

**ORDINANCE NO. 2023-24**

**AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE 2017-2027 COMPREHENSIVE PLAN PURSUANT TO PETITION NO. 23-31CP BY AMENDING STRATEGY HG 1.5.2 TARGETED ATTAINABLE HOUSING LOCATIONS, AND TABLE HG-2 ATTAINABLE HOUSING – MAXIMUM DENSITY (DWELLING UNITS PER GROSS ACRE) WITH DENSITY BONUS, TO ALLOW AN ATTAINABLE HOUSING DENSITY BONUS FOR THE MODERATE DENSITY FUTURE LAND USE DESIGNATION (RESIDENTIAL MULTI-FAMILY ZONING DISTRICTS ONLY); PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Community Planning Act, Sections 163.3161 through 163.32466, Florida Statutes, (“Act”) authorizes and requires the City of Venice to adopt and amend a comprehensive plan in accordance with the Act; and

**WHEREAS**, the City of Venice adopted the 2017-2027 Comprehensive Plan on November 28, 2017 in accordance with said Act; and

**WHEREAS**, the City desires to allow an attainable housing density bonus for the Moderate Density future land use designation (Residential Multi-Family zoning districts only); and

**WHEREAS**, Chapter 87 of the City Code of Ordinances designates the City of Venice Planning Commission as the local planning agency; and

**WHEREAS**, the City of Venice Planning Commission held a duly noticed public hearing on June 6, 2023, and based upon review of the application materials, staff report, and testimony provided during the public hearing, recommended that City Council approve Petition No. 23-31CP; and

**WHEREAS**, the City Council has received and considered the report of the Planning Commission concerning Petition No. 23-31CP; and

**WHEREAS**, on July 11, 2023, the City Council, after due public notice, held a public hearing on Petition No. 23-31CP and approved, on first reading, the transmittal of the comprehensive plan amendments to the Department of Economic Opportunity, as the state land planning agency, for review; and

**WHEREAS**, no reviewing agency has identified any adverse impacts to important state resources and facilities within their authorized scope of review if the comprehensive plan amendments are adopted; and

**WHEREAS**, on August 22, 2023, the Venice City Council, after due public notice, held a second public hearing on Petition No. 23-31CP and determined it complies with the requirements of the Act.

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

**SECTION 1.** The above whereas clauses are ratified and confirmed as true and correct.

**SECTION 2:** Strategy HG 1.5.2 Targeted Attainable Housing Locations, and Table HG-2 Attainable Housing – Maximum Density (dwelling units per gross acre) with Density Bonus, of the City of Venice 2017-2027 Comprehensive Plan are hereby amended as shown on the revised pages of the Comprehensive Plan attached hereto as Exhibit “A” and incorporated herein by reference.

**SECTION 3.** All Ordinances or parts of Ordinances in conflict herewith shall be and the same are hereby repealed to the extent of the conflict.

**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.** The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after adoption. If 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.

**PASSED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA THIS 22<sup>ND</sup> DAY OF AUGUST 2023.**

First Reading: July 11, 2023

Second Reading: August 22, 2023

**ADOPTION:** August 22, 2023

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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 22nd day of August 2023, a quorum being present.

**WITNESS** my hand and the official seal of said City this 22nd day of August 2023.

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Kelly Michaels MMC, City Clerk

Approved as to form:

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Kelly Fernandez, City Attorney

## Exhibit "A"

Affordable Housing - serves incomes between 30-80% of AMI.  
 Community Housing - serves incomes less than 120% of AMI.  
 Workforce Housing - serves incomes of less than 140% of AMI.

The City has identified the need to further refine these categories to focus on providing incentives to facilitate housing that is **attainable** – does not exceed 30% of an individual or family annual income.

The table below is based on the 2016 U.S. HUD AMI and is subject to change on an annual basis. The dollar amounts are shown in shaded rows and represent monthly rental amounts that do not exceed 30% of the income levels above.

*Table HG-1: Attainable Housing Monthly Housing Costs (reference only)*

Attainable Housing Monthly Housing Costs						
Income Level	Family Size				Sub Category	U.S. HUD Category
	1	2	3	4		
<b>30% of Median</b>	\$12,999	\$14,856	\$16,713	\$18,570	Extremely Low Income Housing	Affordable Housing
Monthly Attainable Housing Costs	<b>\$325</b>	<b>\$371</b>	<b>\$418</b>	<b>\$464</b>		
<b>50% of Median</b>	\$21,700	\$24,800	\$27,900	\$30,950	Very Low Income Housing	
Monthly Attainable Housing Costs	<b>\$543</b>	<b>\$620</b>	<b>\$698</b>	<b>\$774</b>		
<b>80% of Median</b>	\$34,650	\$39,600	\$44,550	\$49,500	Low Income Housing	
Monthly Attainable Housing Costs	<b>\$866</b>	<b>\$990</b>	<b>\$1,114</b>	<b>\$1,238</b>		
<b>100% of Median</b>	\$43,330	\$54,320	\$55,710	\$61,900	Moderate Income Housing	Community Housing
Monthly Attainable Housing Costs	<b>\$1,083</b>	<b>\$1,358</b>	<b>\$1,393</b>	<b>\$1,548</b>		
<b>120% of Median</b>	\$51,996	\$59,424	\$66,852	\$74,280		
Monthly Attainable Housing Costs	<b>\$1,300</b>	<b>\$1,486</b>	<b>\$1,671</b>	<b>\$1,857</b>		
<b>140% of Median</b>	\$60,662	\$70,928	\$77,994	\$86,660		Workforce Housing
Monthly Attainable Housing Costs	<b>\$1,517</b>	<b>\$1,773</b>	<b>\$1,950</b>	<b>\$2,166</b>		
Source: 2016 Housing and Urban Development (HUD)						
Note: Graphic is for representative purposes only; please consult the adopted standards for complete family size information and conditions.						

### Strategy HG 1.5.2 - Targeted Attainable Housing Locations

The City has identified the MUD, MUC, MUS, MUT, and Moderate, Medium, and High Density future land use districts as appropriate for Attainable Housing development and redevelopment. Sites within these districts shall consider their proximity:

1. Major employment centers
2. Transit corridors
3. Urban trail systems



4. Arterial and collector roadways
5. Schools
6. Health care facilities
7. City owned properties
8. Shops and services
9. Parks and public spaces including functional open spaces (i.e., recreation and community centers)

**Strategy HG 1.5.3 - Attainable Housing Density Bonus and Other Incentives**

The City has targeted specific land use districts for attainable housing. Table HG-2 below identifies these land use districts and provides for the maximum density with a density bonus by land use category and attainable housing development type. The density bonus shall be applied based on a pro rata share (percentage) of affordable and/or community housing provided within the proposed development. For example, if 50 percent of the housing proposed meets the standards for the categories below, 50 percent of the density bonus could be applied. This Strategy shall not be interpreted to provide the density bonus based on the application or inclusion of market rate housing. The City has established a reserve density (density bonus) of 500 dwelling units that may be allocated during the planning horizon. The reserve density may be allocated by the City Council upon recommendation by the Planning Commission at the time of rezoning and/or site plan/preliminary plat review. Standards for the application of the reserve density, including the implementation, shall be provided in the Land Development Code. Any attainable housing bonus approved by the City shall count against the reserve density bonus allocation. The City Council may modify this number as part of a comprehensive plan amendment.

*Table HG-2: Attainable Housing – Maximum Density (dwelling units per gross acre) with Density Bonus*

<b>Attainable Housing - Maximum Density (du/ac) With Density Bonus</b>						
	<u>Moderate Density (RMF Only)</u>	Medium Density	High Density	Mixed Use Downtown, MUD	Mixed Use Seaboard, MUS	Mixed Use Corridor, MUC
Maximum Density without bonus (consistent with Strategies LU 1.2.3 and 1.2.9)	9	13	18	18	18	13
Affordable Housing	18	26	36	36	36	26
Community Housing	15	20	27	27	27	20

The City, through its Land Development Code and review processes, shall develop additional incentives for projects determined to be attainable housing.

**Strategy HG 1.5.4 - Maintaining Attainable Housing**

The City shall require a long-term (minimum of 10 years) binding recorded commitment to maintain the project as a qualifying attainable housing project consistent with the approval. The City may require mechanisms such as the following to facilitate maintaining attainable housing projects:

1. Land trusts
2. Nonprofit ownership
3. Resident-owned cooperatives

