

ORDINANCE NO. 2025-35

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 87, LAND DEVELOPMENT CODE, BY AMENDING TABLE 1.1., SUMMARY OF DECISION AUTHORITY BY APPLICATION TYPES, TABLE 1.2., SUMMARY OF APPLICATION TYPES WITH ADMINISTRATIVE APPROVALS, SECTION 1.2., COMMON REVIEW PROCEDURES, SECTION 1.10., SUBDIVISIONS, DELETING SECTION 1.10.2., FINAL PLAT, AND ADDING SECTION 1.15.5., FINAL PLAT AND REPLATS, PURSUANT TO TEXT AMENDMENT PETITION NO. 25-50AM, REVISING THE PLAT PROCESS TO COMPLY WITH THE REQUIREMENTS OF SECTION 177.071, FLORIDA STATUTES, AS AMENDED IN THE 2025 LEGISLATIVE SESSION BY SENATE BILL 784; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, as required by Florida law, the City maintains Land Development Regulations (LDRs) and an official Zoning Map of the City; and

WHEREAS, the City initiated Text Amendment Petition No. 25-50AM to revise the plat process to comply with the requirements of Section 177.071, Florida Statutes, as amended in the 2025 Legislative Session by Senate Bill 784; 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 September 2, 2025, regarding the Petition, and recommended approval to City Council of Text Amendment Petition No. 25-50AM with revisions; and

WHEREAS, City Council received and considered the report of the Planning Commission concerning Text Amendment Petition No. 25-50M; and

WHEREAS, on October 14, 2025, and October 28, 2025, City Council held duly noticed public hearings on Text Amendment Petition No. 25-50AM 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. 25-50AM 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. 25-50AM is hereby approved. Chapter 87, Land Development Code, of the City's Land Development Regulations, is hereby amended as shown on Exhibit "A", which is incorporated herein by reference.

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 OCTOBER, 2025.

First Reading: October 14, 2025

Second Reading: October 28, 2025

Adoption: October 28, 2025

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 October 2025, a quorum being present.

WITNESS my hand and the official seal of said City this 28th day of October, 2025.

Kelly Michaels, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney

VENICE LDR: CHAPTER 87 – SECTION 1 – ADMINISTRATION

1.1. Review Entities

1.1.1.-1.1.5. *No change.*

1.1.6. *Summary of Review Authority Tables*

Tables 1.1 and 1.2 summarize the various decision authorities of the City's review entities.

Table 1.1. Summary of Decision Authority by Application Types

| APPLICATION TYPES | CODE SECTION | PLANNING COMMISSION | CITY COUNCIL |
|--|-----------------------|---------------------|--------------|
| Annexations | 1.4 | R | D |
| Future Land Use Map Amendments | 1.5 | R | D |
| Comprehensive Plan Text Amendments | 1.5 | R | D |
| LDR Text Amendments | 1.6 | R | D |
| Zoning Map Amendments | 1.7 | R | D |
| Major Amendments to Planned Districts | 1.7.3 | R | D |
| Conditional Uses | 1.8 (Use) | D | A |
| | 1.8.4 (Density Bonus) | R | D |
| Site and Development Plan | 1.9 | D | A |
| Subdivision Preliminary Plat | 1.10.1 | D | A |
| Subdivision Final Plat | 1.10.2 | - | D |
| Design Alternatives | 1.11 | D | A |
| Height Exceptions | 1.12 | R | D |
| Variances | 1.13 | D | A |
| Vested Rights | 1.14 | - | D |
| KEY: R = RECOMMENDATION D = DECISION A= APPEAL | | | |

The following table provides for approvals by the Director and City Engineer. Other departments are also involved in the review and recommendation of administrative approvals.

Table 1.2. Summary of Application Types with Administrative Approvals

| APPLICATION TYPES REQUIRING ADMINISTRATIVE APPROVAL | CODE SECTION | DIRECTOR | CITY ENGINEER |
|--|------------------------------|----------|---------------|
| Construction Plans | 1.15.1 | R | D |
| Temporary Use Permits | 1.15.2 | D | R |
| Minor Amendments to Planned Districts | 1.7.3 | D | R |
| Minor Site and Development Plan | 1.15.3 | D | R |
| Minor Preliminary Plat Permit | 1.15.4 | D | R |
| Final Plat and Replat | <u>1.15.5</u> | <u>R</u> | <u>D</u> |
| Lot Boundary Change/Lot Split Permit | 1.15. 5 <u>6</u> | D | R |
| Zoning Permit | 1.15. 6 <u>7</u> | D | R |
| Zoning Determination | 1.15. 7 <u>8</u> | D | - |
| Certificate of Concurrence | 1.15. 8 <u>9</u> | D | R |
| Engineering Permit | 1.15. 9 <u>10</u> | R | D |
| <p><u>KEY:</u> R = REVIEW D = DECISION <u>NOTE:</u> Appeals of administrative decisions shall be heard by the Planning Commission</p> | | | |

1.1.7. No change.

1.2. Common Review Procedures

A.– F. No change.

G. No change.

- Each application shall include all information required for the specific application type, any other concurrent required applications, and any other information deemed necessary by the Director or designee. The City has ten (10) business days to perform the completeness review. For final plats, the procedure in Sec. 1.15.5.B shall apply.

2.-5. No change.

H.-J. No change.

1.3.-1.9. No change.**1.10. Subdivisions**

A. Applicability. A subdivision of land is the division of real property into more than two lots, parcels, tracts, tiers, blocks, sites, units or any other division of land, and/or the establishment of new streets and alleys, additions and re-subdivisions creating a recorded final plat; provided, however, that the sale or exchange of small parcels of land to or between adjoining property owners, where such sale or exchange does not create additional lots, shall not be considered as a subdivision of land (see lot reconfiguration requirements in Section 1.15.4). It shall be unlawful for any person, being the owner, agent or person having control of any land within the city, to subdivide or lay out such land in lots unless by a plat, in accordance with the regulations contained in this chapter and the applicable laws of the state. Subdivision plans submitted for code compliance review shall be in accordance with the requirements of technical codes and other applicable laws and ordinances. Subdivision plans shall be prepared by a state-licensed land surveyor, professional engineer, architect or certified land planner as may be appropriate to the particular item or as required by state law. A subdivision of land is a two-step process: Preliminary Plat and Final Plat. See Section 1.15.5 for the final plat review process.

1.10.1.-Preliminary Plat (Quasi-Judicial Application)

A.-D. No change.

1.10.2.-Final Plat

~~A. Purpose and Intent.~~ Final plats are the second of the two-step process to subdivide land in the City. The final plat is the official survey instrument to be recorded. It shall provide all surveying data necessary for the accurate and legal transfer of property. The recorded plat and statements of approval by all appropriate agencies, including access approval, comprise the final plat submission package. Engineering or surveying certification shall also be included. The Council shall act as the final decision maker for all final plats. No changes, erasures, name changes, modifications, phase lines, or revisions shall be made on any final plat after approval has been given, unless the plat is resubmitted for review and approval. This shall not affect the right to file an affidavit confirming an error on a recorded plat, as provided by law.

~~B. Specific Application Requirements.~~

- ~~1.~~ Upon satisfactory completion of any required improvements, or the posting of a developer's bond as required, the developer shall present two copies of the final plat to the City Engineer for processing review and approval by City staff.
- ~~2.~~ Upon acceptance by the City Engineer, the developer shall provide the city with four prints (one reproducible, signed and sealed Mylar and three black on white prints). The developer

shall provide copies of any deed restrictions to be imposed by the developer. Where such restrictions are too lengthy to be shown on the plat, they shall be submitted as attached documents to the plat to Council for its review and approval. Upon approval of the final plat, it shall be forwarded to the City Clerk for recording together with any other related legal documents.

- ~~3.~~ The final plat is to be drawn at a scale of not more than 100 feet to the inch unless written approval is received from the City Engineer for a smaller scale. If more than two sheets are required, an index sheet of the same dimensions shall be filed, showing the entire subdivision on one sheet of the areas shown on the other sheets. The final plat shall be prepared in accordance with the requirements of F.S., Ch. 177, Land Boundaries, Part I, Platting, as amended. The original signed and sealed Mylar is required for recording; the applicant is responsible for all recording fees. The final plat shall show:
 - ~~a.~~ The boundary lines of the area being subdivided, with accurate distances and bearings. The correct legal description of the property being subdivided shall be shown on the plat with the area of the subdivision. The legal description will use calls for defining all rights-of-way, centerlines and all boundary lines that are fractions of a section or of previously recorded subdivisions.
 - ~~b.~~ The lines of all proposed streets, rights-of-way and alleys, with their width. Street names shall be shown as approved by the Zoning Administrator and the Commission. All streets that are to be private shall be labeled as such.
 - ~~c.~~ The accurate outline of any portions of the property intended to be dedicated or granted for public use.
 - ~~d.~~ The lines of adjoining streets and alleys, with their width, names, and ownership.
 - ~~e.~~ The names of adjoining subdivisions and abutting boundaries thereof shown in correct location and all adjoining unplatted land so marked.
 - ~~f.~~ All lot lines together with an identification system for all lots and blocks. All lots are to be consecutively numbered, and all blocks are to be consecutively lettered.
 - ~~g.~~ The location of all easements provided for public use, services or utilities.
 - ~~h.~~ All dimensions, linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and any other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot.
 - ~~i.~~ The radii, arcs, chords, points of tangency and central angles for all curvilinear streets and radii for rounded corners.
 - ~~j.~~ The location of all survey monuments and benchmarks, together with their descriptions.

- ~~k.~~ The name of the subdivision or planned district, the scale of the plat (numerical and graphic), north point, the names of the owners, both legal and beneficial, and the date of the final plat.
 - ~~l.~~ Subdivision restrictions, except that subdivision restrictions that are of such length as to make their lettering on the plat impractical shall be referred to on the plat.
 - ~~m.~~ Area of nonrectangular lots, shown on the plat or provided by separate instrument and certified by a state-licensed land surveyor.
 - ~~n.~~ Signature and acknowledgement of the owners to the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of easements. The dedication must be executed by all persons, corporations, or entities whose signature would be required to convey record fee simple title to the lands being dedicated in the same manner in which deeds are required to be executed. All mortgagees having a record interest in the lands subdivided shall execute, in the same manner in which deeds are required to be executed, either the dedication contained on the plat or a separate instrument joining in and ratifying the plat and all dedications and reservations thereon.
 - ~~o.~~ Certificate of consent to dedication demonstrating consent of the mortgage owner.
 - ~~p.~~ Certificate of approval of Council with signature lines for the Mayor, City Attorney, and City Engineer.
 - ~~q.~~ The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all monuments shown. Applicants shall reimburse the City for outside surveyor review.
 - ~~r.~~ The plat must be signed and sealed by a professional surveyor and mapper, who must state on the plat that the plat was prepared under his or her direction and supervision and that the plat complies with all applicable survey requirements. Every plat must also contain the printed name and registration number of the professional surveyor and mapper directly below the required statement, along with the printed name, address, and certificate of authorization number of the legal entity, if any.
 - ~~s.~~ Certificate of approval of the County Clerk.
 - ~~t.~~ Any additional requirements that may be prescribed by the laws of the state relating to maps and plats proposed for public recording.
- ~~C. Decision Criteria.~~** All costs associated with the review not included as part of any application fee shall be borne by the developer offering the plat for review. The City Engineer or designee shall also coordinate the review of the plat with appropriate City departments for the purpose of determining its compliance with applicable City rules, regulations and laws and for conformance with the approved preliminary plat. Upon determining such compliance, the City Engineer shall

request a Mylar of the final plat from the developer, including all required signatures from the developer and, upon receipt, deliver the final plat to the City Clerk for presentation to Council. Upon approval by City Council, the City Clerk shall obtain signatures from the Mayor, City Attorney, and City Engineer and shall present the final plat to the County Clerk for recording. Developer's failure to present the fully executed Mylar to the city within 60 days of the staff approval will require the plat to be resubmitted in compliance with the regulations that are in effect at the time of resubmission. No documentation from the previous submission will be carried over from the city's files and all fees for submission of plats shall apply. The City must record the final plat within 60 days after approval.

1.11.-1.14. No change.

1.15. Administrative Applications

A. No change.

1.15.1.-1.15.4. No change.

1.15.5. Final Plat and Replats

A. Purpose and Intent. Final plats are the second of the two-step process to subdivide land in the city. The final plat is the official survey instrument to be recorded. It shall provide all surveying data necessary for the accurate and legal transfer of property. The recorded plat and statements of approval by all appropriate agencies, including access approval, comprise the final plat submission package. Engineering or surveying certification shall also be included. The City Engineer shall act as the final decision maker for all final plats. No changes, erasures, name changes, modifications, phase lines, or revisions shall be made on any final plat after approval has been given, unless the plat is resubmitted for review and approval. Replats follow the same approval process as original final plats. This shall not affect the right to file an affidavit confirming an error on a recorded plat, as provided by law.

B. Review Process. Within 7 business days after receipt of a final plat submittal, the Engineering Department shall provide written notice to the applicant acknowledging receipt of the final plat submittal and identifying any missing documents or information necessary to process the final plat submittal for compliance with F.S. Sec. 177.091. The written notice must also provide information regarding the final plat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat submittal. Unless the applicant requests an extension of time, the Engineering Department shall approve, approve with conditions, or deny the final plat submittal within sixty (60) days of receipt of a complete application.

C. Specific Application Requirements.

1. Upon satisfactory completion of any required improvements, or the posting of a developer's bond as required, the applicant shall present two copies of the final plat to the City Engineer for processing review and approval.
2. Upon acceptance by the City Engineer, the applicant shall provide the city with four prints (one reproducible, signed and sealed Mylar and three black-on-white prints). Upon approval of the final plat, it shall be forwarded to the City Clerk for recording together with any other related legal documents.
3. All costs associated with final plat review not included as part of any application fee shall be borne by the applicant.
4. The final plat is to be drawn at a scale of not more than 100 feet to the inch unless written approval is received from the City Engineer for a smaller scale. If more than two sheets are required, an index sheet of the same dimensions shall be filed, showing the entire subdivision on one sheet of the areas shown on the other sheets. The final plat shall be prepared in accordance with the requirements of F.S., Ch. 177, Land Boundaries, Part I, Platting, as amended. The original signed and sealed Mylar is required for recording; the applicant is responsible for all recording fees. The final plat shall show:
 - a. The boundary lines of the area being subdivided, with accurate distances and bearings. The correct legal description of the property being subdivided shall be shown on the plat with the area of the subdivision. The legal description will use calls for defining all rights-of-way, centerlines and all boundary lines that are fractions of a section or of previously recorded subdivisions.
 - b. The lines of all proposed streets, rights-of-way and alleys, with their width. Street names shall be shown as approved by the Zoning Administrator and the Commission. All streets that are to be private shall be labeled as such.
 - c. The accurate outline of any portions of the property intended to be dedicated or granted for public use.
 - d. The lines of adjoining streets and alleys, with their width, names, and ownership.
 - e. The names of adjoining subdivisions and abutting boundaries thereof shown in correct location and all adjoining unplatted land so marked.
 - f. All lot lines together with an identification system for all lots and blocks. All lots are to be consecutively numbered, and all blocks are to be consecutively lettered.
 - g. The location of all easements provided for public use, services or utilities.
 - h. All dimensions, linear and angular, necessary for locating the boundaries of the subdivision, lots, streets, alleys, easements, and any other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot.

- i. The radii, arcs, chords, points of tangency and central angles for all curvilinear streets and radii for rounded corners.
- j. The location of all survey monuments and benchmarks, together with their descriptions.
- k. The name of the subdivision or planned district, the scale of the plat (numerical and graphic), north point, the names of the owners, both legal and beneficial, and the date of the final plat.
- l. Subdivision deed restrictions, except where such restrictions are too lengthy to be shown on the plat, they shall be referred to on the plat and submitted (fully executed) for City review and approval.
- m. Area of nonrectangular lots, shown on the plat or provided by separate instrument and certified by a state-licensed land surveyor.
- n. Signature and acknowledgement of the owners to the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of easements. The dedication must be executed by all persons, corporations, or entities whose signature would be required to convey record fee simple title to the lands being dedicated in the same manner in which deeds are required to be executed. All mortgagees having a record interest in the lands subdivided shall execute, in the same manner in which deeds are required to be executed, either the dedication contained on the plat or a separate instrument joining in and ratifying the plat and all dedications and reservations thereon.
- o. Certificate of consent to dedication demonstrating consent of the mortgage owner.
- p. Signature lines for the Mayor, City Attorney, and City Engineer.
- q. The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all monuments shown. Applicants shall reimburse the City for outside surveyor review.
- r. The plat must be signed and sealed by a professional surveyor and mapper, who must state on the plat that the plat was prepared under his or her direction and supervision and that the plat complies with all applicable survey requirements. Every plat must also contain the printed name and registration number of the professional surveyor and mapper directly below the required statement, along with the printed name, address, and certificate of authorization number of the legal entity, if any.
- s. Certificate of approval of the County Clerk.
- t. Any additional requirements that may be prescribed by the laws of the state relating to maps and plats proposed for public recording.

- D. Decision Criteria.** The City Engineer shall coordinate the review of the final plat with appropriate City departments for the purpose of determining its compliance with applicable City rules and regulations and state laws and for conformance with the approved preliminary plat. Upon determining such compliance, the City Engineer shall request a Mylar of the final plat from the applicant, including all required signatures from the applicant. Upon approval by the City Engineer, the City Clerk shall obtain signatures from the Mayor, City Attorney, and City Engineer. The applicant's failure to present the applicant-executed Mylar to the City within 60 days of City Engineer approval will require the final plat to be resubmitted in compliance with the regulations that are in effect at the time of resubmission. No documentation from the previous submission will be carried over from the City's files and all fees for submission of final plats shall apply.
- E. Recording.** The approved final plat shall be recorded by the applicant with the Sarasota County Clerk of the Circuit Court within 15 days of applicant receiving the approved plat from the City, unless an extension of time has been agreed to in writing by the City. After recordation of the plat, the applicant shall provide to the City Engineer a full-size certified copy of the recorded plat. If a final plat is not timely recorded, administrative approval of the final plat shall expire and the final plat must be resubmitted.

1.15.56. Lot Boundary Change/Lot Split Permit

A.-C. No change.

1.15.67. Zoning Permit

A.-C. No change.

1.15.78. Zoning Determination

A.-C. No change.

1.15.89. Certificate of Concurrency

A.-C. No change.

1.15.910. Engineering Permit

A. No change.

1.16. No change.