

**ORDINANCE NO. 2024-11**

**AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 87, LAND DEVELOPMENT CODE, BY AMENDING SECTION 3.7.5., PARKING LOT LANDSCAPING REQUIREMENTS, AND SECTION 3.7.6., MISCELLANEOUS LANDSCAPING, PURSUANT TO TEXT AMENDMENT PETITION NO. 24-16AM, TO REDUCE THE REQUIRED SQUARE FOOTAGE OF LANDSCAPE AREA OF INTERIOR PARKING AREAS WITHIN THE MIXED USE SEABOARD AREA, AND TO REVISE THE REQUIREMENTS FOR LANDSCAPING ADJACENT TO A RIGHT-OF-WAY WITHOUT OFF-STREET PARKING; 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**, the City submitted Text Amendment Petition No. 24-16AM to reduce the required square footage of landscape area of interior parking areas within the Mixed Use Seaboard area, and to revise the requirements for landscaping adjacent to a right-of-way without off-street parking; 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 May 7, 2024 regarding the Petition, and recommended approval to City Council of Text Amendment Petition No. 24-16AM; and

**WHEREAS**, City Council received and considered the report of the Planning Commission concerning Text Amendment Petition No. 24-16AM; and

**WHEREAS**, on June 11, 2024, and June 25, 2024, City Council held duly noticed public hearings on Text Amendment Petition No. 24-16AM 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. 24-16AM 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. 24-16AM is hereby approved. Chapter 87 Land Development Code, Section 3.7.5. Parking Lot Landscaping Requirements, of the City's Land Development Regulations, is hereby amended as follows:

### 3.7.5. Parking Lot Landscaping Requirements

- A. No change.
- B. **Interior Parking Area Standards.** Interior parking area landscaping shall be provided as follows:
  - 1. **Required Square Footage of Landscape Area.** A minimum of ten (10) percent of the parking lot shall be devoted to interior landscaping. In calculating this percentage, the area shall include impervious portions of the parking lot including all access and circulation areas. Terminal and interior islands and divider medians shall be used to comply with required interior parking lot landscaping. Store cart return areas and similar uses shall not count toward the minimum required interior landscaping requirements. Any required internal landscape area shall be a minimum of ten (10) square feet.
    - a. Developments with a future land use designation of Mixed Use Seaboard (MUS) have a minimum requirement of zero (0) percent.
  - 2. No change.
  - 3. No change.
  - 4. No change.
- C-F. No change.

**SECTION 3.** Chapter 87 Land Development Code, Section 3.7.6. Miscellaneous Landscaping, of the City's Land Development Regulations, is hereby amended as follows:

### 3.7.6. Miscellaneous Landscaping

- A. **Landscaping Adjacent to Right-of-Way without Off-Street Parking.** Perimeter standards for development without off-street parking areas adjacent to a right-of-way shall meet the following requirements:
  - 1. A minimum of one canopy tree per thirty-five (35) linear feet (or portion thereof), on center, shall be planted along the right-of-way. See also Chapter 89 for canopy tree requirements.
  - 2. A continuous hedge comprised of shrubs planted not more than thirty-six (36) inches, on center, shall be planted along the right-of-way. Species must be of sufficient type to achieve a mature height of five (5) feet from grade.
  - 3. Where perimeter buffers are required per Section 4.3, the right-of-way buffer shall be credited toward the perimeter buffer requirement along the portion of the lot line parallel to the right-of-way buffer. If the perimeter buffer is more intense than the right-of-way buffer, the required components of the right-of-way buffer are not required.
  - 4. In districts that allow for a zero foot setback adjacent to a right-of-way, where a setback of less than one (1) foot is proposed, no plantings are required adjacent to the right-of-way. A proposed setback of one (1) foot to less than five (5) feet requires foundation plantings only. A setback of five (5) feet or greater will require plantings consistent with this section.
- B. No change

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

**SECTION 5.** 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 6.** 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 25<sup>th</sup> DAY OF JUNE 2024.**

First Reading: June 11, 2024  
Second Reading: June 25, 2024  
  
Adoption: June 25, 2024

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Nick Pachota, Mayor

ATTEST:

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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 25<sup>th</sup> day of June 2024, a quorum being present.

**WITNESS** my hand and the official seal of said City this 25<sup>th</sup> day of June 2024.

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Kelly Michaels, MMC, City Clerk

Approved as to form:

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Kelly Fernandez, City Attorney