




City of Venice
Planning & Zoning Division
MEMORANDUM

To: City Council, City Manager, City Attorney
From: Jeff Shrum, Development Services Director 
Date: June 17, 2019
Re: Requested Stipulation – Petition No. 18-10RZ GCCF Zoning Amendment

As the result of review of another PUD Zoning request to modify building height language as part of a PUD amendment, staff in consultation with the City Attorney have determined that any request to eliminate procedural requirements (conditional use process) as part of a PUD zoning is inconsistent with the intent and scope of the PUD zoning district. Unfortunately, staff's finding regarding this issue occurred after the approval and transmittal by the Planning Commission of Petition No. 18-10RZ to establish a new PUD zoning district for the subject GCCF properties. This PUD zoning petition includes a request to eliminate a conditional use process for buildings up to 42 feet in height. Specifically, the proposed binding master plan language reads as follows:

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A. Maximum Height of Structures

- 1) Single-Family - 3 stories up to 42' including parking.
- 2) Assisted Living, House of Worship, Medical Office- 5 stories up to 55' including parking. (For heights above 3 stories and 42', Conditional Use approval required)

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- 3) A modification to Sec. 86-130 (h) is requested concerning building height. The proposed modification is to replace the Land Development Code standard of 35' over 10' of parking with the Comprehensive Plan standard of up to 42' including parking.

The proposed modification is necessary to address an inconsistency between the City's Land Development Code and its Comprehensive Plan.

This proposed binding master plan language is in conflict with Section 86-130 PUD planned unit development district, Sections (f) and (h) which reads as follows:

(f) Conditional use. The following conditional use is permissible in the PUD district after public notice and hearing by city council:

- (1) Buildings over 35 feet in height but not in excess of 85 feet.*
- (2) Reserved.*

(h) Maximum height of structures . No portion of a structure shall exceed 35 feet in a PUD district, except as permissible by conditional use. An additional ten feet for one story devoted primarily to parking within the structure may be added to the limit.

As a result of further staff review on this issue, the following stipulation is requested to eliminate this inconsistency:

Staff Stipulation Petition No. 18-10RZ: Revise the Binding master plan as follows (~~strikethrough~~ is deleted language and underline is new language):

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B. Maximum Height of Structures

- 1) Single-Family - 3 stories up to 42' including parking.
- 2) Assisted Living, House of Worship, Medical Office- 5 stories up to 55' including parking. ~~(For heights above 3 stories and 42', Conditional Use approval required)~~
No portion of a structure shall exceed 35 feet except as permissible by conditional use.
An additional ten feet for one story devoted primarily to parking within the structure is allowed by right.

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- ~~3) A modification to Sec. 86-130 (h) is requested concerning building height. The proposed modification is to replace the Land Development Code standard of 35' over 10' of parking with the Comprehensive Plan standard of up to 42' including parking.~~

~~The proposed modification is necessary to address an inconsistency between the City's Land Development Code and its Comprehensive Plan.~~

I apologize for this oversight on this issue, which we believe occurred in the Milano and Toscana Isle PUD's. Please let me know if you have any questions.