation Improvements 2022](#)

[2020 Generalized LOS Table Formatted City Only](#)

[County Transportation Projects - City Response Letter 5.23.22](#)

[Road Impact and Mobility Fee Project Funding Allocation Letter from County \(1\)](#)

[2022 Florida Statutes 163.3177 \(3\)\(a\) and \(b\)](#)

[CIS Letter to Sarasota County BCC](#)

[CIS Letter to Sarasota Manatee MPO](#)

[FY22 - Signed Ordinance No. 2021-41](#)

[Written Correspondence](#)

[Draft Planning Commission Minutes 11.5.22](#)

[Dr. Fiedler CIS Listing and Map](#)

[2022-35 Speaker Card](#)

## VII. NEW BUSINESS

### A. ORDINANCES

ORD. NO.  
2022-34

An Ordinance of the City of Venice, Florida, Amending the Code of Ordinances Chapter 62, Streets, Sidewalks and Other Public Places, Article V, Public Right-Of-Way and Public Property Permits, Section 62-121, Activities Requiring Permit, Section 62-122, Exemptions, Section 62-123, Application, Section 62-124, Issuance; Conditions; Transfer, Section 62-125, Prohibitions, Section 62-126, Schedule of Fees and Charges, Section 62-127, Liability Insurance; Identification of City, Section 62-128, Violations; Enforcement, and Sections 62-129 to 62-150, Reserved; Providing for Repeal of All Ordinances in Conflict Herewith; Providing for Severability and Providing an Effective Date

**Attachments:**      [Ordinance](#)  
                                 [Memorandum](#)  
                                 [Downtown Public Space Presentation](#)

[ORD. NO.](#)      An Ordinance of the City of Venice, Florida, Amending the Code of  
[2022-36](#)      Ordinances Chapter 34, Environment, Article II, Noise Control, Section  
34-31, Definitions, Section 34-32, Penalty, Section 34-33 Additional  
Remedies, Section 34-34 Prohibited Noise Generally, Section 34-35,  
Specific Prohibitions, Section 34-36, Maximum Permissible Sound Levels  
by Receiving Land Use, Section 34-37 Exemptions From Article, Section  
34-38 Method of Measurement, Section 34-39, Special Permit to Exceed  
Noise Limits, and Section 34-40 to 34-60, Reserved; Providing for Repeal  
of All Ordinances in Conflict Herewith; Providing for Severability and  
Providing an Effective Date

**Attachments:**      [Ordinance](#)  
                                 [Memorandum](#)

[ORD. NO.](#)      An Ordinance of the City of Venice, Florida, Amending the Code of  
[2022-38](#)      Ordinances, Chapter 2, Administration, Article II, Mayor and Council,  
Division 1, Generally, Section 2-31, Compensation, and Division II,  
Meetings, Subdivision II, Rules of Procedure, Section 2-75, Presiding  
Officer; Voting; Motions and Debate; Preservation of Order; Providing for  
Repeal of All Ordinances in Conflict Herewith; Providing for Severability;  
and Providing an Effective Date

**Attachments:**      [Ordinance](#)

## **B. RESOLUTIONS**

[RES. NO.](#)      A Resolution of the City of Venice, Florida, Authorizing the Venice City  
[2022-31](#)      Council to Participate in a Joint Meeting with Sarasota County, the Cities  
of North Port and Sarasota, the Town of Longboat Key and the Sarasota  
County School Board to Receive, Discuss and Act Upon Matters of Mutual  
Interest; and Providing an Effective Date

**Attachments:**      [Resolution](#)

[RES. NO.](#)      A Resolution of the City of Venice, Florida, Accepting Utilities and  
[2022-32](#)      Improvements Installed by Hatchett Creek Associates, LLC and Accepting  
a One Year Developers Maintenance Bond and Bill of Sale, and Providing  
an Effective Date (Waterfront at Hatchett Creek)

**Attachments:**     [Resolution](#)  
[Affidavit No Advance Contribution](#)  
[One Year Warranty Guarantee](#)  
[No Leins](#)  
[Record Drawings](#)  
[DOH Clearance](#)

[RES. NO. 2022-33](#)     A Resolution of the City Council of the City of Venice, Sarasota County, Florida, Adopting an Amended Policy for Board Appointments; Superseding Resolution No. 2020-38 and all Policies in Conflict Herewith; and Providing an Effective Date

**Attachments:**     [Resolution](#)

### **C. COUNCIL ACTION/DISCUSSION**

[22-5890](#)     City Attorney Kelly Fernandez, Planning and Zoning Director Roger Clark, and Assistant City Manager James Clinch: Land Development Regulations (LDR) Citizen Petition Update

**Attachments:**     [Memorandum](#)  
[City Staff Analysis of Petitioners' Requests 12.13.22](#)  
[WSHC&B Legal Summary 12.5.22](#)  
[Response Letter - Frank Wright 10.21.22](#)  
[Letter to Frank Wright - Meeting Summary 9.6.22](#)  
[LDR Fact Sheet 8.26.22](#)  
[Letter to Frank Wright - LDR Petition 8.18.22](#)

[22-5891](#)     Legislative Referral to Add Aquaculture to the Environmental Advisory Board's Annual Agenda for Further Study of the Environmental Effects of the Current Ocean Era Aquaculture Demonstration Project in the Gulf of Mexico

**Attachments:**     [Legislative Referral Form](#)

[22-5892](#)     Report from the Environmental Advisory Board on Council's Legislative Referral for Methods to Reduce or Eliminate Single Use Plastic Water Bottles in All Municipal Buildings (Chair Tom Jones)

**Attachments:**     [Memorandum](#)  
[Draft EAB Minutes 10.26.22](#)

[22-5893](#)     Discuss Revisions to Council Attendance Policy Due to Charter Amendment Passage (Attorney Fernandez)

**Attachments:**     [Draft Resolution](#)

### **D. PRESENTATIONS - CONTINUED**

[22-5894](#) Fire Chief Frank Giddens, Finance Director Linda Senne, Building Official Steve Beckman, Public Works Director Ricky Simpson and Assistant Director of Public Works and Asset Management Ashlee Castle: Hurricane Ian After Action Staff Update (15 min.)

Attachments: [Presentation](#)

[22-5895](#) Attorney Ron Smith: Venice Unites (15 min.) (Dr. Fiedler)

Attachments: [Presentation - LDR Proposal](#)  
[Email from Venice Unites](#)  
[Frequently Asked Questions About Petition to Repeal LDRs](#)  
[Wildlife Protection Information](#)  
[Reasons Historic Preservation is Good for Your Community](#)  
[Gondolier Articles Relating to Historic Properties](#)

## VIII. CHARTER OFFICER REPORTS

City Attorney

City Clerk

City Manager

## IX. COUNCIL REPORTS

***Council Member Frank***

***Council Member Howard***

***Council Member Moore***

***Council Member Fiedler***

***Council Member Longo***

***Vice Mayor Boldt***

***Mayor Pachota***

## X. AUDIENCE PARTICIPATION

*Five Minutes Each Speaker for City Residents, City Property Owners, and Owners of Businesses within the City Limits and Two Minutes for all Other Speakers unless Other Time Limits are Established.*



**XI. ADJOURNMENT**

*The meeting will not go beyond 5:00 p.m. unless City Council grants an extension.*

**\*\*\*\*\***

*If you are disabled and need assistance, please contact the City Clerk's office at least 24 hours prior to the meeting.*

*NOTE: No stenographic record by a certified court reporter is made of this meeting. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at this meeting upon which any appeal is based.*