



CITY OF VENICE
DEVELOPMENT SERVICES DEPARTMENT
MEMORANDUM

TO: Planning Commission
FROM: Amy Nelson, AICP, Senior Planner
SUBJECT: May 18, 2021 Public Hearing – Amendment to Sec. 86-90
DATE: April 22, 2021

BACKGROUND

A city initiated Comprehensive Plan and Zoning Map Amendment process is currently underway. These amendments revealed problems with our current code that would create inconsistencies unless corrected at this stage. Other regulations will dictate how these uses may be implemented.

As a result, staff is proposing to amend the Office, Professional and Institutional District (OPI) in the following manner:

1. The minimum parcel size (which is currently set at two acres) for a House of Worship will be eliminated.

Residential Single Family zoning allows houses of worship through a special exception and with a requirement for the parcel to be a minimum of two acres in size. Limitations such as this are typically included to address adjacent residential uses. This size restriction is being removed in the more intensive OPI district, where house of worship is a permitted principal use, allowed by right.

2. Public and private elementary, middle and high schools will be allowed in the district as a permitted use.

By most definitions, schools are considered an institutional use. Sarasota County, the City of Sarasota, and the City of North Port are among area local governments who allow schools as a permitted use in the OPI district.

3. Cemeteries, columbaria and mausoleums will be allowed through a special exception, consistent with how they are currently permitted in the RSF district.

Certain uses should receive more scrutiny than others. Staff feels that this is one of those uses, that are permanent in nature, and requires additional consideration when approving their location. The additional layer of review provided through the Special Exception process is proposed to be maintained.

We will be addressing these various uses in the new code as well.

PROPOSED AMENDMENT

Below is a ~~striketrough~~ underline copy of the revisions proposed for Section 86-90. - OPI office, professional and institutional district:

Sec. 86-90. - OPI office, professional and institutional district.

Section 86-90(a) remains unchanged.

(b) *Permitted principal uses and structures.* Permitted principal uses and structures in the OPI district are:

- (1) Professional and business offices.
- (2) Hospitals, rest homes, nursing homes, convalescent homes, homes for the aged and homes for orphans, provided that no such facility shall have a lot area of less than 2.5 acres, that no building in connection with such facilities shall be closer than 50 feet to the lot line of any adjoining property, and that all other state, county and city regulations in regard to such establishments shall be met.
- (3) Housing for the aged.
- (4) Medical and dental clinics and medical and dental laboratories.
- (5) Existing one- and two-family dwellings.
- (6) Townhouses.
- (7) Art galleries, libraries, museums, community centers, publicly owned and operated recreational facilities, and theaters for live stage productions (amateur or professional).
- (8) Research laboratories not involving odor, noise, smoke or other noxious effects detectable to normal senses from off the premises, and not involving manufacturing activities.
- (9) Houses of worship (except temporary revival or gospel establishments), ~~provided the minimum parcel size shall be two acres.~~
- (10) Dance, art and music studios.
- (11) Funeral homes.
- (12) Private clubs.
- (13) Animal hospitals with boarding of animals in completely enclosed buildings.
- (14) Banks and financial institutions, without drive-in facilities, provided that such uses shall be located on arterial streets.
- (15) One-family, two-family and multiple-family dwellings within buildings eligible for listing on the local register of historical resources.
- (16) Public elementary, middle and high schools with conventional academic curriculums, and private elementary, middle and high schools with conventional academic curriculums similar to those in public elementary and high schools.

Section 86-90(c) and (d) remain unchanged.

(e) *Special exceptions.* The following special exceptions are permissible in the OPI district after public notice and hearing by the planning commission:

- (1) Child care centers, provided that:
 - a. A fenced play area of not less than 3,000 square feet shall be provided for the first 20 or fewer children, with 200 square feet additional for each additional child.
 - b. A landscaped buffer shall be required on nonstreet property lines.
- (2) Multiple-family dwellings.
- (3) Colleges and universities.
- (4) Vocational, trade or business schools, provided all activities are conducted in completely enclosed buildings.
- (5) Sanitariums.
- (6) Detoxification centers, as defined by state and federal guidelines.
- (7) Commercial and service activities as follows:
 - a. Where there is a demonstrated need, limited commercial and service activities directly related to and in support of institutional and office uses within the district, such as:
 1. Retail outlets for sale of books, educational and art supplies, florist or gift shops, drugstores for sale of prescriptions and medicines and medical supplies only at retail, prosthetic appliance establishments and similar establishments.

2. Service establishments such as restaurants (but not drive-in restaurants), restaurants with drive-through or pick-up facilities, barbershops or beauty shops, laundry or dry cleaning pickup stations (but not a laundry, self-service laundry, dry cleaner, etc.), and similar service activities.
- b. These uses are subject to the following limitations:
 1. Sale, display, preparation and storage shall be conducted within a completely enclosed building.
 2. Products shall be sold only at retail.
 3. No sale, display or storage of secondhand merchandise is permitted.
 4. No signs are permitted other than identification wall signs.
- (8) When these districts adjoin a commercial district without an intervening street, but with or without an intervening alley, off-street parking lots in connection with nearby commercial uses, provided that:
 - a. Such parking lots may be permitted only between the commercial district and the nearest street in the office district.
 - b. A landscaped buffer area is required on all non-street property lines.
 - c. No source of illumination for such lots shall be directly visible from any adjoining residential property.
 - d. No movement of vehicles is permitted on such lots between the hours of 10:00 p.m. and 7:00 a.m., and greater limitations may be imposed where so required.
- (9) Assisted living facilities. Minimum lot area and setback for buildings in connection with such facilities shall be 2.5 acres with a minimum setback of 50 feet for assisted living facilities exceeding 150 beds.
- (10) Banks and financial institutions with drive-in facilities, provided that such uses shall be located on arterial streets.
- (11) Pain management clinic.
- (12) Cemeteries, columbaria and mausoleums, provided that no grave, monument or structure shall be closer than 25 feet to any boundary line of the property.

Section 86-90 (f) through (k) remain unchanged.

PLANNING COMMISSION DETERMINATION

According to Section 86-47(f)(2), amendments to the land development code require Planning Commission to consider and study the following for their recommendation to City Council:

- a. The need and justification for the change.
- b. The relationship of the proposed amendment to the purposes and objectives of the city's comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this chapter and other city ordinances, regulations and actions designed to implement the comprehensive plan.

Staff is requesting Planning Commission recommendation to City Council on this item.