

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

November 1, 2017

The Honorable John Holic
Mayor, City of Venice
Development Services Department
401 W. Venice Avenue
Venice, Florida 34285-3031

Dear Mayor Holic:

The Department of Economic Opportunity has completed its review of the proposed comprehensive plan amendment for the City of Venice (Amendment No. 17-1ESR) which was received on October 2, 2017. We have reviewed the proposed amendment pursuant to the expedited state review process in Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comments related to important state resources and facilities within the Department of Economic Opportunity's authorized scope of review that will be adversely impacted by the amendment if adopted.

We are, however, providing a technical assistance comment consistent with Section 163.3168(3), F.S. The technical assistance comment will not form the basis of a challenge. It is offered either as a suggestion which can strengthen the City's comprehensive plan in order to foster a vibrant, healthy community or is technical in nature and designed to ensure consistency with the Community Planning Act in Chapter 163, Part II, F.S.

The City's proposed comprehensive plan has a new Planning horizon of 2027. However, the Future Land Use Map does not identify the new planning horizon. The map should be revised to include the new planning horizon established by the comprehensive plan.

The City is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the City. If other reviewing agencies provide comments, we recommend the City consider appropriate changes to the amendment based on those comments. If unresolved, such reviewing agency comments could form the basis for a challenge to the amendment after adoption. The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

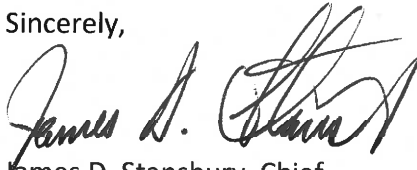
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Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the Department of Economic Opportunity and any affected party that provided comment on the amendment.

We appreciate the opportunity to work with City staff on the subject plan amendment. If you have any questions concerning this review, please contact Valerie James, at (850) 717-8493, or by email at valerie.james@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/vj

Enclosure(s): Procedures for Adoption

cc: Jeff Shrum, AICP, Development Services Director, City of Venice

Margaret A. Wuerstle, AICP, Executive Director, Southwest Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. 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. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.

Rick Scott
GOVERNOR



Cissy Proctor
EXECUTIVE DIRECTOR

October 2, 2017

Mr. Jeff Shrum, AICP, Director
City of Venice Development Services
401 W. Venice Avenue
Venice, Florida 34285-2006

Dear Mr. Shrum:

Thank you for submitting the City of Venice's proposed comprehensive plan amendments submitted for our review pursuant to the Expedited State Review process. The reference number for this amendment package is **Venice 17-1ESR**.

The proposed submission package will be reviewed pursuant to Section 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. You will receive the Department's Comment Letter no later than **November 1, 2017**.

If you have any questions please contact Anita Franklin, Senior Plan Processor at (850) 717-8486 or Brenda Winningham, Regional Planning Administrator, whom will be overseeing the review of the amendments, at (850) 717-8516.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/af

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
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MEMORANDUM

TO: Suzanne Ray, DEP
Deena Woodward, DOS
Tracy Suber, DOE
Trisha Neasman, Southwest Florida WMD
Chesna/Catala FDOT1
Margaret Wuerstle, Southwest Florida RPC
Sarasota County

DATE: October 2, 2017

SUBJECT: EXPEDITED STATE REVIEW PROCESS

COMMENTS FOR PROPOSED COMPREHENSIVE PLAN AMENDMENT

LOCAL GOVERNMENT / STATE LAND PLANNING AGENCY AMENDMENT #:

Venice 17-1ESR

STATE LAND PLANNING AGENCY CONTACT PERSON/PHONE NUMBER:

Brenda Winningham/850-717-8516

The referenced proposed comprehensive plan amendment is being reviewed pursuant the Expedited State Review Process according to the provisions of Section 163.3184(3), Florida Statutes. Please review the proposed documents for consistency with applicable provisions of Chapter 163, Florida Statutes.

Please note that your comments must be sent directly to and received by the above referenced local government within 30 days of receipt of the proposed amendment package. A copy of any comments shall be sent directly to the local government and ALSO to the Department of Economic Opportunity to the attention of Ray Eubanks, Administrator, Plan Review and Processing at the Department E-mail address: DCPexternalagencycomments@deo.myflorida.com

Please use the above referenced State Land Planning Agency AMENDMENT NUMBER on all correspondence related to this amendment.

Note: Review Agencies - The local government has indicated that they have mailed the proposed amendment *directly to your agency*. See attached transmittal letter. *Be sure to contact the local government if you have not received the amendment*. Also, letter to the local government from State Land Planning Agency acknowledging receipt of amendment is attached.

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CITY OF VENICE

DEVELOPMENT SERVICES DEPARTMENT

401 W. Venice Avenue Venice, FL 34285-2006

Phone: (941) 486-2626 Fax: (941) 480-3031

September 29, 2017

Florida Department of Economic Opportunity
Attn: Ray Eubanks, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison Street, MSC 160
Tallahassee, FL 32399

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Div. of Community Planning and Growth
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Div. of Community Development
Dept. Economic Opportunity

RE: Expedited Comprehensive Plan Amendment - City of Venice Comprehensive Plan 2017-2027

Dear Mr. Eubanks:

The City of Venice, in accordance with the procedures for Expedited State Review, Florida Statutes (FS) Chapter 163.3184(3), is transmitting its "City of Venice Comprehensive Plan 2017-2027" replacing in its entirety, the previously adopted 2010 Comprehensive Plan. Enclosed with this letter are one (1) hard copy and two (2) electronic copies on a CD in a PDF format. In addition to the Proposed 2017 – 2027 Comprehensive Plan, which has significant changes to formatting, we are providing one (1) hard copy and two (2) electronic copies of the 2010 Comprehensive Plan shown in "strike through" format to clarify the City's intent to replace the current plan in its entirety. Along with this cover memo, the transmittal package includes a listing of all of the transmittal files found on the associated CD.

The Local Planning Agency held a duly advertised public hearing on May 3, 2017, at which time on a vote of 6-0 they recommended approval of the proposed amendments for transmittal to the City Council. The proposed Comprehensive Plan was heard by the City Council in transmittal hearings held on: June 12, 2017, June 23, 2017, August 30, 2017 and September 19, 2017. City Council, on a vote of 5-1, recommended for approval on first reading at the scheduled and advertised public transmittal hearing held on September 19, 2017. Pursuant to Florida Statutes (FS), Chapter 163.3184(3)(b), the proposed Comprehensive Plan amendments and related documentation is being transmitted to the State Land Planning Agency as well as the other required review agencies including: the Florida Department of Transportation, Florida Department of Education, Florida Department of State, Florida Department of Environmental Protection, Southwest Florida Regional Planning Council, Southwest Florida Water Management District, Sarasota County, and the School District of Sarasota County.

These amendments are not related to:

- an area of critical state concern pursuant to FS Chapter 380.05,
- a rural land stewardship area pursuant to FS Chapter 163.3248,
- a sector plan pursuant to FS Chapter 163.3245,
- a new plan for a newly incorporated municipality pursuant to FS Chapter 163.3167,
- an Evaluation and Appraisal Report (EAR) pursuant to FS Chapter 163.3191.

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The proposed City of Venice 2017-2027 Comprehensive Plan replaces in its entirety the currently adopted 2010 Comprehensive Plan due to substantial formatting and structural changes to the document, including the replacement of the typical Goal, Objective, and Policy approach to a system of Vision, Intent, and Strategy statements. As this approach is significantly different than most Florida local governments, there was discussion about this during the public input process regarding this approach as well as informal discussion with the Florida Department of Economic Opportunity. The following highlight the important aspects of the proposed amendments to assist reviewers:

1. **2010 Plan Repealed (strikethrough format).** The 2010 Plan and related information is repealed in its entirety and replaced with the 2017 – 2027 Venice Comprehensive Plan. It is important to note that certain aspects of the 2010 Plan have been incorporated into the proposed 2017 – 2027 Plan including the entire Joint Planning Areas and Agreement with Sarasota County. Other aspects of the current plan have been carried forward and included in a “Transition Section (policies)” of the Land Use Element. Information specific to the amendment including reasons why the Plan has been proposed for change is provided on pages 7-9 (Introduction). Table I-1 Comprehensive Plan Review Summary provides a “snapshot” of the 2010 Element and its GOPs as they relate to changes in Growth Management / Florida Statutes, information deemed to be regulatory in nature, information that was noted as “inconsistent” with other provisions, required, subsequent studies that could not be achieved, requirements for Master Plans, undefined topics and GOPs which did not provide sufficient guidance to the City.
2. **GOP and VIS.** Goals, Objectives and Policies (GOP) are replaced by Vision, Intent and Strategies (VIS). The VIS format achieves the same as the GOPs; however, better reflects comments and direction by the Planning Commission, sitting as the Local Planning Agency (LPA), that this proposed Plan should be “visionary” in its approach and mission in providing guidance for decision makers and for the implementing regulations. The following information is noted within the Plan’s Introduction. “Vision, Intent and Strategies take the place of the traditional form of Goals, Objectives, and Policies; however, serve a similar purpose – to identify the broad-based goals of the City (Vision), what the City hopes to achieve (Intent), and how the City envisions achieving the Vision (Strategies). As used throughout the Comprehensive Plan, the following terms are generally (commonly) referred to by Chapter 163, F.S. as:
 - Vision = “Goal”; identified in the body of the Plan by “Vision” followed by the Element Identifier
 - Intent = “Objective”; identified in the body of the Plan by “Intent” followed by the Element Identifier
 - Strategy = “Policy”; identified in the body of the Plan by “Strategy” followed by the Element Identifier

Information in the proposed Comprehensive Plan is identified by a series of letters and numbers. Specifically, the first number represents the Vision number, the second represents the Intent number and the third number represents the Strategy number. For Example, Strategy LU – 1.1.1 means that the information presented is the first Strategy under the first Intent within the first Vision. Similarly, the Neighborhoods are coded by a two-letter identifier that is also provided in the information to further differentiate between City-wide information and Neighborhood specific information.

3. **Neighborhoods.** Planning Areas previously identified and adopted have been replaced by Neighborhoods. The City Council and the Planning Commission (LPA) desired to create a Plan that not only addressed the needs of the City as a whole but also provided area specific (additional) provisions for Neighborhoods. Neighborhoods were identified and analyzed based on their geographic location, composition, natural boundaries, and their “intent”. The previous

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Planning Areas did not address the entire City and also did not provide clear, predictable standards and policies to guide land use, transportation, environmental considerations, etc. The Planning Areas also required significant, additional analysis and processes (i.e., future plans including small area plans) thereby replicating the Comprehensive Plan process subsequent to the adoption of that Plan.

- a. Certain 'regulatory' standards within policies from the 2010 Plan were determined to be more applicable/appropriate as Land Development and Zoning Code. Standards included but were not limited to parking ratios, setbacks, architectural standards, building heights and specific development standards.
4. **Future Land Use & Carrying Capacity.** The City's "Carrying Capacity" is identified in Data Inventory and Analysis and summarized on page 17 of the Comprehensive Plan (Background section). The City noted during the initial reviews that detailed land use analysis was not previously undertaken with the 2010 Plan and in order to identify the potential impacts of the 2010 Comprehensive Plan and the 2017-2027 Comprehensive Plan, a corresponding analysis was undertaken. The proposed Plan and its related strategies results in a more appropriate and realistic approach to the City's overall growth and development. **As amended, the proposed Plan would reduce the maximum number of residential units from 50,566 to 39,735, and reduce the maximum non-residential development square feet from 94,159,557 to 76,000,657.** Some level of reduction is attributable to clarification in the previous Plan's language which allowed for the "double counting" of acreage for both residential and non-residential development as well as better reflecting the desires of the community.
5. **Peril of Flood.** Peril of Flood is addressed within the proposed Plan in both the Land Use and Open Space Elements. Specifically, the Land Use Element includes a section identified as "Coastal Management" including Vision LU 3 and related Strategies LU 3.1.1 through LU 3.1.5. The Open Space Element includes not only conservation related measures but also includes additional information, some similar, within Intent OS 1.9 Coastal High Hazard Area (CHHA) development and related Strategies OS 1.9.1 through OS 1.9.10. A copy of the CHHA Map is provided as Map LU-11 and LU-12 (CHHA with corresponding Land Use designations), and Map OS-1 and OS-2. Furthermore, where a CHHA is identified within the respective Neighborhood, the Neighborhood Map Series includes maps identifying the CHHA and Future Land uses.
6. **Transitional Language.** Transitional Language is provided within the proposed Comprehensive Plan to address and provide assurances that certain information deemed necessary by the City was in fact retained until such time as the City's Land Development and Zoning Code are formally amended. It is understood that upon the update of the City's Code, the City would then process a subsequent Comprehensive Plan amendment removing items determined at that time to no longer be needed or relevant. Vision LU 4 and its related Intent and Strategies provide the information deemed necessary in, at a minimum, the interim until the Code is amended. This includes language regarding Land Use Compatibility and Site Plan Design and Architectural Review.
7. **Review Matrix.** Based on the nature of the proposed Plan, a review matrix is provided (digital format only due to the size of the review matrix itself), that identifies the respective Florida Statutes requirement with the proposed VIS. Each VIS is identified as compared to the provisions of F.S. Chapter 163.31.
8. **JPA/ILSBA.** The Joint Planning Agreement and Interlocal Service Boundary Agreement (JPA/ILSBA) with Sarasota County is identified and provided in Intent 5.1. There are no portions of the current JPA/ILSBA that are being amended with this proposed Comprehensive Plan.
9. **Hurricanes including Evacuation.** Similar to recent discussions by Sarasota County and due to Hurricane Irma, the City will continue to work with Sarasota County, analyze hurricane

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evacuation data and information, and update the Comprehensive Plan accordingly. Sarasota County is the primary provider of shelter space within the community. This section of the proposed plan will likely be amended as discussions with Sarasota County and surrounding municipalities commence to address appropriate changes as a result of Hurricane Irma.

10. **Intergovernmental Coordination.** The LPA proposed incorporating the specific intergovernmental coordination requirements within the respective Element. This proposal follows similar proposals by the LPA to provide like type information within the Element. While a formal, separate Intergovernmental Coordination Element (ICE) is not provided, all of the coordination measures and standards are provided in each Element

For additional information or clarification regarding this transmittal, please contact Mr. Jeff Shrum, AICP, Development Services Director, City of Venice, 401 West Venice Avenue, Venice, FL 34285 (941) 882-7431, or email at jshrum@venicegov.com.

Sincerely,



Jeff Shrum, AICP

Director of Development Services Director

cc: Department of Economic Opportunity, Bureau of Comprehensive Planning
Department of Education
Department of Environmental Protection
Department of State
Department of Transportation, District One
Southwest Florida Regional Planning Council
Southwest Florida Water Management District
Sarasota County Planning Department
Sarasota County School Board

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