

# Venice 2017-2027 Comprehensive Plan Scriveners Errors Corrections Comprehensive Plan Amendment Petition No. 18-01CP Staff Report

**<u>Applicant</u>:** City of Venice

**<u>Staff</u>: Jeff Shrum, AICP, Development Services Director** 

## **Description of Corrections:**

- 1. Correction to Map for Gateway Neighborhood Mixed Use Corridor (MUC). A portion of the parcel was not identified as MUC).
- 2. Correction to all related Map depictions for the JPA Area 1 (incorrectly removed a portion of Area 1).
- 3. Correction to associated data/tables for Gateway Neighborhood for the MUC. As a result of map change as indicated in #1 above and as the result of incorrect figures used for parcel acreage.
- 4. Add JPA Amendments #1 and #2 to the Comprehensive Plan.
- 5. Add Open Use Conservation (OUC), Marine Park (MP) as implementing zoning districts for the Conservation Future Land Use and add Residential, Tourist Resort (RTR) as implementing zoning districts for the Mixed Use Corridor Future Land Use. These zoning districts where inadvertently not identified as implementing zoning districts in the Plan.

# I. INTRODUCTION: SCRIVENERS ERRORS/CORRECTIONS

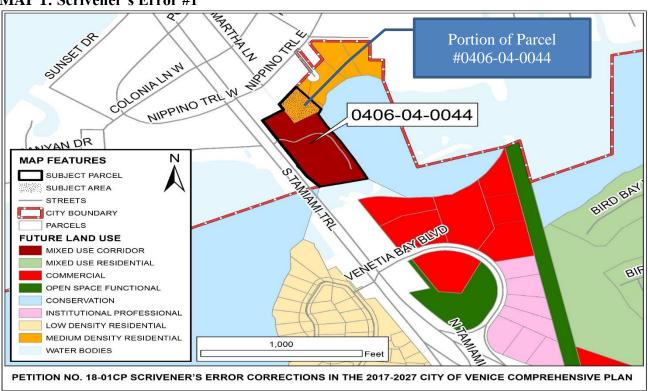
Introduction: The scrivener's errors identified for Amendment No. 18-01 CP were the result of inadvertent errors and omissions that occurred during the construction of the maps, tables, and text that comprised the final adopted City of Venice 2017-2027 Comprehensive Plan. While this amendment includes just five main corrections, the corrections necessitate that all associated tables, figures, and text throughout the comprehensive plan also be updated.

The format of this report is to provide a description/correction for each identified error. The final section provides a complete listing of all associated tables, figures, and text that must also be updated as a result of the identified corrections.

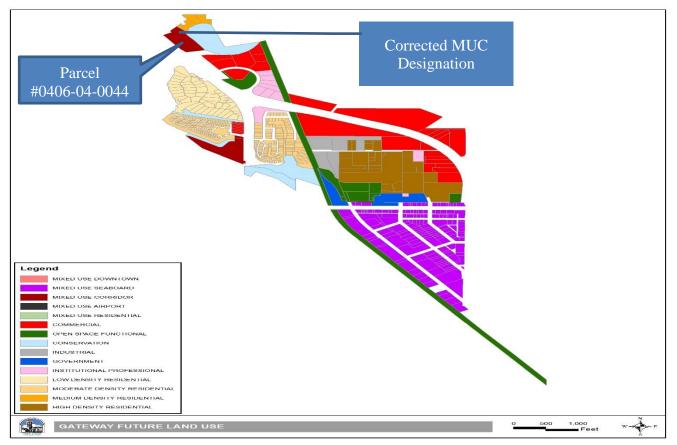
# **II. IDENTIFIED ERROR: DESCRIPTION/CORRECTION**

**Scrivener Error #1:** Although there was no discussion during the development of the comprehensive plan to provide a split future land use for the property located at 1199 Tamiami Trail South (Parcel ID #0406-04-0044), consultant GIS staff mapped a portion of the parcel as Medium Density Residential. (see Map 1 below).

# MAP 1: Scrivener's Error #1

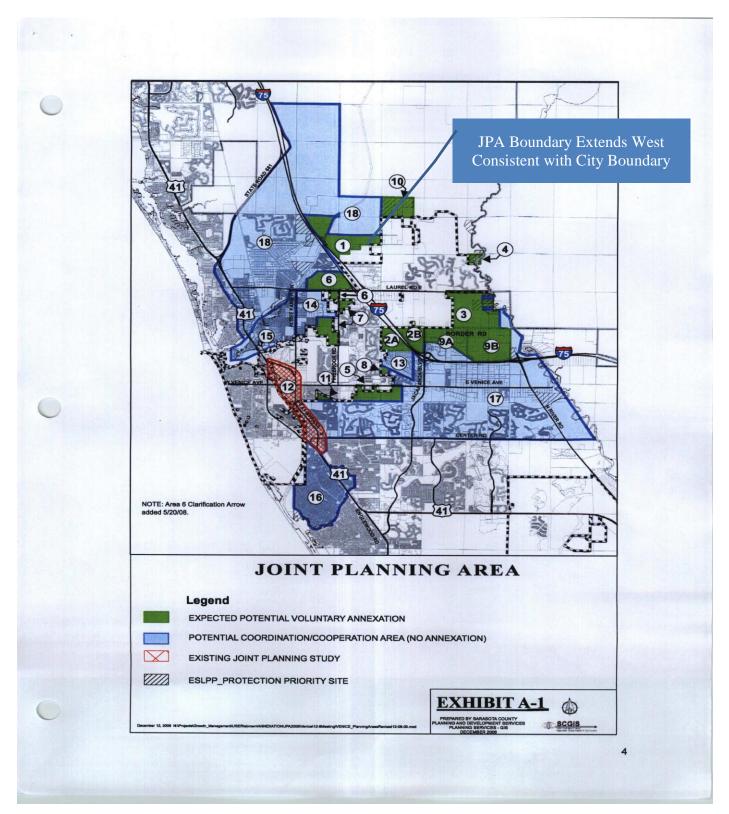


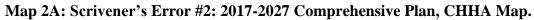
# MAP 1A: Correction to Scrivener's Error #1

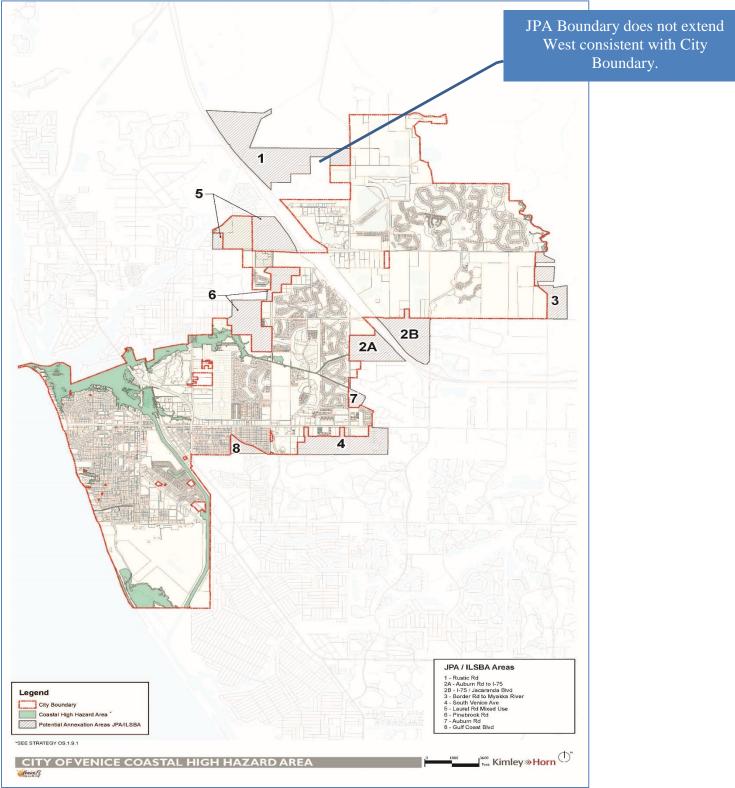


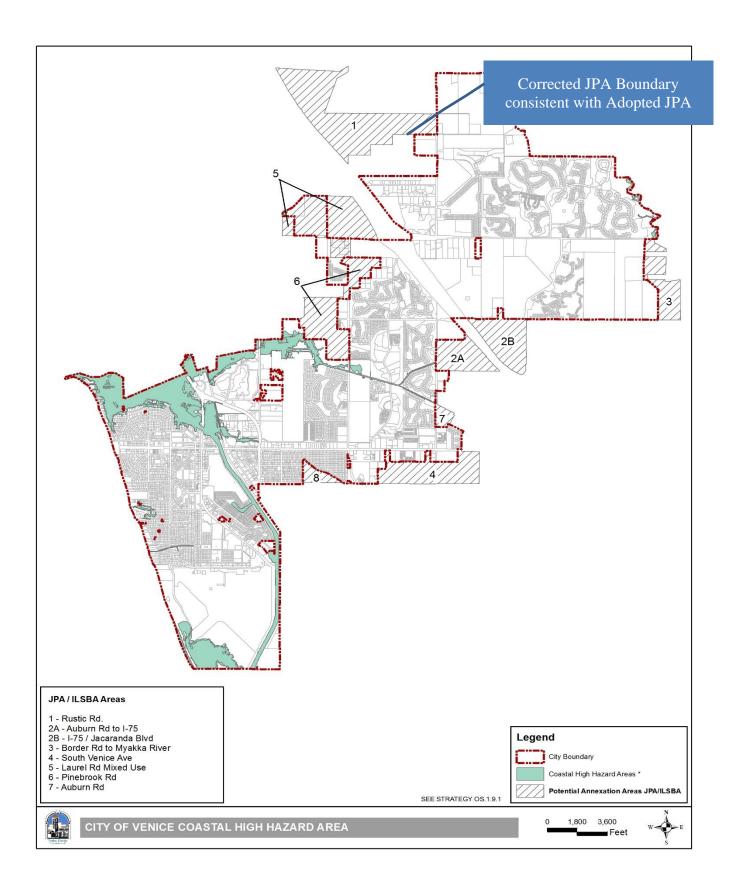
Scrivener Error #2: Map incorrectly excluded three parcels of land as potential annexation areas included in the adopted Joint Planning and Agreement with Sarasota County as depicted in Map #2 below:

# Map 2: Scrivener's Error #2: JPA Map (Adopted Amendment #1 Map for Illustration of Error).





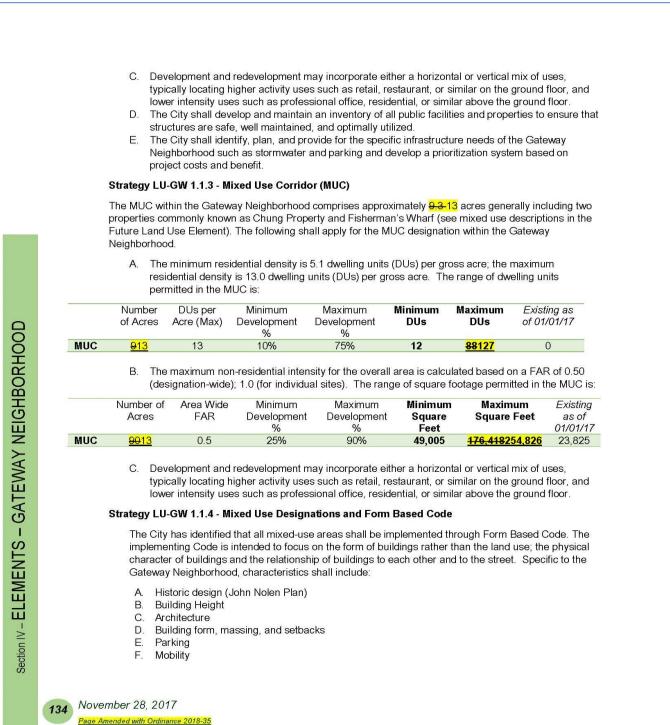




# MAP 2B: Example CHHA Map - Correction to JPA Area 1 to address Scrivener's Error #2

**Scrivener Error #3:** In review of data as a result of the change to the Map to address Scrivener's Error #1 (above), it was also noted that the incorrect acreage was utilized for the remaining mixed use corridor for the Gateway neighborhood. Specifically, the incorrect acreage for parcel ID # 0407060010 (commonly referred to as the Fisherman's Warf property). Additionally, as shown in the Exhibit 1 below 90 acres was shown which was a clear typo in the document.

# Exhibit #1: Correction to Scrivener's Error #3



Scrivener Error #4: Adopted Amendments #1 and #2 to the JPA/ISBLA were inadvertently left out of the Comprehensive Plan. Exhibit 2 depicts JPA/ISBLA Amendment #1 to be added to the comprehensive plan. NOTE: Exhibit #2 is not yet formatted for inclusion into the Plan.

EXHIBIT #2: Amendment #1 JPA/ISLBA (NOT FORMATTED FOR INCLUSION INTO PLAN)



CONTRACT NO. 201

#### MENDMENT NO. 1 TO THE AMENDED AND RESTATED JOINT PLANNING AND INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF VENICE AND SARASOTA COUNTY

This Amendment is made and entered into this 13th day of March, 2019,

by and between the City of Venice, a municipal corporation organized and existing under the laws of the State of Florida (the "City") and Sarasota County, a charter county and political subdivision of the State of Florida (the "County").

WHEREAS, the City and County are the parties to a Joint Planning and Interlocal Service Boundary Agreement dated January 9, 2007, which was amended on November 12, 2008; and amended and restated on October 26, 2010 (the "JPA/ILSBA"); and

WHEREAS, the JPA/ILSBA identifies the Princeton Laurel Property (PID 0385-01-0001) as a Potential Annexation Area; and

WHEREAS, on February 22, 2011, the City annexed the Princeton Laurel Property (PID 0385-01-0001) into the corporate limits of the City of Venice, Florida by the adoption of Ordinance No. 2008-05; and

WHEREAS, in order to resolve a dispute regarding the property's eligibility for annexation, the parties wish to amend the JPA/ILSBA to provide that the provisions of Florida Statute 171.204 shall apply to annexation of the Princeton Laurel Property (PID 0385-01-0001); and

WHEREAS, the Princeton Laurel Property (PID 0385-01-0001) is compact and is "urban in character" as defined by 171.031(8) F.S. and its annexation by the City did not create an enclave as defined by 171.031(13) F.S. and is compliant with Chapter 171; and

WHEREAS, the parties wish to provide for annexation of the Princeton Laurel Property (PID 0385-01-0001) pursuant to the provisions of Florida Statute 171.204; and

WHEREAS, the parties also wish to amend the JPA/ILSBA to correct clerical errors in the numbering of certain paragraphs.

NOW, THEREFORE, in consideration of the mutual covenants contained within the JPA/ILSBA and this Amendment No. 1, the City and County agree as follows:

1. Paragraph 5 of the JPA/ILSBA is hereby amended to read as follows:

5. Annexation of Lands Within the JPA. The City may annex lands within the JPA set forth in Exhibit A in accordance with this Agreement upon adoption of the comprehensive plan amendments required to implement this Agreement and upon the City's receipt of a petition for annexation from the persons who own the property proposed to be annexed and the property is contiguous, as defined in Chapter 171, Florida Statutes, to the municipal boundaries of the city. and the area to be annexed is compact. In addition, the City agrees that it will not create new or expanded enclaves within potential annexation areas.

- A. Annexation Pursuant to Part I of Chapter 171 F.S. The City may annex lands in Potential Annexation Areas pursuant to Part I of Chapter 171 F.S. provided that the area to be annexed is compact and that the annexation will not create new or expanded enclaves within Potential Annexation Areas.
- B. Annexation Pursuant to Part II of Chapter 171 F.S. The Princeton Laurel Property (PID 0385-01-0001) was annexed by the City (Ordinance No. 2008-05) under Chapter 171, F.S., in accordance with this Agreement, the agreed upon stipulations and this amendment, and shall be deemed compliant with Part II of Chapter 171. F.S.

2. Subparagraph 20.C. (which will be renumbered "21.C" in paragraph 5 of this amendment) of the JPA/ILSBA is hereby amended to read:

C. Compliance with Chapter 171, Part II, Florida Statutes. The Parcels Eligible for Annexation Pursuant to Part II of Chapter 171 F.S. The Parties agree that this Agreement also meets the requirements of Chapter 171, Part II, Florida Statutes. The Parties agree that pursuant to Section 171.204, Florida Statutes, the restrictions on the character of land that may be annexed pursuant to Chapter 171, Part I, Florida Statutes, shall not be restrictions on land that may be annexed in accordance with this Agreement provided that such land is contiguous, urban in character, and compact and otherwise meets the terms and conditions of this Agreement.

- 3. Paragraph "18. 19." (sic) at the bottom of page A-22 of the JPA/ILSBA shall be renumbered "18"; the second paragraph 20 on page A-23 of the JPA/ILSBA shall be renumbered "21; and paragraph 21 on page A-24 of the JPA/ILSBA shall be renumbered "22".
- Except as specifically amended by this Amendment No. 1, all other terms and conditions contained within the JPA/ILSBA shall remain in full force and effect.

# IN WITNESS WHEREOF, the CITY OF VENICE, FLORIDA has caused this

Amendment No. 1 to the JPA/ILSBA to be executed by its Mayor and affixed its official seal, attested by its Clerk, pursuant to the Authorization of the Venice City Council, and SARASOTA COUNTY, FLORIDA has caused this Amendment to be executed by its Chair and affixed its official seal, attested by its Clerk, pursuant to the authorization of the Board of County Commissioners, on the day and year indicated above.

ATT **Deputy Clerk** 

Approved as to form and Execution By: M Step Shu

**County Attorney** 

Board of County Commissioners Sarasota County, Florida

By: Christine Robinson

City Council City of Venice, Florida

By:

John Holic, Mayor

Approved as to form and execution By:

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Robert C. Anderson, Attorney for the City of Venice

## EXHIBIT #3: Amendment #2 JPA/ISLBA (NOT FORMATTED FOR INCLUSION INTO PLAN)

CONTRACT NO. 20

BCC APPROVED 7-10-12

AMENDMENT NO. 2 TO THE AMENDED AND RESTATED JOINT PLANNING AND INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF VENICE AND SARASOTA COUNTY

This Amendment is made and entered into this 10 day of 30 day of 30 day of 30 day of 30 day of the State of Florida (the "City") and Sarasota County, a charter county and political subdivision of the State of Florida (the "County").

WHEREAS, the City and County are the parties to a Joint Planning and Interlocal Service Boundary Agreement dated January 9, 2007 (the "Original JPA"), which was amended on November 12, 2008; amended and restated on October 26, 2010 and further amended on March 13, 2012 (collectively, the "JPA/ILSBA"); and

WHEREAS, paragraph 6.B.(12) of the Original JPA identified "Area 10-Venice Minerals Area" as being eligible for annexation by the City; and

WHEREAS, the Joint Planning Area map and Joint Planning Agreement Matrix, being, respectively, Exhibit A and Exhibit B-1 of the Original JPA, mislocated and misidentified Area 10, showing same to be located northerly of the intended location of Area 10; and

WHEREAS, on May 19, 2010, the owner of the property described on Exhibit "A" hereof (the "Ajax Property") hereof made an application to the City for annexation into the City of the Ajax Property; and

WHEREAS, the Ajax Property currently contains an asphalt plant and related production facilities; and

WHEREAS, the City had intended that the Ajax Property was to be included within Area 10 as the same should have been identified in the Original JPA; and

WHEREAS, the other properties originally intended to be included in Area 10 (collectively, the "Contiguous Properties") have previously been annexed into the City and they are contiguous to the east, south and west boundaries of the Ajax Property; and

WHEREAS, following the annexation by the City of the Contiguous Properties, the City's Comprehensive Plan was amended to create the Gene Green Sector allowing, *inter alia*, the use of properties for asphalt production, manufacturing, recycling and other components of asphalt production; and

WHEREAS, in order to allow for the consideration by the City of the annexation of the Ajax Property, the parties wish to amend the JPA/ILSBA to provide that the provisions of Florida Statute 171.204 shall apply to annexation of the Ajax Property.

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NOW, THEREFORE, in consideration of the mutual covenants contained within the JPA/ILSBA and this Amendment No. 2, the City and County agree as follows:

- 1. There shall be added to the JPA/ILSBA a sub-paragraph 6. B. (10) which shall read as follows:
  - (10) Area 19 -SIT-Venice Parcel. Production and manufacture of asphalt and related products; asphalt recycling and other components of asphalt production; temporary and permanent stockpiling of components of asphalt production; and stormwater management. The Future Land Use designation applied by the City shall be consistent with the allowable land uses for the Gene Green Planning Area (Area L) in the Venice Comprehensive Plan, to include: asphalt production, manufacturing, sorting, processing and loading, recycling and other components of asphalt production; temporary and permanent stockpiling; concrete/cement and products production and processing; water resource storage and production; stormwater management; native habitat preservation/mitigation; and accessory uses, including commercial office space not to exceed an FAR of 0.10. Development shall be served by City water and sewer.

2. Exhibit A of the JPA/ILSBA is hereby amended to add a new Area 19 (SJT-Venice Parcel) to the City of Venice – Sarasota County Joint Planning Area.

3. Exhibit B of the JPA/ILSBA is hereby amended to add a new Area 19 (SJT-Venice Parcel) to the City of Venice – Sarasota County Joint Planning Matrix .

IN WITNESS WHEREOF, the CITY OF VENICE, FLORIDA has caused this Amendment No. 2 to the JPA/ILSBA to be executed by its Mayor and affixed its official seal, attested by its Clerk, pursuant to the Authorization of the Venice City Council, and SARASOTA COUNTY, FLORIDA has caused this Amendment to be executed by its Chair and affixed its official seal, attested by its Clerk, pursuant to the authorization of the Board of County Commissioners, on the day and year indicated above.

**Deputy Cleri** 

Approved as to form and Execution

**County Attorney** 

**Board of County Commissioners** Sarasota County, Florida

By:

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**City Council** City of Venice, Florida By: May Mayor John W. Holic JUN 1 2 2012

ATTEST: seh

Lori Stelzer, City Clerk

Approved as to form and execution

By: (

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**Robert C. Anderson, Attorney for** the City of Venice

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#### EXHIBIT "A" DESCRIPTION OF SJT-VENICE PARCEL

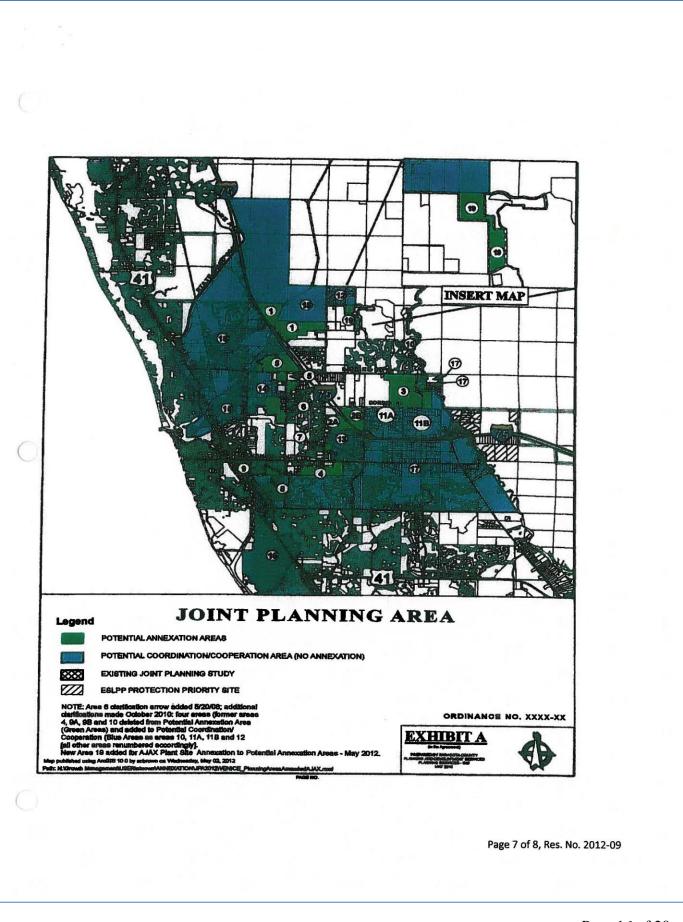
#### **DESCRIPTION: OVERALL**

A PARCEL OF LAND LYING IN SECTION 22, TOWNSHIP 38 SOUTH, RANGE 19 EAST SARASOTA COUNTY, FLORIDA, MORE PARTICULARITY DESCRIBED AS FOLLOWS:

POINT OF COMMENCEMENT, SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 38 SOUTH, RANGE 19 EAST, THENCE N.01'04'13"W., ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 A DISTANCE OF 1398.48 FEET TO THE POINT OF BEGINNING; THENCE N.01'04'13"W., ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22 A DISTANCE OF 1278.44 FEET; THENCE N.01'04'13"W., ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 22 A DISTANCE OF 1278.44 FEET; THENCE N.01'04'13"W., ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 22 A DISTANCE OF 1338.57 FEET; THENCE N. 89'24'53"W., ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22 A DISTANCE OF 1327.78 FEET; THENCE N.00'44'08"W., ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 22 A DISTANCE OF 1309.28 FEET; THENCE S.89'24'53"E., A DISTANCE OF 1120.07 FEET; THENCE S.01'04'13"E., A DISTANCE OF 1108.61 FEET; THENCE S.89'24'53"E., A DISTANCE OF 400.17 FEET; THENCE S.01'04'13"E., A DISTANCE OF 650.27 FEET; THENCE S.89'24'53"E., A DISTANCE OF 500.21 FEET; THENCE S.01'04'13"E., A DISTANCE OF 1765.76 FEET; THENCE S.59'15'45"W., A DISTANCE OF 771.08 FEET, THENCE N.89'29'19W. A DISTANCE OF 30.01 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 3,023,111 SQUARE FEET OR 69.40 ACRES, MORE OR LESS.

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Echibit B

С.

City of Venice – Sarasota County Joint Planning Agreement Matrix

Environmental Timing of Infrantiser
No tissues Identified
Identified
Sewer
ROW FOR FUTURE FOUR- LANING OF Phashrook. Note: environmental and FCT finding tasues with going in after the fact and running road further south.
ADW FOR FUTURE F ADW FOR FUTURE F LANING OF Phebror Nota: emborance Mote and the fac going in after the fac runnagr coad further fac Honevers There & h
ventos Ventos Comprehendos Man (Adopted 2000) 3 du / lec.
Land Use Land Use County Moderate Density Residential
Location 16 (Pinebrook Road)

N/A within this JPA N/A within this JPA City and County Weter and Sewer within each respective jurisdiction City and County support US 41 Bypass widening Transportation N N ž ZEL (INS 41 Bypass) Location

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**Scrivener Error #5:** The Adopted 2017-2027 Comprehensive Plan inadvertently left out three existing zoning district categories as an implementing zoning district within the Plan. The three categories where: Open Use Conservation (OUC), Marine Park (MP), and Residential, Tourist Resort (RTR).

# Exhibit 4: Correction to Scrivener's Error #5

- 2. Typical government uses include educational facilities, cultural, social services, transportation facilities including aviation functions, which support the City and its residents
- Depending on the nature of certain intensive governmental uses such as water and wastewater treatment plants, solid waste facilities including transfer facilities, significant mitigation techniques shall be provided

#### Strategy LU 1.2.5 - Residential Uses in Non-Residential Designations

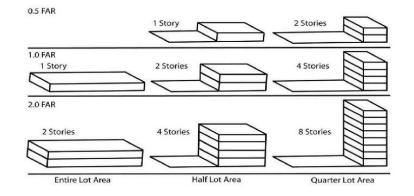
In order to provide predictable land uses, residential uses previously provided for or permitted through the conversion factor, including its allocation ratio, have been removed from this Comprehensive Plan.

Strategy LU 1.2.6 - Non-Residential Intensity Defined; Floor Area Ratio (FAR) Non-Residential Development ("Intensity") is measured in Floor Area Ratio (FAR). FAR is calculated by dividing the total size of the building/structure (in square feet) by the total size (in square feet) of the lot on which the building is located.

#### EXAMPLE

A 5,000-square foot building on a 10,000 square foot lot equals an FAR of 0.5.

Figure LU-1: FAR Examples



#### Strategy LU 1.2.7 - Open Space.

Open Space Land Use	Intensity (Floor Area Ratio)	Implementing Zoning Districts
Functional	0.05	GU, PUD, PID, PCD
Conservation	Incidental to Conservation uses	GU, PUD, PID, PCD, OUC, MP

#### Strategy LU 1.2.7.a - Functional

1. Identifies public parks, trails, natural systems (not including those provided



City of Venice Comprehensive Plan 2017-2027 Page Amended with Ordinance 2018-36 **Strategy LU 1.2.9 - Mixed Use Category.** The City has developed Mixed Use future land use categories and provided the minimum and maximum targeted land uses, densities, and intensities identified below.

Mixed Use Land Use	Intensity (Floor Area Ratio)	Residential Density	Implementing Zoning Districts
Downtown			CBD, RMF-3, RMF-4, CN, CG, OPI, CMU
Seaboard	See Strategies below for the respective Intensity and Density Standards including Maximum Levels of Development. Residential densities below are per parcel and not an average across the Mixed Use Designation.		RMF-3, RMF-4, CN, CG, CI, CSC, PCD, ILW, PID, CMU
Corridor			RMF-3, RMF-4, PUD, CN, CG, CI, OPI, OMI, PCD, ILW, CMU, RTR
Airport			GU, PCD, PID
Residential			PUD

#### Strategy LU 1.2.9.a - Downtown (MUD)

- Limited to the Island Neighborhood, generally centered on Venice Avenue and Tamiami Trail (Business 41)
- 2. Supports mixed use (horizontal and vertical)
- 3. Medium and High Residential uses are permitted
- 4. Commercial/Office are envisioned on the ground floor
- 5. Low Density and Moderate Density Residential and Industrial uses are not permitted
- 6. Typically walkable in nature
- 7. Designation Total Development (Min/Max Percentages) as follows:
  - a) Non-Residential: 50%/ 80%
  - b) Residential: 20%/50%
- 8. Intensity/Density:
  - a) Non-Residential Intensity (FAR): 0.65 (average) Designation-Wide; 3.0 maximum per individual property
  - b) Residential Density (Du/Ac): 9.1 18.0
    - Where vertical mixed use is proposed, the minimum residential density may be reduced to 5.1 Du/Ac (gross)

#### Strategy LU 1.2.9.b - Seaboard (MUS)

- Limited to the Gateway/Waterway Neighborhood, bounded by Venice Avenue (generally south side of Venice Avenue) and Tamiami Trail (Bypass 41) (west side of Tamiami Trail)
- 2. Supports mixed use (horizontal and vertical)
- All Non-Residential Uses are envisioned; however, new Industrial Uses are prohibited
- 4. Medium and High Residential uses are permitted; Low and Moderate Density Residential uses are prohibited except where



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# III. COMPLETE LISTING OF ALL ASSOCIATED TABLES, FIGURES, AND TEXT

The City of Venice 2017-2027 Comprehensive Plan was developed to maximize a user friendly approach for all users. As part of this approach, the Plan provides the same information included in tables, figures, and text to provide clarity and consistency throughout the document. As a result, any changes to this information requires that all subsequent information (tables, figures, and text) within the Plan also be updated. The following is a complete listing of all changes to the Plan as a result of the scrivener's corrections identified as #1-5 in this staff report.

Exhibit 6: Listing of all updated Figures, Tables, and Text.