

ORDINANCE NO. 2024-07

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 87, LAND DEVELOPMENT CODE, BY AMENDING SECTION 1.15.2., TEMPORARY USE PERMIT (PRIVATE PROPERTY), PURSUANT TO TEXT AMENDMENT PETITION NO. 24-17AM, TO AUTHORIZE THE TEMPORARY USE OF PORTABLE STORAGE CONTAINERS UNDER CERTAIN CONDITIONS; 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. 24-17AM to authorize the temporary use of portable storage containers under certain conditions; 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 April 16, 2024 regarding the Petition, and recommended approval to City Council of Text Amendment Petition No. 24-17AM; and

WHEREAS, City Council received and considered the report of the Planning Commission concerning Text Amendment Petition No. 24-17AM; and

WHEREAS, on May 14, 2024, and May 28, 2024, City Council held duly noticed public hearings on Text Amendment Petition No. 24-17AM 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. 24-17AM 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. 24-17AM is hereby approved. Chapter 87 Land Development Code, Section 1.15.2. Temporary Use Permit (Private Property), of the City's Land Development Regulations, is hereby amended as follows:

1.15.2. Temporary Use Permit (Private Property)

A. No change.

B. Applicability. Temporary uses on private property that require a temporary use permit shall comply with the following:

1. No change.
2. Certain other temporary uses require permits as follows:
 - a. Special events on private property in any zoning district.
 - b. Model homes or sample apartments in any zoning district.
 - ~~c. Portable storage containers, provided that the use will not extend beyond seven (7) days. Requests for up to thirty (30) days must be accompanied by additional narrative justification and may be approved by the Zoning Administrator.~~
 - ~~i. Portable storage containers on single family lots must be placed on a driveway.~~
 - c. Portable storage containers in any zoning district.
 - i. No signage other than the container company name and/or logo may be displayed on the container.
 - ii. Portable storage containers on residential lots must be placed on the driveway.
 - iii. Portable storage containers must be no larger than 18 feet long, 10 feet wide, and 10 feet in height.
 - iv. No portable storage containers are permitted in the right-of-way.
 - v. Portable storage containers within the Venice Avenue (VA) Zoning District may be approved by the Zoning Administrator for a maximum of ninety (90) consecutive days only between the months of December and April.
 - vi. In all districts other than VA, the use may not extend beyond seven (7) consecutive days. However, requests for up to thirty (30) consecutive days may be approved by the Zoning Administrator if accompanied by additional narrative justification.
 - d. Signs, as described in Sec. 3.5.3.
 - e. Other uses of a temporary nature where the period of use will not extend beyond 30 days. An alternative timeframe may be approved by the Director.

C. Specific Application Requirements. All applications for temporary use permits, whether issuable by the Zoning Administrator or requiring approval by the Commission, shall contain, as applicable:

1. Detailed narrative including the requested duration of the temporary use permit;
2. Site plan or survey indicating the precise area where the temporary uses and structures proposed will be located;
3. Drawings of all proposed signage and promotional elements; and
4. Signature of the property owner.

D. No change.

E. No change.

SECTION 3. All ordinances or parts of ordinances in conflict herewith shall be and the same are hereby repealed.

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. 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 28th DAY OF MAY 2024.

First Reading: May 14, 2024
Second Reading: May 28, 2024

Adoption: May 28, 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 an Ordinance duly adopted by the City of Venice Council, a meeting thereof duly convened and held on the 28th day of May 2024, a quorum being present.

WITNESS my hand and the official seal of said City this 28th day of May 2024.

Kelly Michaels, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney