

ORDINANCE NO. 2025-01

AN ORDINANCE OF THE CITY OF VENICE, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 87, LAND DEVELOPMENT CODE, BY AMENDING TABLE 2.3.5.2, SOUTH TRAIL AREAS OF UNIQUE CONSIDERATION, PURSUANT TO TEXT AMENDMENT PETITION NO. 24-29AM, BY ALLOWING THE ASSISTED LIVING UNITS TO BE CONVERTED TO INDEPENDENT LIVING UNITS AT A SPECIFIED RATIO; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Southwest Florida Retirement Center, Inc., submitted Text Amendment Petition No. 24-29AM to allow assisted living units to be converted to independent living units at a specified ratio; 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 November 18, 2024, regarding the Petition, and recommended approval to City Council of Text Amendment Petition No. 24-29AM; and

WHEREAS, City Council received and considered the report of the Planning Commission concerning Text Amendment Petition No. 24-29AM; and

WHEREAS, on January 14, 2025, and January 28, 2025, City Council held duly noticed public hearings on Text Amendment Petition No. 24-29AM 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. 24-29AM 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. 24-29AM is hereby approved. Chapter 87 Land Development Code, Table 2.3.5.2, South Trail Areas of Unique Consideration, of the City's Land Development Regulations, is hereby amended as follows:

Development Standards	Areas of Unique Consideration
Density	<p data-bbox="532 289 716 321"><u>Assisted Living:</u></p> <p data-bbox="532 331 1195 363">30 Units Per Gross Acre with individual Kitchen Facilities</p> <p data-bbox="532 422 1235 453">55 Units Per Gross Acre without individual Kitchen Facilities</p> <p data-bbox="532 512 1386 585"><u>Assisted living units may be converted to independent living units at the following ratios:</u></p> <ul data-bbox="581 600 1446 768" style="list-style-type: none"> <li data-bbox="581 600 1403 674">• <u>1 independent living unit for 2 assisted living units with individual kitchen facilities</u> <li data-bbox="581 688 1446 768">• <u>1 independent living unit for 3 assisted living units without individual kitchen facilities</u> <p data-bbox="532 827 769 858"><u>Independent Living:</u></p> <p data-bbox="532 869 1029 900">18 Units Per Gross Acre for Age Restricted</p>

* REMAINDER OF TABLE 2.3.5.2. IS UNCHANGED

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 JANUARY 2025.

First Reading: January 14, 2025

Second Reading: January 28, 2025

Adoption: January 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 January 2025, a quorum being present.

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

Kelly Michaels, MMC, City Clerk

Approved as to form:

Kelly Fernandez, City Attorney