



CITY OF VENICE

Land Development Regulations Update

Petition Number: 20-24AM

Staff Report

Introduction

The City's Comprehensive Plan was adopted in December of 2017 and became effective on January 12, 2018. Soon after, the Planning staff and the Planning Commission, with the assistance of Kimley-Horn and Associates as a consultant, began work to implement the new plan through the update of the Land Development Regulations. This update became a complete rewrite of the LDRs, something not done since the adoption of the City's first zoning code in 1978.

Not only did the update become a complete rewrite, but the Comprehensive Plan set the course for the City to include mixed use areas regulated by form based code. Whereas the City's current Euclidean zoning is based on the idea that each "zone" or designated area of land should be reserved for a specific use, form-based code zoning is based on context. Instead of focusing on use, form-based code focuses on building form. These challenges have been addressed and after five years of work, the Planning Commission has developed and endorsed a new set of LDRs. These new LDRs bring the City's regulations into the present and set the standards to achieve the plan set out in the Visions, Intents and Strategies of the 2017-2027 Comprehensive Plan.

Goals for the LDRs

- A. It is the intent of the LDRs to establish an efficient, effective and equitable regulatory and procedural code relating to the use of land and development of the City. Specifically, the LDRs are adopted to achieve the following objectives:
 - 1. Consistent with the Comprehensive Plan, promote the City's neighborhoods, vibrancy of its downtown and the capacity of its public infrastructure;
 - 2. Promote development patterns that will balance the economic, social, historical and environmental needs of the community and preserve a high quality of life for all residents;
 - 3. Improve the City's neighborhoods and provide a method for addressing development and redevelopment within the City;
 - 4. Regulate land use, building height, architectural standards, and compatibility;
 - 5. Consolidate and eliminate districts where feasible;
 - 6. Through the creation of Mixed-Use Areas, develop zoning districts which utilize ideas and best practices of form based codes;
 - 7. Not remove any development rights vested. The LDR shall continue to allow for the City's vested rights determination process as outlined in Section 1.14: Vested Rights, of this LDR;

8. Provide for the safe regulation of buildings and structures within the City; and
9. Implement regulations for environmentally oriented topics.

LDR Overview

The current LDRs are divided into eight Articles, 23 Divisions, and multiple Sections containing approximately 428 pages. The proposed LDRs include three Chapters, nine Sections and approximately 550 pages. It is obvious that the LDRs have been consolidated and organized in a way that provides a more customer friendly code. The proposed LDRs are organized as follows:

Chapter 87 Land Development Code

Section 1: Administration

- Identifies City Boards and staff and their review responsibilities and roles.
- Provides common processing and review procedures for all types of land use applications.
- Provides specific purpose and intent, application requirements and decision criteria for each type of application, both public hearing and administrative.

Section 2: Zoning

- Introduces the official zoning map.
- Identifies each traditional zoning district and addresses the inactive districts.
- Provides development standards for each of the traditional districts.
- Includes the use tables for each traditional district.
- Identifies each of the mixed use zoning districts and provides a map for each.
- Explains the framework of the mixed use districts.
- Provides development standards for each of the mixed use districts.
- Includes the use tables for each mixed use district.
- Includes use definitions and standards for all uses in the code.

Section 3: Development Standards

- Provides general standards for development in the City.
- Includes the following:
 - Stormwater and Utilities
 - Streets and Sidewalks
 - Signs
 - Parking
 - Landscaping
 - Fences, Walls, Berms, and Retaining Walls
 - Lighting

Section 4: Compatibility

- Includes the compatibility standards for development.
 - Building setback and step back
 - Perimeter buffering

Section 5: Concurrency Management and Mobility

- Processes to apply for, review and confirm required level of service (LOS) for City services.

- Includes the procedure for transportation review.

Section 6: Special Considerations

- Includes miscellaneous item standards such as:
 - Alcoholic Beverages
 - Telecommunication
 - Airport Regulations
 - Resort Dwellings
 - Commercial and Recreational Vehicle Parking
 - Medical Marijuana Dispensing Facilities
 - Residential Garage Sales
 - Mobile Food Vending
 - Dog Dining

Section 7: Historic and Architectural Preservation Controls and Standards

- Introduces the Manager of Historic Resources.
- Identifies the Historic Venice Architectural Control District (HV/ACD) and the newly expanded Venetian Theme Architectural Control District (VT/ACD).
- Discusses the Local Register and Landmarks.
- Identifies the various required Certificates.
 - Architectural Compliance
 - Appropriateness
 - Demolition
 - Relocation
- Provides architectural design standards for the Venice Historic Precedent.
- Introduces Cultural and Archaeological Resources.

Section 8: Nonconformities: Uses, Structures, and Existing Development

Section 9: Definitions

Chapter 88: Building Regulations

- General building regulations.
- Administration.
- Property Maintenance Standards.
- Contractor Registration.

Chapter 89: Environmental Regulations

- Includes regulations for open space, habitat protection, marine turtles, wetlands and mining.
- Addresses Coastal High Hazard area and stormwater management.
- Includes tree preservation regulations.

Problem Areas Addressed with the New LDRs

The City's current code is a 1960's era code based on the County's code. It was adopted in 1978. The code has been revised multiple times over the years, but there are a number of issues that have caused interpretation and application confusion. Following are some of the current code issues that will be

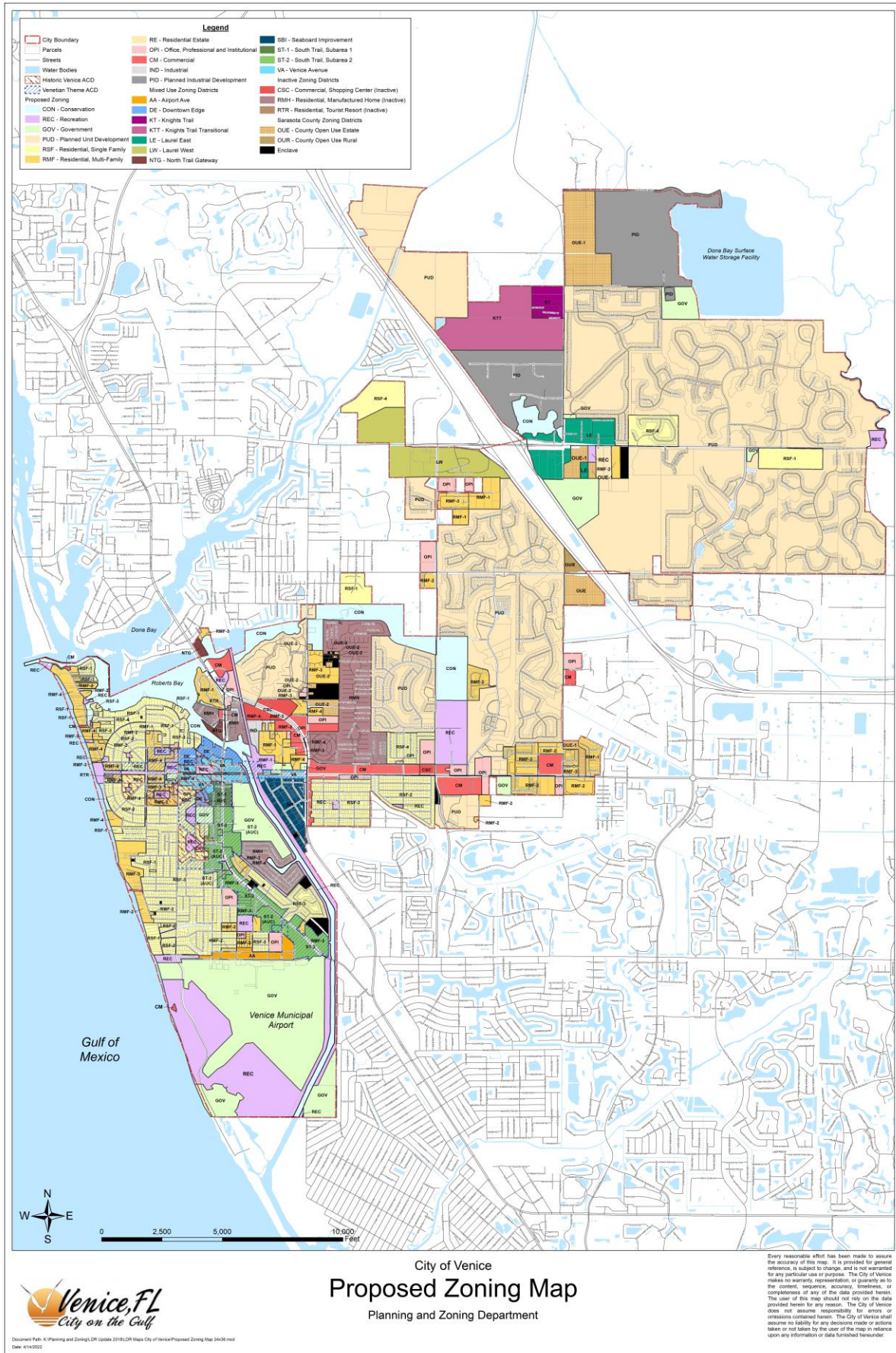
resolved by the new LDRs:

1. Front setbacks for corner and through lots. *The requirement for two front yard setbacks has been the subject of many variances, which typically means the code standard needs to be changed.*
2. Waterfront yards. *No clear code on the application of a waterfront yard when it pertains to pools, fences, and other structures.*
3. Addressing standards. *The City has never had guidelines for addressing for the City.*
4. Lack of or obsolete uses. *Obsolete uses such as motorbus terminal, reducing salon, servant's quarters, express office, telephone exchange, and sanitariums. New uses such as skilled nursing, independent living and community care facilities, park and ride lots, FedEx and UPS facilities, computer repair, brewpub, microbrewery, adult daycare, axe throwing, solar array, and live-work units.*
5. EV Parking. *New requirements to provide electronic vehicle charging stations.*
6. Landscaping. *No longer only required to buffer parking and vehicle use areas.*
7. Elimination of overlay districts. *No longer confusion regarding possible conflicting regulations.*
8. Appropriate and Clear processes. *Special exception now conditional use and height exception no longer a conditional use. There will be a clear attainable housing density bonus process.*
9. Seaboard area. *This area has been identified as "Transition" since the 1999 Comprehensive Plan. The draft code provides the standards to facilitate this change.*
10. Definitions. *A more complete list of definitions.*
11. Specific pool standards. *The code has never contained clear regulatory standards for pools.*
12. Compatibility defined. *Provides standards indicating what is required to achieve compatibility.*
13. Environmental provisions. *The code has never contained significant environmental regulations and has relied on state and/or federal regulations.*
14. Form based code. *Code based on the form and look of development that takes into consideration both the private and public realm.*
15. Permit process for lot line adjustments. *Provides a required process to confirm compliance with code standards.*
16. Access management standards. *Controls access to right-of-ways.*

Zoning Map

As a result of the new LDRs, the City's zoning map will require revision to identify the new zoning districts that have been created to implement the mixed use land use designations and those districts that may have been consolidated. Below is Table 2.2.1 from Chapter 87 Section 2, which indicates how the current zoning districts and the new zoning districts have been provided for in the draft LDRs. As the table illustrates, some districts have been integrated into mixed use districts or consolidated with other districts and a few districts have been made inactive. Inactive means, those properties in the City that maintain these districts have every right to the uses and development parameters of these districts as they exist today. However, there will not be any future rezonings to these designations. In addition to table 2.2.1, the proposed zoning map is provided.

Type of District	Former Zoning District	New Zoning District	LDC Reference
Residential Zoning Districts			
	RE (Residential, Estate)	Integrated into RSF-1	Sec. 2.2.2.A.
	RSF (Residential, Single-family)	RSF	Sec. 2.2.2.A.
	RMF (Residential, Multifamily)	RMF	Sec. 2.2.2.B.
	No corresponding existing district	RMHP (Residential, Manufactured Home Park)	Sec. 2.2.2.C.
	No corresponding existing district	RMHS (Residential, Manufactured Home Subdivision)	Sec. 2.2.2.D.
	RMH (Residential, Manufactured Home)	RMH Inactive	Sec. 2.2.5.1.
	RTR (Residential Tourist Resort)	RTR Inactive	Sec. 2.2.5.2.
Non-Residential Zoning Districts			
	OPI (Office, Professional, and Institutional)	OPI	Sec. 2.2.3.A.
	OMI (Office, Medical and Institutional)	Integrated Into OPI	Sec. 2.2.3.A.
	CG (Commercial General)	Integrated with CI and renamed CM (Commercial)	Sec. 2.2.3.B.
	CI (Commercial Intensive)	Integrated with CG and renamed CM	Sec. 2.2.3.B.
	CBD (Central Business District)	Integrated Into Mixed Use	Sec. 2.3.
	ILW (Industrial, Light and Warehousing)	Renamed IND (Industrial)	Sec. 2.2.3.C.
	OUC (Open Use Conservation)	CON (Conservation) or REC (Recreation)	Sec. 2.2.3.D.
	MP (Marine Park)	CON or REC	Sec. 2.2.3.E.
	GU (Government Use)	GOV (Government)	Sec. 2.2.3.F.
	<u>CN (Commercial Neighborhood)</u>	<u>CN Inactive</u>	<u>Sec. 2.2.5.3.</u>
	<u>CHI (Commercial Highway Interchange)</u>	<u>CHI Inactive</u>	<u>Sec. 2.2.5.4.</u>
Sarasota County Zoned Properties			
	Existing County Zoning Designation	SC (Sarasota County Zoned)	Sec. 2.2.6
Planned Zoning Districts			
	CMU (Commercial Mixed Use)	Integrated into Mixed Use	Sec. 2.3
	PUD (Planned Unit Development)	PUD	Sec. 2.2.4.4.A.
	PCD (Planned Commercial Development)	PCD	Sec. 2.2.4.4.B.
	PID (Planned Industrial Development)	PID	Sec. 2.2.4.4.C.
	<u>CSC (Commercial Shopping Center)</u>	<u>CSC Inactive</u>	Sec. 2.2.2.5.



Moving Forward

The rewrite of any code that has been in place for over 40 years is a major undertaking and one that neither staff, nor Planning Commission have taken lightly. The draft code has been thoughtfully crafted and provides implementation of all required strategies of the Comprehensive Plan and resolves issues that 40 years can create. It is by no means a perfect document and will require ongoing review and consideration for revision. However, until the code is adopted and put to the task of regulating development in the City, we will not know where revisions need to occur. The current code has served the City well, but it is time for change. The new LDRs will be an ever evolving document that will define the course of the City of Venice for years to come.

Planning Commission Recommendation

Planning staff respectfully requests Planning Commission's recommendation of approval of the draft Land Development Regulations and the proposed zoning map to City Council.