

CITY OF CRYSTAL RIVER PLANNING COMMISSION



STAFF REPORT

Planning and Development Services Department

MEETING DATE:	April 1, 2021	
JCSI21-0001 Comprehensive Plan FLUM Amendment and Zoning Map Amendment – 1011 MLK, LLC.		
SUBJECT PROPERTY:	Section 27, Township 18 S, Range 17 E; specifically, Parcel 32440 0020, (AK # 1089069), which address is 2035 SE HWY 19, Crystal River. A complete legal description of the property is on file with the Planning & Dev. Services Department.	
PROPERTY OWNER:	Nature Coast Property Acquisition, LLC, 4701 NE 26 th Ave, Ocala, Florida 34479	
LAST OCCUPANT:	Liquid Lagoon Liquor Bar	
PROPOSED AMENDMENTS:	COMPREHENSIVE PLAN	Amendment to change the parcel located on the Comprehensive Plan's Future Land Use Map from a combination of Highway Commercial (HC), High Density Residential (HDR) and Medium Density Residential (MDR) to Highway Commercial (HC).
	ZONING MAP	Amendment to change the parcel on the Official Zoning Map from a combination of High Intensity Commercial and Planned Unit Development (PUD) to High Intensity Commercial (CH).
ACREAGE:	Approximately 113,135 square feet or 2.60 acres.	
LAND USE And ZONING:	FUTURE LAND USE: The front 323 ft. of the parcel that abuts SR 19 has a Future Land Use of Highway Commercial (HC). The Future Land Use on the back 120 feet of the parcel that abuts SE 21 st Street is split, with High Density Residential (HDR) located on the north side of the property and Medium Density Residential (MDR) located on the south side of the property. PROPOSED FUTURE LAND USE: Highway Commercial (HC)	
	ZONING: The front 323 ft. of the parcel that abuts SR 19 is zoned High Intensity Commercial (CH) and back 120 feet of the parcel that abuts SE 21 st Street is zoned Planned Unit Development (PUD). PROPOSED ZONING: High Intensity Commercial (CH)	
FLOOD ZONE:	According to the Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with Base Flood Elevation (BFE) of 11 feet, as found on the FIRM Panel Number 12017C0189E. (Effective January 15 th , 2021)	
SURROUNDING AREA:	North: Zoned CH and PUD. Vacant, wooded property, similar FLU and Zoning. South: Zoned CH. Contains a Raymond James Financial building. East: Zoned PUD. Comprised of two parcels located across SE Buddy Ave. – a vacant parcel to the east & north and a multi-family structure located to the east & south. West: Fronts onto SR 19. The parcel on the other side of the corridor is zoned CH.	
PROJECT MANAGER:	Brian Herrmann, <i>CNU-A, LEED AP</i> Director of Planning and Development Services	

BACKGROUND INFORMATION:

The site is 2.6 acres and fronts directly upon US Highway 19 in Crystal River. The rear of the property abuts SE Buddy Avenue. In addition, a portion of the site that is located along the southern rear of the property abuts SE Mayo Drive.

The site contains an extremely old, weathered, and dilapidated building of (approximately) 9,200 sf. that once served as a restaurant and nightclub. In fact, the pole sign for the long defunct business is still located on US Highway 19. Nearly all of the former site was paved, primarily for vehicular parking. The parking area was large and significant, although it is now partially grown over. Currently, there are no secondary vehicular or pedestrian entrances/exits found on either SE Buddy Avenue or SE Mayo Drive. As a result, the primary entrance / exit is from US Highway 19.

The proposed user wishes to remove the structures from the site and build a new facility that will house a medium sized, high-end car dealership. New buildings will be accompanied by a freshly updated and re-paved parking lot for both display and customer parking.

This particular use requires that the parcel's Future Land Use designation be Highway Commercial (HC) and the Zoning Map be High Intensity Commercial (HC). Currently, the front portion of the parcel meets these requirements, but not the rear. Therefore, the applicant is bringing forth these two requests for amendments on behalf of the proposed user.

ANALYSIS:

Introduction: The City's Comprehensive Plan establishes its Future Land Use designations and map. The Future Land Use (FLU) designation indicates the intended use and development density for a particular area, while Zoning Districts specifically define allowable uses and contain the design and development guidelines for those intended uses. The Future Land Use Element allows for various Zoning Districts within a given Future Land Use designation. The appropriate zoning is determined based on various criteria identified within the Land Development Code.

In this case, both the Future Land Use standards and Zoning standards on the map of the parcel are split. In short, they promote commercial uses towards the front and residential uses towards the back. As a result, the Applicant is requesting that both the Future Land Use Map and Zoning Map for this site be updated to ensure that commercial development (in this case a higher end vehicle sales lot) can occur on the entire site.

If the proposed amendments are approved, the entire parcel will have a maximum development density / Floor Area Ratio (FAR) of 0.7. All structures or buildings may occupy a maximum of 70% of the lot. If the structure is two stories, then it may occupy 35% of the lot. As a new structure, existing standards regarding development, landscaping, parking, etc. will all be upheld.

Comprehensive Plan – Future Land Use Map Amendment: If one moves from the front property line (parallel to US Highway 19) back towards the rear of the property, the first 323 feet of the parcel have a Future Land Use designation of Highway Commercial (HC). However, as you continue towards the rear of the property, the Future Land Use designation changes. The back 120 feet of the parcel (abutting SE Buddy Avenue) is split in half, with the northern portion designated as High Density Residential (HDR) and the southern portion designated as Medium Density Residential (MDR).

As noted previously, Highway Commercial (HC) is one of the highest intensity commercial FLU categories currently permitted in the City. The maximum development density / Floor Area Ratio

(FAR) in this area is 0.7. However, the back portion of the lot is currently confined to residential activity only, with 12 units per acre allowed for High Density Residential (HDR) and 8 units per acre permitted for Medium Density Residential (MDR).

The applicant is requesting that the front portion of the parcel stay as designated. They are asking that the back portion of the parcel, or 120 feet that abuts SE Buddy Avenue with a Future Land Use designation of both High Density Residential (HDR) and Medium Density Residential (MDR) be changed so that the entire parcel will have a Future Land Use designation of Highway Commercial (HC). This will allow his proposed vehicle sales operation to occupy and operate on the entire site once constructed, as opposed to being limited to just the front portion of the property.

Zoning Map Amendment: The front 323 ft. of the parcel that abuts US Highway 19 is zoned High Intensity Commercial (CH), while the back 120 feet of the parcel, abutting SE Buddy Avenue, is zoned Planned Unit Development (PUD). The Planned Unit Development (PUD) Zoning District at this location was established nearly 40 years ago as part of the Crystal River Village development (a PUD development). As a result, the Zoning Map shows a large rectangular area under PUD zoning. However, the actual Crystal River Village PUD development stops about one half of a block to the north of the PUD Zoning District. The City lacks is unable to document whether all these parcels were intended to be rezoned to PUD or not. Given that PUD zoning is so unique, and the fact that this creates a split zoned parcel, it is possible that this may have been done in error. However, because a full year has passed since the original rezoning (actually, several decades have passed), the City must treat the current zoning as if it were intended. That said, the City feels strongly that the applicant's rezoning request is appropriate and will greatly help the proposed user.

STAFF CONSIDERATIONS:

Florida State law requires zoning to comply with the standards found in the Comprehensive Plan. These two changes to the Future Land Use Map and Zoning Map will ensure that this is the case.

In addition, as previously conveyed, the site is fronted by State Route 19 and backed by SE Buddy Avenue. The site is ideal for a commercial use, in this case the potential user's high end car dealership.

To ensure proper screening, the applicant has agreed to apply a "level D" vegetated buffer to the 20 feet at the rear of the site that abuts both SE Buddy Avenue and SE Mayo Drive. A "level D" vegetated buffer includes a minimum of four canopy trees and four understory trees per 100 linear feet of property line. In addition, the same area must have a continuous hedge or solid masonry wall of at least four feet in height with a minimum of 25 shrubs planted on the outside of the wall. The hedge shall be planted in a double staggered row.

With one exception, all vehicles on the proposed user's property would be located a minimum of 170 feet from the closest residential property. That said, there is one sixty-foot-wide multi-family building that is located behind the parcel to the south. This was the primary reason why the City requested a level D buffer to the rear. When the 20-foot-wide buffer area is factored in, along with the 40-foot-wide street ROW (located to the rear) the nearest vehicle on the new car lot would be located no closer than 80 feet from the building. In addition, the level D buffer (described above) would be located between the car lot and the residence.

Staff feels as though this is more than appropriate and sufficient for this use.

FINDINGS:

As conveyed in Subsection (A.) of 8.02.03. (Roles and responsibilities), “the Planning Commission shall serve as the local planning agency (LPA)” and shall “make recommendations to the City Council regarding amendment of its adopted comprehensive plan.”

As conveyed in Subsection (B.) of 8.02.03. (Roles and responsibilities), “the Planning Commission shall hear, consider, and make recommendations to the City Council regarding applications to amend the zoning map.”

STAFF RECOMMENDATION:

Staff believes that this is an appropriate change to both the Future Land Use map and the Zoning map, as it will allow for commercial uses to occupy the parcel which fronts US Highway 19. As part of the amendment, the applicant / proposed user has agreed to establish and maintain a level D buffer comprised of significant vegetation at the rear of the property. In addition, there is approximately 80 to 170 feet between the usable area on the applicant’s parcel and the nearest residential properties on the other side of SE Buddy Avenue and SE Mayo Drive.

Therefore, Staff recommends to the Planning Commission that the proposed amendment to the Future Land Use Map and the Zoning Map of the LDC be made as described herein. In addition, Staff recommends that the Planning Commission require that a condition of approval shall be that the applicant / proposed user establish a level D buffer along any property boundary that abuts SE Buddy Avenue or SE Mayo Drive.

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES:


Please see Staff’s PowerPoint presentation.

PLANNING COMMISSION ACTION:

As conveyed in Subsection (C.) (#4) of 10.03.04. (Procedures for action by the Planning Commission), the Planning Commission shall recommend to the City Council that the application be approved, approved with conditions (changes), or denied. The recommendation shall be in writing and shall include findings to support the recommendation.

ATTACHMENTS:

1. Current and Proposed Future Land Use Map
2. Current and Proposed Zoning Map



JCSI21 – 0001

COMPREHENSIVE PLAN MAP AMENDMENT
and
ZONING MAP AMENDMENT

NATURE COAST PROPERTY ACQUISITION, LLC
for
1011 MLK, LLC

Crystal River Planning Commission Meeting of April 1, 2021

1

Location – Aerial Map



2035 SE HWY 19, Crystal River

Crystal River Planning Commission Meeting of April 1, 2021

2

Location – Aerial Map



2035 SE HWY 19, Crystal River

Crystal River Planning Commission Meeting of April 1, 2021

3

Property was Properly Posted



Front of Property – State Road 19

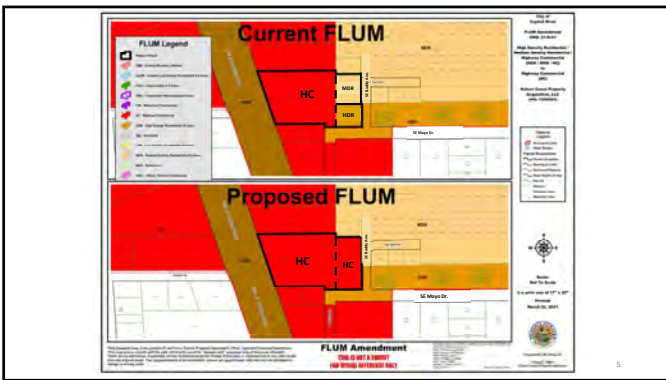


Rear of Property – SE Mayo Drive

Crystal River Planning Commission Meeting of April 1, 2021

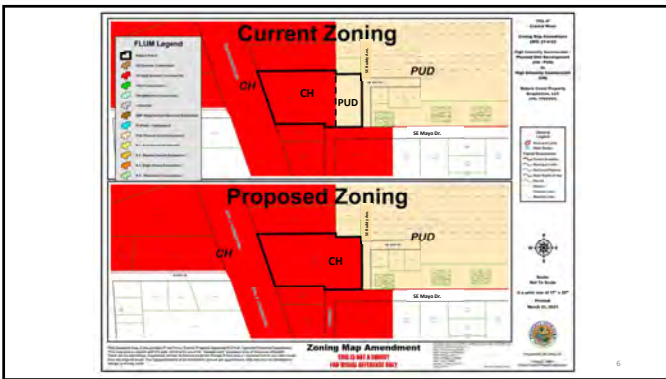
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6

Front or Western Side of the Lot / Building (SR 19)



Areas to the front of the parcel – current FLU and Zoning is CH

Crystal River Planning Commission Meeting of April 3, 2021

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South Side of Lot or Building (SE Mayo Drive)



Areas to the south the building – current FLU and Zoning is CH

Crystal River Planning Commission Meeting of April 3, 2021

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East Side of Lot or Building (SE Buddy Avenue)



Areas to the rear of the building (and the parcel) – current FLU is split between HDR and MDR and the Zoning is PUD

Crystal River Planning Commission Meeting of April 3, 2021

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Types of Buffers Permitted in the City

Applicant has agreed to install a Buffer Type D (City's most intense buffer) where the property abuts:

1. SE Buddy Avenue (east side of the Lot)
2. SE Mayo Drive (south side of the Lot)
3. Frontage along US 19 (west side of the lot)

Remaining buffers for property located to the south and north of the lot shall require a Buffer Type A.

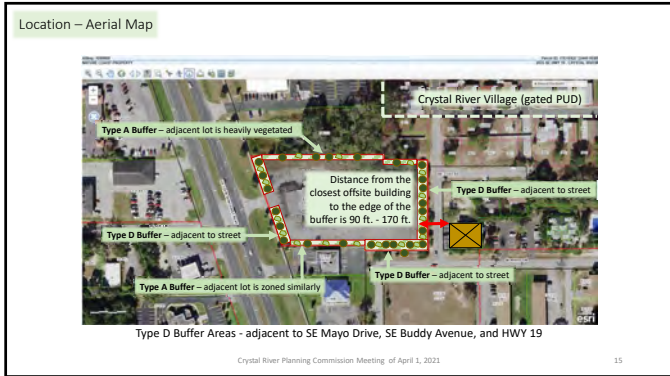
b. Types of buffers. Buffers vary based on the degree of difference between adjacent zoning districts, considering allowable uses and density or intensity of development. Four (4) types of buffers are provided:

Table 4.05.03.B. Types and Plant Requirements for Buffers.

Buffer Type	Minimum Width (ft.)	Required Plants per 100 linear feet of property line.
A	10	Two (2) liability trees: Two (2) understory trees
B	13	Four (4) canopy trees: Four (4) understory trees
C	15	Four (4) canopy trees: Four (4) understory trees Continuous hedge, in a double-staggered row
D	20	Four (4) canopy trees: Four (4) understory trees Continuous hedge or solid masonry wall at least four (4) feet high with twenty-five (25) shrubs planted on the outside of the wall. The hedge shall be planted in a double-staggered row.

Crystal River Planning Commission Meeting of March 4, 2021

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Proposed "D" Buffer Areas – East Side (SE Buddy Avenue) and South Side (SE Mayo Drive) of Lot




SE Buddy Avenue SE Buddy Avenue & SE Mayo Drive SE Mayo Drive

Crystal River Planning Commission Meeting of April 3, 2021 16

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Proposed "D" Buffer Examples – Front of property adjacent to US 19




Taco Bell D Buffer – US 19 McDonalds D Buffer – US 19 Coney Island D Buffer – US 44

Crystal River Planning Commission Meeting of April 3, 2021 17

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Examples of "Low Impact" LED Lighting Utilized by Vehicle Sales Dealerships



Bright, Yet Fully Shielded Lighting Faces Downward and Stays on the Lot.

Crystal River Planning Commission Meeting of April 3, 2021 18

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Proposed Planning Commission Actions

Recommend to City Council approval of the proposed amendments to:

- the Future Land Use Map – from HC, HDR, MDR to HC
- the Zoning Map – from PUD to HC

Crystal River Planning Commission Meeting of March 4, 2021 19

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THE END

Crystal River Planning Commission Meeting of March 4, 2021 20

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ORDINANCE NO. 21-O-01

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, PROVIDING FOR A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN, RECLASSIFYING 2.60 ACRES (MOL) OF PROPERTY OWNED BY NATURE COAST PROPERTY ACQUISITION, LLC, ALSO IDENTIFIED AS PARCEL ID 17E18S27 32440 0020 IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER FROM (SPLIT ZONING) HIGH DENSITY RESIDENTIAL (HDR), MEDIUM DENSITY RESIDENTIAL (MDR), AND HIGHWAY COMMERCIAL(HC) LAND USE TO HIGHWAY COMMERCIAL (HC) LAND USE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council of the City of Crystal River, Florida recognizes the need to plan for orderly growth and development; and

WHEREAS a small-scale amendment may be adopted only under the conditions set forth in Chapter 163, Florida Statutes, and other provisions of State and local law; and

WHEREAS the proposed small-scale amendment was advertised as required by the Florida Statutes and the Crystal River Land Development Code; and

WHEREAS Nature Coast Property Acquisition, LLC, owner, is requesting an amendment to the Future Land Use Element of the City's Comprehensive Plan, changing 2.60 acres (MOL) from (split zoning) High Density Residential (HDR), Medium Density Residential (MDR), And Highway Commercial (HC) Land Use to Highway Commercial (HC) Land Use (see attached Exhibit A); and

WHEREAS in accordance with the law, the proposed amendment was required to be reviewed by the City's Local Planning Agency at a duly advertised meeting, scheduled on April 1, 2021 and the Local Planning Agency has determined such application to be consistent with the Comprehensive Plan and appropriate to the future land uses within the City; and

WHEREAS the City of Crystal River has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS the City Council of the City of Crystal River, Florida, has determined that adoption of this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Crystal River.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA THAT THE CITY'S COMPREHENSIVE PLAN IS AMENDED AS FOLLOWS:

SECTION 1. PURPOSE

The purpose of this Ordinance is to allow a small scale amendment to the Comprehensive Plan of the City of Crystal River, Florida, for 2.60 acres (MOL) owned by Nature Coast Property Acquisition, LLC from (split zoning) High Density Residential (HDR), Medium Density Residential (MDR), And Highway Commercial (HC) Land Use to Highway Commercial (HC) Land Use for the reasons set forth in the above "**WHEREAS**" clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY

The City of Crystal River City Council is authorized to amend the Crystal River Comprehensive Plan pursuant to Article III of the City Charter of the City of Crystal River and Part II, Code of Ordinances, Chapter 1, General Provisions, of the Code of Ordinances of the City of Crystal River, and as otherwise authorized by applicable Florida Statutes.

The City Council of the City of Crystal River, Florida, hereby adopts and incorporates into this Ordinance the memorandum and application packet relating to the proposed amendments to the Future Land Use Map of the City of Crystal River, as if fully restated herein, in their entirety.

SECTION 3. FUTURE LAND USE MAP AMENDED

The amendments to the Future Land Use Map of the Comprehensive Plan of the City of Crystal River (also shown on Exhibit "A") as set forth herein are hereby adopted:

LEGAL DESCRIPTION

COM AT NE COR OF SW1/4 OF SW1/4 SEC 27-18-17 TH S 0 DEG 3M
56S E AL E LN OF SW1/4 OF SW1/4 DIST 15 FT TO POB TH S 0
DEG 3M 56S E AL E LN DIST 17.05 FT TH S 89 DEG 43M 11S E
120 FT TH S 0 DEG 3M 56S E PAR TO E LN DIST 250 FT TH N 89
DEG 43M 11S W 170FT TH N 0 DEG 3M 56S W PAR TO E LN DIST
29.13 FT TH N 89 DEG 43M 11S W 228.8 FT TO PT ON E'LY R/W
LN OF US HWY 19 TH N 18 DEG 17M 20S W AL E R/W LN DIST 250
FT TH S 89 DEG 52M 7S E PAR TO N LN OF SW1/4 OF SW1/4 DIST
356.98 FT TO POB DESC IN OR BK 1049 PG 1241 OR BK 2064 PG
1138 OR BK 2290 PG 1161 OR BK 2464 PG 344

SECTION 4. REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 5. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Crystal River Comprehensive Plan of the City of Crystal River, Florida. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City is given broad and liberal authority to appropriately codify the Exhibits into the provisions of the City of Crystal River Comprehensive Plan in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the

provisions of this Section. The Exhibits to this Ordinance are hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

SECTION 6. SEVERABILITY

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective thirty-one (31) days after adoption if no challenge is filed. If this Ordinance is challenged within thirty (30) days after adoption, small scale development amendments do not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance with the law.

No development orders, development permits, or land uses dependent on the Comprehensive Plan amendments set forth in this Ordinance may be issued or commence before it has become effective.

APPROVED on the first reading after due public notice and public hearing the _____ day of _____, 2021.

APPROVED on the second reading after due public notice and public hearing the _____ day of _____, 2021.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

PASSED on First Reading _____, 2021

NOTICE Published on _____, 2021

PASSED on Second & Final Reading _____, 2021

Approved as to form for the
Reliance of the City of Crystal River
only:

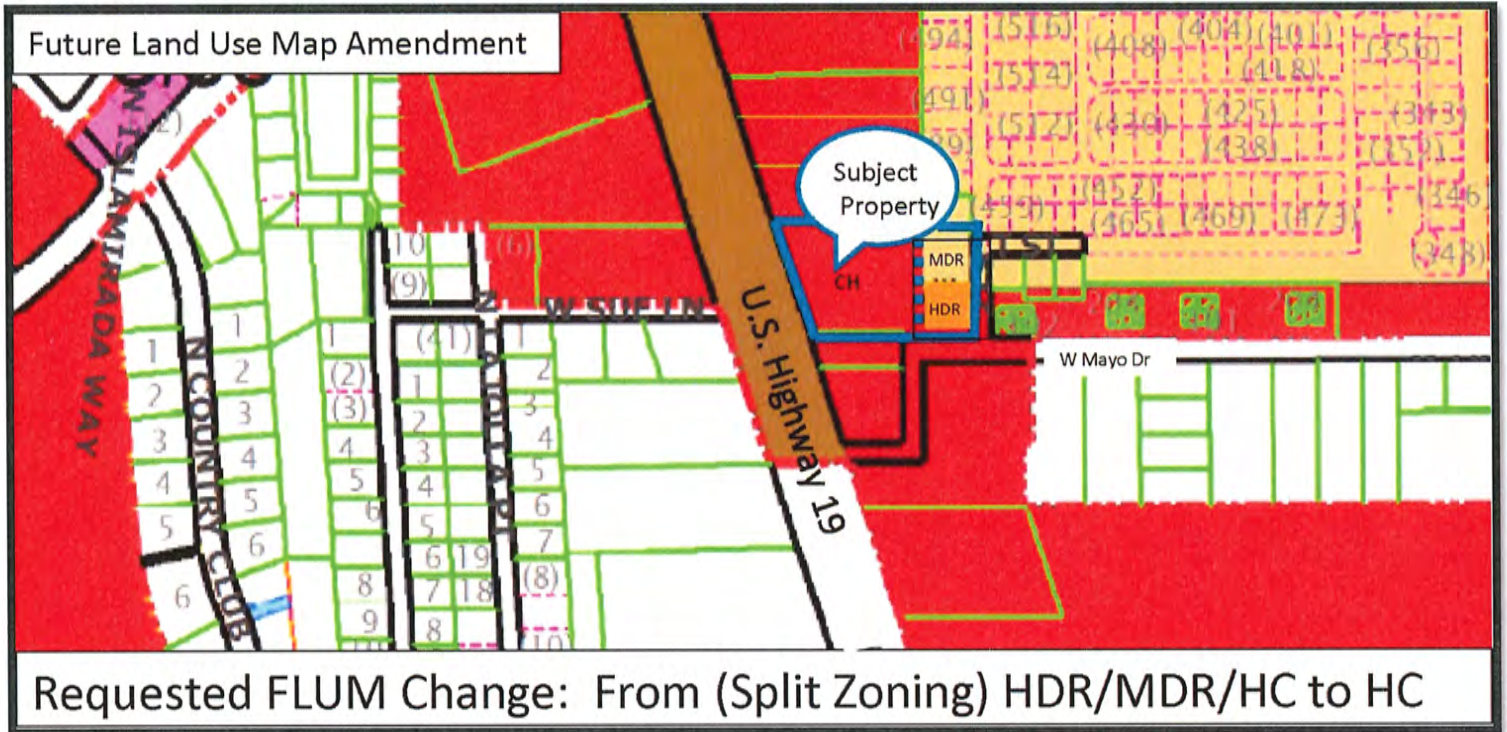
VOTE OF COUNCIL:

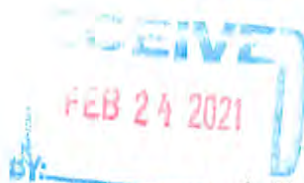
Brown _____
Guy _____
Holmes _____
Fitzpatrick _____
Meek _____

Robert W. Batsell, Jr., City Attorney

EXHIBIT "A"

FROM SPLIT ZONING; HIGH INTENSITY COMMERCIAL (CH) AND PLANNED UNIT DEVELOPMENT (PUD) TO HIGH INTENSITY COMMERCIAL (CH) ZONING





City of Crystal River

Department of Planning & Community Development
123 Northwest Highway 19
Crystal River, FL 34432
Telephone: (352) 795-4216
Facsimile: (352) 795-6351
jrehberg@crystalriverfl.org

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

JCSI21-0001
7221-0017

Fee: Small Scale - \$250 <10 ac Large Scale - \$750
TO BE PAID AT TIME OF APPLICATION

Check One: Small Scale # Acres +/- 2.60 AltKey: 1089069
Large Scale # Acres Parcel #: 17E18S27 32440 0020

Name of Petitioner(s): 1011 MLK, LLC, Scott Sumer, Manager

Address of Petitioner(s): 4701 NE 26TH AVENUE

City OCALA State FL Zip Code 34479

Phone # 352-216-4824 Fax # Cell #

Email Address: ssumner@bdifl.com

Legal Description attached: Yes No Survey attached: Yes No

Street address of property (if applicable): 2035 SE HWY 19, CRYSTAL RIVER

Existing Land Use: High Intensity/PUD Proposed Land Use: High Intensity
HQR/MDR/HC

Reason for Request: To unify the land-use for the subject property and allow for commercial zoning.

The following items are required (applications will not be processed if these items do not accompany the application):

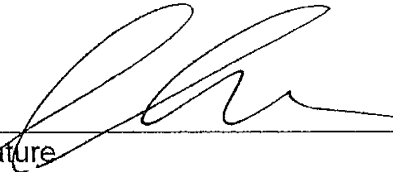
- Deed or Proof of Ownership
- Notarized signature of the current property owner(s) and the Agent's signature, if applicable.
- Survey or aerial of property from Property Appraiser website, printed on paper that is no less than 11" x 17".
- Paid application fee

I Scott Sumner, Manager of 1011 MLK, LLC being first duly sworn, affirm and say that I am the:

(check one)

_____ owner, or

X the legal representative authorized to speak on behalf of the subject matter, of the property described in this application.


Signature

4701 NE 36th Ave.
Address

352-216-4824
Phone Number

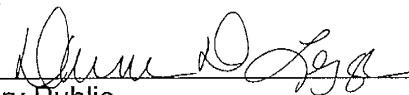
Ocala, FL 34479
City, State, Zip Code

State of Florida

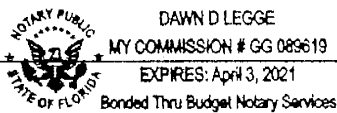
County of Marion

The foregoing instrument was acknowledged before me by means of X physical presence or _____ online notarization, this 23rd, day of February 2021, by Scott Sumner, who is personally known to me or has produced _____ as identification and who did/did not take an

oath.


Notary Public

Commission No.: _____
Commission Expires: _____



Nature Coast Property Acquisition, LLC
Attn: Grace Chen
5910 W Leith Ct., Crystal River, FL 34429

RE: PROPERTY IN CRYSTAL RIVER, CITRUS COUNTY, FLORIDA
(APPROXIMATELY 2.6 ACRES WITHIN CITRUS COUNTY PROPERTY
APPRAISER PARCEL ID #: 17E18S27 32440 0020)

To Whom it May Concern:

This letter will constitute the undersigned's authorization for 1011 MLK, LLC, to act as Owner's agent to sign and file applications with the appropriate governmental entities to obtain necessary approvals and permits for a commercial development in Crystal River, Citrus County, Florida, including but not limited to, site plan approval, water management district permits, FDOT permits, Development Orders and Permits, land use and rezoning applications, and utility approvals consistent with the same.

This Authorization is for permits and approvals only. No demolition, excavation, nor construction activities shall be commenced on the referenced property prior to the transfer of property from Owner to Purchaser without further written consent from Owner, nor may the agent commit the Owner of the property to any financial or performance obligations, or restrict the use of the property, without further consent.

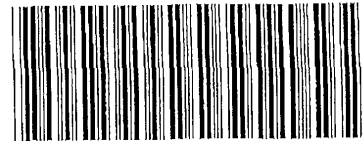
NATURE COAST PROPERTY
ACQUISITION, LLC, a Florida limited liability
company,

By: Grace Chen
Grace Chen

Its: MANAGING MEMBER

Date: 02/24/2021

This instrument prepared by/return to:
GREEN & GREEN, P.A.
James David Green, Esq.
Florida Bar Number 0241430
9030 W. Fort Island Trail #5
Crystal River, FL 34429-8011
Tel: (352) 795-4500 Fax: (352) 795-3300



2012007460 3 PGS

OFFICIAL RECORDS
CITRUS COUNTY
BETTY STRIFLER
CLERK OF THE CIRCUIT COURT
RECORDING FEE: \$27.00
DOCUMENTARY TAX: \$770.00
2012007460 BK:2464 PG:344
02/21/2012 08:31 AM 3 PGS
DPENNINGTO,DC Receipt #007359

QUIT CLAIM DEED

THIS QUIT CLAIM DEED made this 11th day of February, 2012, between **DAVID CHEN and GRACE CHEN, husband and wife**, hereinafter called the First Party, to **NATURE COAST PROPERTY ACQUISITION, LLC, a Florida limited liability company**, whose mailing address is 5910 West Leith Court, Crystal River, Florida, 34429, hereinafter called the Second Party.

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the said first party, for and in consideration of the sum of \$10.00 in hand paid by the second party, the receipt hereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of **Citrus** and State of Florida, to-wit:

Commence at the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of Section 27, Township 18 South, Range 17 East, thence South 0 degrees 03'56" East along the East line of said Southwest 1/4 of the Southwest 1/4 a distance of 15 feet to the Point of Beginning, thence continue South 0 degrees 03'56" East along said East line a distance of 17.05 feet, thence South 89 degrees 43'11" East 120 feet, thence South 0 degrees 03'56" East parallel to said East line a distance of 250 feet, thence North 89 degrees 43'11" West 170 feet, thence North 0 degrees 03'56" West parallel to said East line a distance of 29.13 feet, thence North 89 degrees 43'11" West 228.80 feet to a point on the Easterly right of way line of U.S. Highway No. 19 thence North 18 degrees 17'20" West along said Easterly, right of way line a distance of 250 feet, thence South 89 degrees 52'07" East parallel to the North line of said Southwest 1/4 of the Southwest 1/4 a distance of 356.98 feet to the Point of Beginning.

Property Appraiser's Parcel Identification Number: 27-18S-17E-32440-0020.

Alternate Key Number: 1089069

Address: 2035 SE Hwy 19, Crystal River, Florida, 34429.

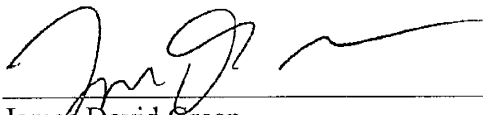
Subject to easements, restrictions and reservations of record, if any, but this instrument shall not operate to reimpose the same.


TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behoof of the said second party forever.

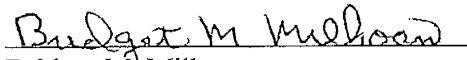
AT THE REQUEST OF THE PARTIES, this deed was prepared without a title search and the legal description was supplied by the parties. The preparer of this instrument assumes no liability for the state of the title or the accuracy of the legal description.


IN WITNESS WHEREOF, the said First Party has signed these presents on the date first above written.

Signed in the presence of

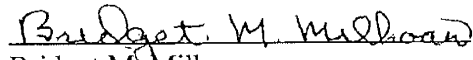

James David Green


DAVID CHEN
5910 West Leith Court
Crystal River, Florida 34429


Bridget M. Milhoan


James David Green


GRACE CHEN
5910 West Leith Court
Crystal River, Florida 34429


Bridget M. Milhoan

STATE OF FLORIDA
COUNTY OF CITRUS

The foregoing instrument was acknowledged before me this 17th day of February, 2012,
by **DAVID CHEN**, who presented a Florida Driver License for identification.



BRIDGET M. MILHOAN
MY COMMISSION # EE 025920
EXPIRES: October 13, 2014
Bonded Thru Budget Notary Services

Bridget M. Milhoan
NOTARY PUBLIC-STATE OF FLORIDA

STATE OF FLORIDA
COUNTY OF CITRUS

The foregoing instrument was acknowledged before me this 17th day of February, 2012,
by **GRACE CHEN**, who presented a Florida Driver License for identification.



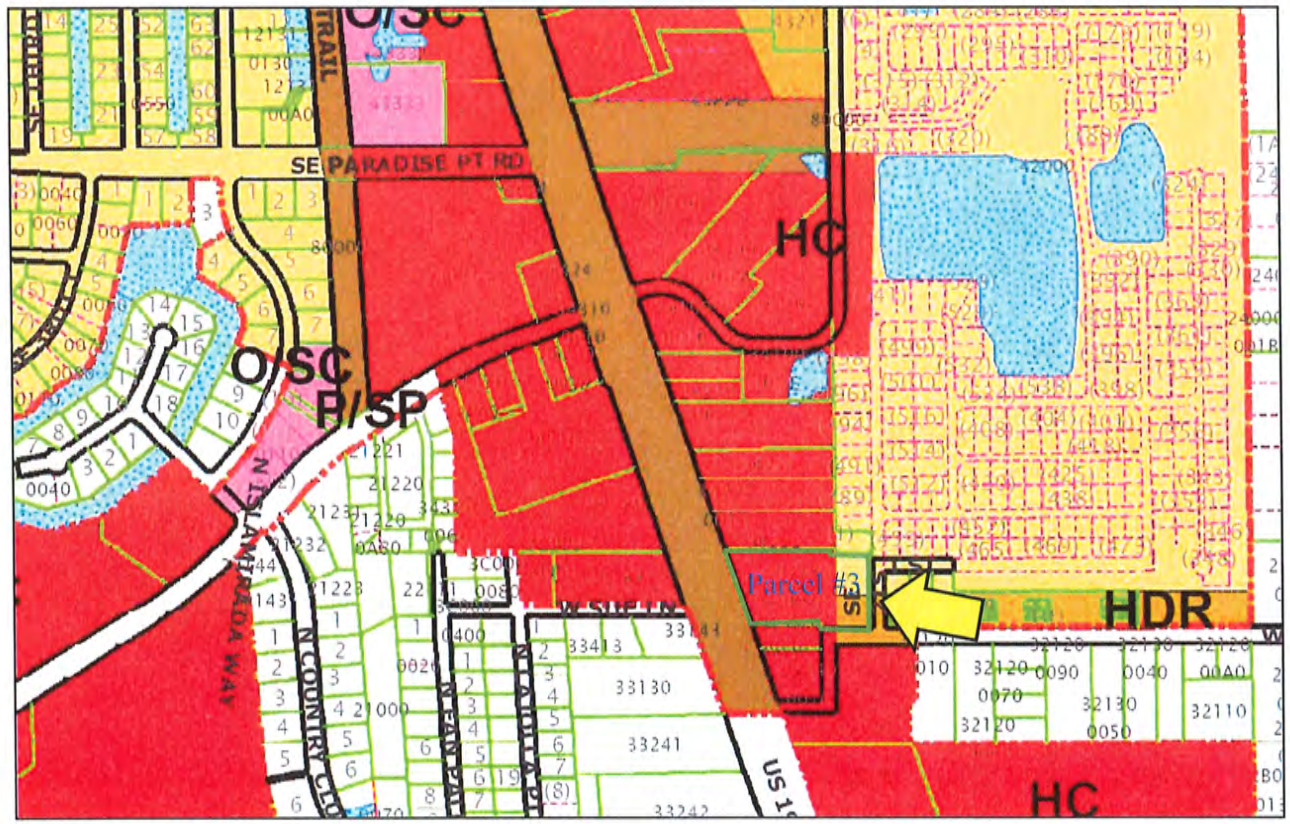
BRIDGET M. MILHOAN
MY COMMISSION # EE 025920
EXPIRES: October 13, 2014
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Bridget M. Milhoan
NOTARY PUBLIC-STATE OF FLORIDA

LAND USE CLASSIFICATIONS FUTURE LAND USE MAP 2016-2025 PROPOSED

LAND USE 2016-2025 PROPOSED

	CB0 - Central Business District
	CD0 - Coastal Low Density Residential 0.5 du/ac (May be increased up to 2.5 du/ac if performance standards are met)
	CDN - Conservation 1.5 du/ac
	CRA - Community Redevelopment Area
	CA - Warehouse Commercial
	HC - Highway Commercial
	HDR - High Density Residential 12 du/ac
	IND - Industrial
	LD0 - Low Density Residential 0.5 du/ac
	MD0 - Medium Density Residential 8.0 du/ac
	MU0 - Mixed Use
	OSC - Office - Service Commercial
	RSP - Public/Semi-Public



ORDINANCE NO. 21-O-02

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA REZONING 2.06 ACRES (MOL) OF PROPERTY OWNED BY NATURE COAST PROPERTY ACQUISITION, LLC ALSO IDENTIFIED AS PARCEL ID 17E18S27 32440 0020 IN THE OFFICIAL RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER FROM (SPLIT ZONING) HIGH INTENSITY COMMERCIAL (CH) AND PLANNED UNIT DEVELOPMENT (PUD) TO HIGH INTENSITY COMMERCIAL (CH) ZONING AS DESCRIBED IN SECTION 3; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed rezoning was advertised as required by the Florida Statutes, and the City of Crystal River Land Development Code; and

WHEREAS, the City of Crystal River Planning Commission held a public hearing on April 1, 2021 to consider a request that the zoning classification be changed on a parcel of land identified as Parcel ID 17E18S27 32440 0020 in the Official Records of the Citrus County Property Appraiser, Crystal River, Florida, as described in Section 3; and

WHEREAS, the City of Crystal River Planning Commission voted _____ to recommend to the City Council that the request to amend the official zoning map be approved; and

WHEREAS, the City Council of the City of Crystal River, Florida, after publication of a notice of its consideration of this ordinance, held two readings of this ordinance and public hearings as required by law; and

WHEREAS, the City Council of the City of Crystal River, Florida, has determined that the requested change of zoning is consistent with the City of Crystal River Comprehensive Plan and Future Land Use Map, and

WHEREAS, the City Council of the City of Crystal River, Florida has further determined that approval of the requested zoning change is in the best interests of the health, safety, and welfare of the citizens of Crystal River, Florida.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the official zoning map of the City of Crystal River, Florida, for the parcel of land identified as Parcel ID 17E18S27 32440 0020 in the Official Records of the Citrus County Property Appraiser from (split zoning) High Intensity Commercial (CH) and Planned Unit

Development (PUD) to High Intensity Commercial (CH) zoning for the reasons set forth in the above “WHEREAS” clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY

The City of Crystal River City Council is authorized to amend the Crystal River Code of Ordinances pursuant to Article III of the City Charter of the City of Crystal River and Part II, Code of Ordinances, Chapter 1, General Provisions of the Code of Ordinances of the City of Crystal River, and as otherwise authorized by applicable Florida Statutes.

SECTION 3. ZONING MAP AMENDMENT

The official zoning map of the City of Crystal River is hereby amended to change the zoning designation on the following described properties (split zoning) High Intensity Commercial (CH) and Planned Unit Development (PUD) to High Intensity Commercial (CH) Zoning.

LEGAL DESCRIPTION

COM AT NE COR OF SW1/4 OF SW1/4 SEC 27-18-17 TH S 0 DEG 3M 56S E AL E LN OF SW1/4 OF SW1/4 DIST 15 FT TO POB TH S 0 DEG 3M 56S E AL E LN DIST 17.05 FT TH S 89 DEG 43M 11S E 120 FT TH S 0 DEG 3M 56S E PAR TO E LN DIST 250 FT TH N 89 DEG 43M 11S W 170FT TH N 0 DEG 3M 56S W PAR TO E LN DIST 29.13 FT TH N 89 DEG 43M 11S W 228.8 FT TO PT ON E'LY R/W LN OF US HWY 19 TH N 18 DEG 17M 20S W AL E R/W LN DIST 250 FT TH S 89 DEG 52M 7S E PAR TO N LN OF SW1/4 OF SW1/4 DIST 356.98 FT TO POB DESC IN OR BK 1049 PG 1241 OR BK 2064 PG 1138 OR BK 2290 PG 1161 OR BK 2464 PG 344

SECTION 4. REPEAL OF CONFLICTING ORDINANCES

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 5. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Crystal River, Florida, Official Zoning Map. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City of Crystal River, Florida, is given broad and liberal authority to appropriately codify the Exhibits into the provisions of the City of Crystal River Official Zoning Map in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the provisions of this Section. The Exhibits to this Ordinance are hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

SECTION 6. SEVERABILITY

The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by

the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective immediately upon adoption by the Crystal River City Council.

THIS ORDINANCE was introduced and placed on first reading on the _____ day of _____, 2021, and upon motion duly made and seconded was passed on first reading.

THIS ORDINANCE was introduced and placed on second reading on the _____ day of _____, 2021, and upon motion duly made and seconded was passed on second reading.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

PASSED on First Reading _____, 2021

NOTICE Published on _____, 2021

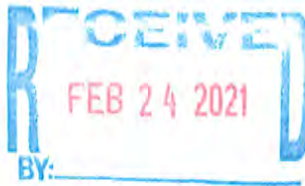
PASSED on Second & Final Reading _____, 2021

Approved as to form for the
Reliance of the City of Crystal River
only:

VOTE OF COUNCIL:

- Brown _____
- Guy _____
- Holmes _____
- Fitzpatrick _____
- Meek _____

Robert W. Batsell, Jr., City Attorney



REZONING APPLICATION

Department of Planning & Community Development
123 Northwest Highway 19
Crystal River, FL 34432
Telephone: (352) 795-4216
Facsimile: (352) 795-6351
jrehberg@crystalriverfl.org

Fee: \$250 - TO BE PAID AT TIME OF APPLICATION

JSLI 21-0001
P221-0018

Applicant Information:

Name: 1011 MLK, LLC
Address: 4701 NE 36TH AVE., OCALA, FL 34479
Phone #: 352-216-4824 Fax #: _____ Cell #: _____
Email Address: ssumner@bdifl.com

Property Description:

Alt. Key #

Parcel Account #: 17E18S27 32440 0020 1089069
Street Address (or street & avenue location): _____
(1089069) 2035 SE HWY 19, CRYSTAL RIVER
Legal Description: SEE ATTACHED DEED

(or attachment)

Property Acreage: +/- 2.60 ACRES Sq. ft.: +/- 172,980

Present F.L.U.M. Designation: 1019/1000

Present Zoning Designation: CH/PUD

Requested Zoning Designation: CH

Reason for the Request: To unify the site zoning to allow a commercial use consistent with uses allowed by City code.

Explain Consistency with the Future Land Use Plan: _____

Commercial is consistent with high intensity land use.




Additional Contact Information (other than Owner or Agent)

Name: _____
Address: _____
Phone #: _____ Fax #: _____ Cell #: _____
Email Address: _____

Attachments:

1. Survey & Legal Description
2. Deed, or other proof of ownership
3. Map (see Checklist)

The City of Crystal River may, within reason, request additional information, if the information provided by the applicant is insufficient to analyze the proposed change in zoning. Information submitted by the applicant at either the Planning Commission or City Council public hearing(s), which is beyond the scope of that submitted to the City in the original application, shall be grounds for a continuation of the public hearing until such time that the Planning Commission and Staff can review and analyze such information.

Check	Requirements (Sec. 10.01.06)
	A. The application shall include a map of the area that can be found on the Citrus County Property Appraiser website (www.citruspa.org)
	1. The current zoning district designations for the subject property and all adjacent properties. The zoning map can be found at www.crystalriverfl.org
	2. The land use categories from the Future Land Use Map that can be found at www.crystalriverfl.org
	B. A statement shall be provided including the following information:
	1. A justification for the proposed zoning.
	2. Deed, or other proof of ownership

Rezoning Checklist

(Attach this sheet if located with the boundaries of the CRA)

Determination of Compliance

Applications for rezoning other than PUD and amendments to this LDC shall follow the process set forth below. Such applications shall be considered by the Planning Commission for recommendation to the City Council which has final authority.

	Rezoning (Sec. 10.03.02)
CRA	An application for a site plan for property within the CRA Overlay District shall be sent to the Community Redevelopment Agency for review and recommendation. The CRA shall hold a properly noticed quasi-judicial hearing as set forth in the published meeting schedule. The CRA shall make findings regarding compliance of the proposed site plan with Section 4.02.03, and shall provide a written CRA report regarding such compliance to the City for inclusion in the compliance report
Complete	Within thirty (30) days, (forty-five (45) days for projects within the CRA Overlay District) following the determination that the application is complete, the City Manager shall determine whether the application complies with the requirements, standards and criteria of the LDC, including the written report from the CRA.
Compliance Report	The compliance report, including the written report from the CRA, and the application materials shall be forwarded to the Planning Commission with a recommendation for approval, approval with conditions, or denial. Such applications shall be considered by the Planning Commission for recommendation to the City Council which has final authority.

Nature Coast Property Acquisition, LLC
Attn: Grace Chen
5910 W Leith Ct., Crystal River, FL 34429

**RE: PROPERTY IN CRYSTAL RIVER, CITRUS COUNTY, FLORIDA
(APPROXIMATELY 2.6 ACRES WITHIN CITRUS COUNTY PROPERTY
APPRAISER PARCEL ID #: 17E18S27 32440 0020)**

To Whom it May Concern:

This letter will constitute the undersigned's authorization for 1011 MLK, LLC, to act as Owner's agent to sign and file applications with the appropriate governmental entities to obtain necessary approvals and permits for a commercial development in Crystal River, Citrus County, Florida, including but not limited to, site plan approval, water management district permits, FDOT permits, Development Orders and Permits, land use and rezoning applications, and utility approvals consistent with the same.

This Authorization is for permits and approvals only. No demolition, excavation, nor construction activities shall be commenced on the referenced property prior to the transfer of property from Owner to Purchaser without further written consent from Owner, nor may the agent commit the Owner of the property to any financial or performance obligations, or restrict the use of the property, without further consent.

NATURE COAST PROPERTY
ACQUISITION, LLC, a Florida limited liability
company,

By: Grace Chen
Grace Chen

Its: MANAGING MEMBER

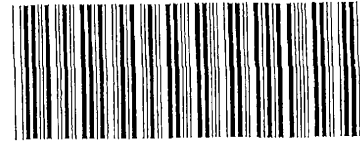
Date: 02/24/2021

Legal Description:

Altkey: 1089069

Commence at the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of Section 27, Township 18 South, Range 17 East, thence South 0 degrees 03'56" East along the East line of said Southwest 1/4 of the Southwest 1/4 a distance of 15 feet to the Point of Beginning, thence continue South 0 degrees 03'56" East along said East line a distance of 17.05 feet, thence South 89 degrees 43'11" East 120 feet, thence South 0 degrees 03'56" East parallel to said East line a distance of 250 feet, thence North 89 degrees 43'11" West 170 feet, thence North 0 degrees 03'56" West parallel to said East line a distance of 29.13 feet, thence North 89 degrees 43'11" West 228.80 feet to a point on the Easterly right of way line of U.S. Highway No. 19 thence North 18 degrees 17'20" West along said Easterly, right of way line a distance of 250 feet, thence South 89 degrees 52'07" East parallel to the North line of said Southwest 1/4 of the Southwest 1/4 a distance of 356.98 feet to the Point of Beginning.

This instrument prepared by/return to:
GREEN & GREEN, P.A.
James David Green, Esq.
Florida Bar Number 0241430
9030 W. Fort Island Trail #5
Crystal River, FL 34429-8011
Tel: (352) 795-4500 Fax: (352) 795-3300



2012007460 3 PGS

OFFICIAL RECORDS
CITRUS COUNTY
BETTY STRIFLER
CLERK OF THE CIRCUIT COURT
RECORDING FEE: \$27.00
DOCUMENTARY TAX: \$770.00
2012007460 BK:2464 PG:344
02/21/2012 08:31 AM 3 PGS
DPENNINGTO,DC Receipt #007359

QUIT CLAIM DEED

THIS QUIT CLAIM DEED made this 11th day of February, 2012, between **DAVID CHEN and GRACE CHEN, husband and wife**, hereinafter called the First Party, to **NATURE COAST PROPERTY ACQUISITION, LLC, a Florida limited liability company**, whose mailing address is 5910 West Leith Court, Crystal River, Florida, 34429, hereinafter called the Second Party.

(Wherever used herein the terms "first party" and "second party" shall include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, wherever the context so admits or requires.)

WITNESSETH, That the said first party, for and in consideration of the sum of \$10.00 in hand paid by the second party, the receipt hereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of **Citrus** and State of Florida, to-wit:

Commence at the Northeast corner of the Southwest 1/4 of the Southwest 1/4 of Section 27, Township 18 South, Range 17 East, thence South 0 degrees 03'56" East along the East line of said Southwest 1/4 of the Southwest 1/4 a distance of 15 feet to the Point of Beginning, thence continue South 0 degrees 03'56" East along said East line a distance of 17.05 feet, thence South 89 degrees 43'11" East 120 feet, thence South 0 degrees 03'56" East parallel to said East line a distance of 250 feet, thence North 89 degrees 43'11" West 170 feet, thence North 0 degrees 03'56" West parallel to said East line a distance of 29.13 feet, thence North 89 degrees 43'11" West 228.80 feet to a point on the Easterly right of way line of U.S. Highway No. 19 thence North 18 degrees 17'20" West along said Easterly, right of way line a distance of 250 feet, thence South 89 degrees 52'07" East parallel to the North line of said Southwest 1/4 of the Southwest 1/4 a distance of 356.98 feet to the Point of Beginning.

**Property Appraiser's Parcel Identification Number: 27-18S-17E-32440-0020.
Alternate Key Number: 1089069
Address: 2035 SE Hwy 19, Crystal River, Florida, 34429.**

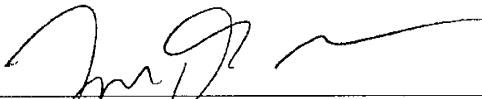
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AT THE REQUEST OF THE PARTIES, this deed was prepared without a title search and the legal description was supplied by the parties. The preparer of this instrument assumes no liability for the state of the title or the accuracy of the legal description.

IN WITNESS WHEREOF, the said First Party has signed these presents on the date first above written.

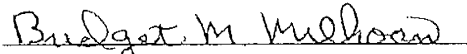
Signed in the presence of




James David Green



DAVID CHEN
5910 West Leith Court
Crystal River, Florida 34429



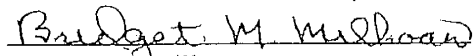
Bridget M. Milhoan



James David Green



GRACE CHEN
5910 West Leith Court
Crystal River, Florida 34429



Bridget M. Milhoan

STATE OF FLORIDA
COUNTY OF CITRUS

The foregoing instrument was acknowledged before me this 17th day of February, 2012,
by **DAVID CHEN**, who presented a Florida Driver License for identification.



BRIDGET M. MILHOAN
MY COMMISSION # EE 025920
EXPIRES: October 13, 2014
Bonded Thru Budget Notary Services

Bridget M. Milhoan
NOTARY PUBLIC-STATE OF FLORIDA

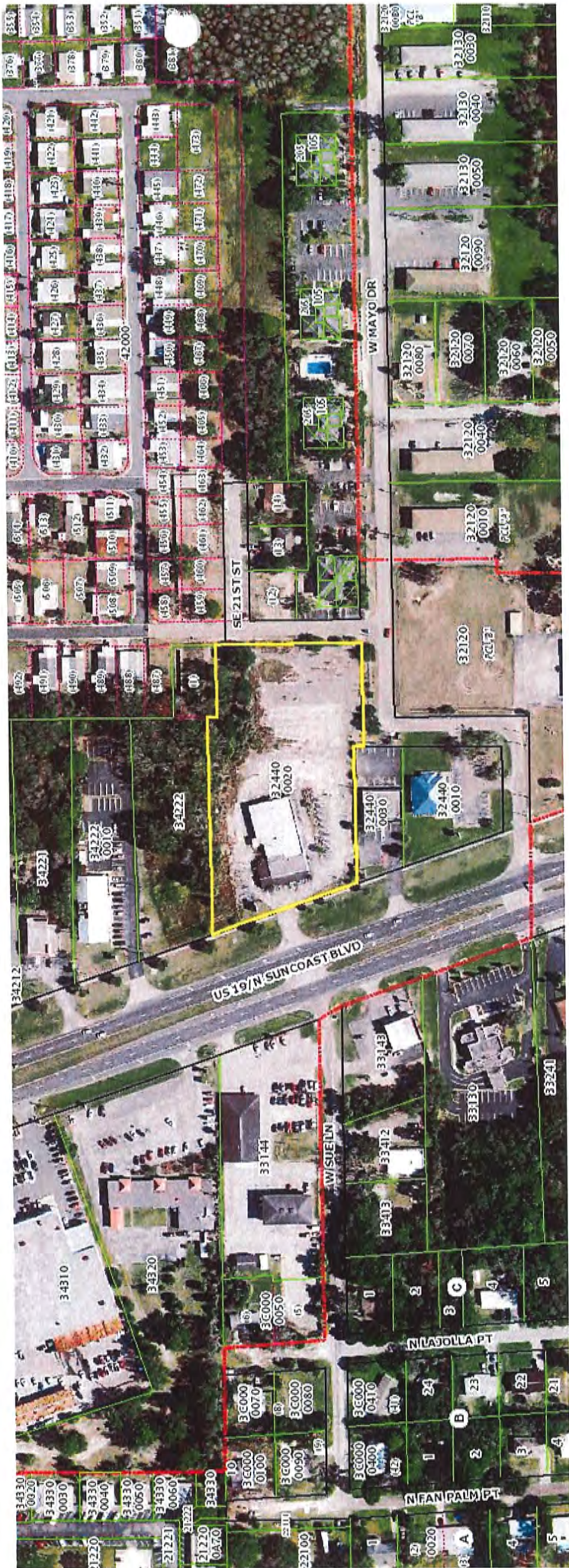
STATE OF FLORIDA
COUNTY OF CITRUS

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by **GRACE CHEN**, who presented a Florida Driver License for identification.



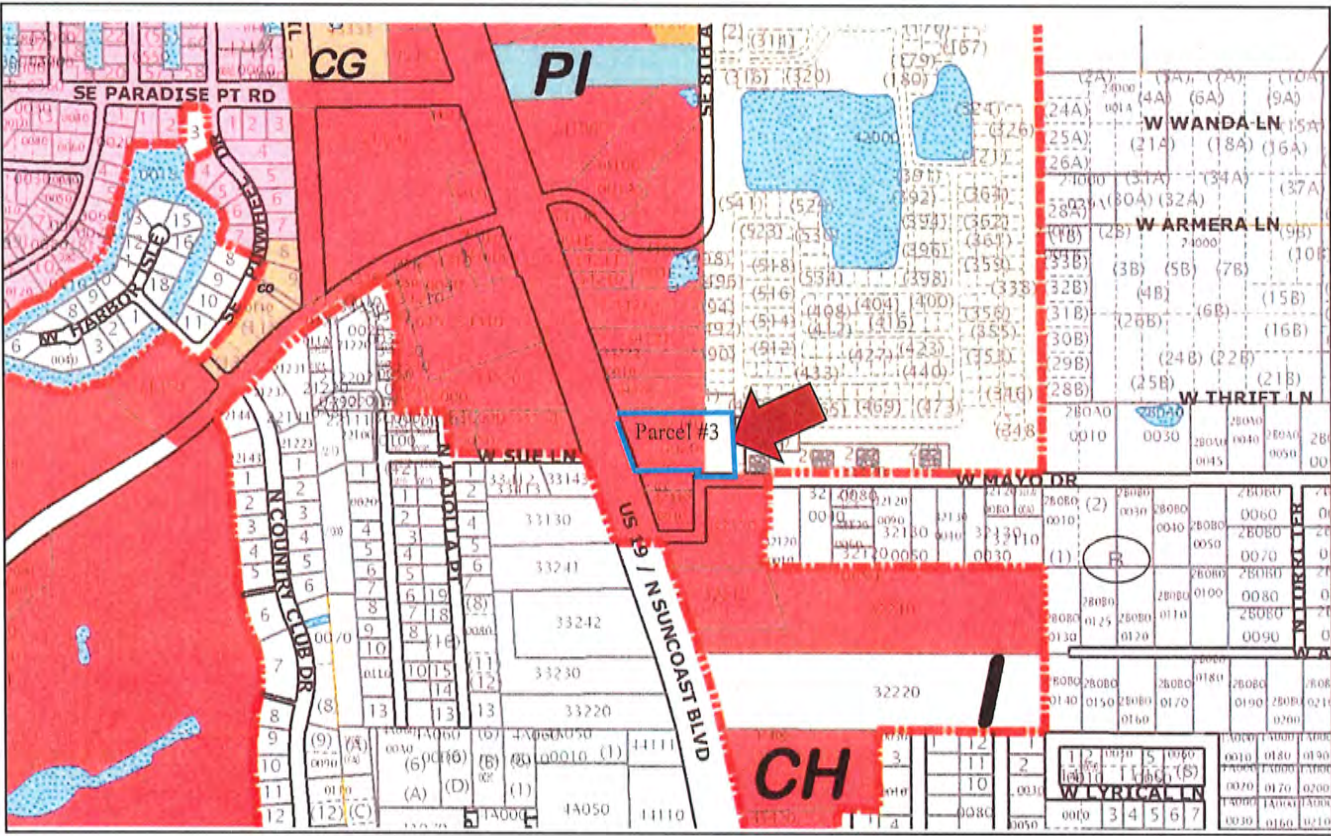
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Bridget M. Milhoan
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ZONING DESIGNATIONS

- CRA BOUNDARY DISTRICT
- CG (GENERAL COMMERCIAL)
- CH (HIGH INTENSITY COMMERCIAL)
- CON (CONSERVATION)
- CW (WATERFRONT COMMERCIAL)
- I (INDUSTRIAL)
- NBR (NEIGHBORHOOD BUSINESS RESIDENTIAL)
- PI (PUBLIC / INSTITUTIONAL)
- PUD (PLANNED UNIT DEVELOPMENT)
- R-1 (LOW DENSITY RESIDENTIAL)
- R-2 (MEDIUM DENSITY RESIDENTIAL)
- R-3 (HIGH DENSITY RESIDENTIAL)
- R-C (RESIDENTIAL CONSERVAION)
- R-W (RESIDENTIAL WATERFRONT)

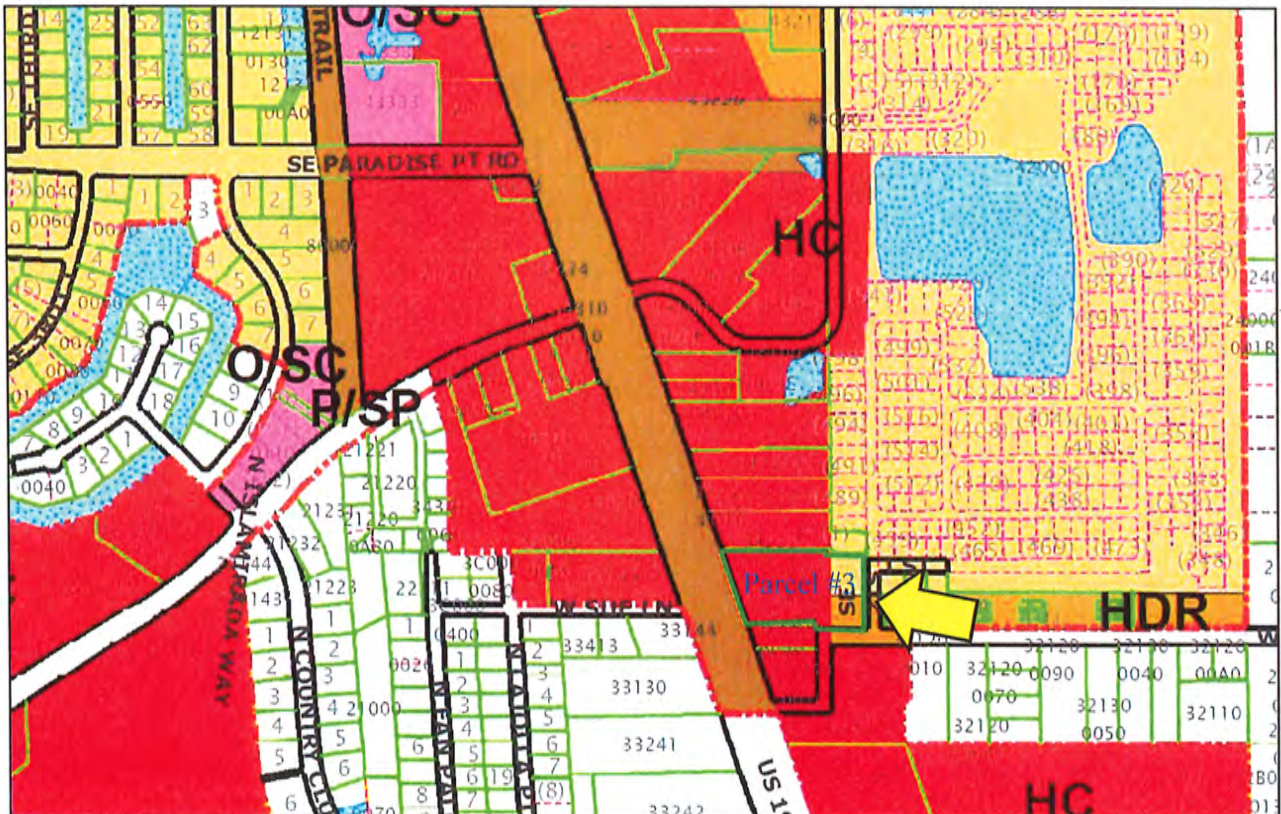


LAND USE CLASSIFICATIONS

FUTURE LAND USE MAP

2016-2025 PROPOSED

LAND USE 2016-2025 PROPOSED



**CITY OF CRYSTAL RIVER
PLANNING COMMISSION
BY-LAWS**

**Article I
Name**

1. The name of the organization as prescribed by City Council shall be "Planning Commission". It may also be referred to as "City Planning Commission" or "Commission". (LDC 8.02.01)
2. The office of the Commission shall be at the City of Crystal River City Hall. All official documents, records, minutes, maps, etc. shall be filed or recorded in the office of the City Clerk. (LDC 8.01.08)

**Article II
Object**

1. The objectives and purposes of the City of Crystal River Planning Commission are those set forth in Florida Statutes, Sections 163.3174 and those powers and duties delegated to the Planning Commission in the aforementioned statutes and by the City of Crystal River Land Development Code (LDC).
2. The Planning Commission shall be responsible for, but not limited to the following items:
 - (A) Serve as the Local Planning Agency pursuant to Florida Statutes 163.3174.
 - (B) To hear, consider, and make recommendations to the City Council regarding applications to amend the Official Zoning Map, amend the text of the LDC, create a subdivision and amend the Official Zoning Map to PUD together with a PUD master plan.
 - (C) To conduct public hearings and render decisions in compliance with the requirements of the LDC.
 - (D) Any other matter, within the jurisdiction of the Commission, authorized by the City of Crystal River Land Development Code (LDC) and the City Council.

Article III Members

1. Membership in terms of office shall be as specified in the ordinance establishing the Commission **and is** shall be comprised of seven (7) regular members, plus one nonvoting member appointed from the Citrus County School Board (LDC 8.02.02).
2. All voting Commission members shall take the "Oath of Office" at the meeting immediately following their appointment. (Exhibit I)

Article IV Alternate Members to the Planning Commission

1. Pursuant to Ordinance 06-0-16, there shall be two (2) alternate members of the Crystal River Planning Commission appointed by the City Council.
2. Alternates shall attend all regular meetings of the Planning Commission.
3. Alternates will be non-voting members unless they are acting in place of a regular member who is absent or disqualified.
4. Alternates may participate in discussion of any agenda item.
5. There shall be identified a First Alternate and a Second Alternate **based upon the date in which they are sworn in as alternate members of the Commission. After the initial identification, the positions shall rotate monthly.**
6. In the event **of that either one (1) or** two (2) regular members **being either are** absent or disqualified, **one or** both alternates shall be seated in the regular members' positions. When seated in place of a regular member, an alternate shall have all of the responsibilities and the authority of a regular member. This includes participation in all discussions, the ability to make motions, and the ability to vote.
7. **Should one of the seven (7) regular voting members of the Planning Commission convey that they are unable to remain on the board, or shall they be removed, the First Alternate shall be seated as a regular member of the Commission and the Second Alternate shall rotate to the position of First Alternate.**

Article V Officers

1. At the first regular meeting in the month of October each year (Organization Meeting) the Commission shall elect, from its members, a Chairperson and a Vice Chairperson. The Vice Chairperson shall act as Chairperson of the Commission during the absence or disability of the Chairperson.
2. The Chairperson shall preside at all meetings and hearings of the Commission and shall have the duties normally inferred by parliamentary practice. The Chairperson shall have the authority to appoint committees and generally perform other duties as may be prescribed in these by-laws. The Chairperson shall have the privilege of discussing all matters before the Commission, **making** motions and shall vote therein. (LDC 8.01.0S)(LDC 8.02.03 (d))
3. **Upon request, t**The Chairperson **(or designee) shall** ~~shall~~ **may** make reports of the Commission's business to the City Council on a regular basis.
4. The Planning and Development Director shall act as the administrative office of the Commission, and shall make provision for a secretary at regular and special meetings.
5. A temporary Chairperson shall be elected by its members in attendance, at any meeting, in the case that both the Chairperson and the Vice Chairperson are absent.
6. Vacancies in any elected office shall be filled by regular election procedures as herein specified with the terms to run until the next annual organizational meeting. Resignations from the Commission shall be in writing and transmitted to the Chairperson who will then forward same to the City Council of Crystal River.

Article VI Meetings

1. Regular meetings shall be held the first Thursday of each month at **6:305:30** p.m. in the City Hall Council Chambers located at 123 NW Highway 19, Crystal River, Florida. In the event of conflict with

holidays the majority of members may change the date of any scheduled meeting. In the event of a declared emergency the Chairperson or the Planning and Development Director may cancel any scheduled meeting. Special meetings may be called by the Chairperson when such meetings are deemed necessary. Members shall be notified three (3) days prior to a special meeting and shall be notified as to the time and place of such meeting. Meetings shall have a three (3) hour time limit that may be extended by majority vote of the Commissioners present.

2. ~~The majority of members of the Commission, f~~Five (5) members shall constitute a quorum of the Commission. The number of votes to transact business shall ~~be a majority~~ require a quorum of the members present at any meeting unless otherwise provided by law. Approval of actions before the commission requires an affirmative vote of a majority of the members present.
(LDC 8.021.07)

3. All meetings of the Commission shall be conducted in strict compliance with the Florida Sunshine Law.

4. The agenda may contain, but not limited to the following items:

- (A) A cover page containing "Notice to the Public" and "General Meeting Procedures".

1. CALL TO ORDER
2. ROLL CALL
3. MOMENT OF SILENCE
4. PLEDGE OF ALLEGIANCE
5. ADOPTION OF AGENDA
6. APPROVAL OF MINUTES
7. PUBLIC HEARINGS
8. UNFINISHED BUSINESS
9. NEW BUSINESS
10. CITIZEN INPUT
11. COMMUNICATIONS
12. COMMITTEE REPORTS
13. STAFF COMMENTS
14. COMMISSIONER'S COMMENTS
15. CHAIRMAN'S COMMENTS
16. ADJOURNMENT

5. A workshop meeting may be called by majority vote of the Commission.
6. **Each appointed member shall attend all meetings.** Members of the Commission **and Alternates shall** ~~are to~~ notify the Planning and Development Director or designee at least forty-eight (48) hours prior to a meeting that they will **or will** not ~~be able to~~ attend **the upcoming meeting.** **Any member who has been absent from three (3) regular meetings within a calendar year shall be subject to removal.**
7. Any member of the Commission who may benefit financially from any matter before this Commission SHALL excuse himself/herself from the voting procedure for this matter in the manner required by Florida Statutes 112.3143.
8. No member may abstain from voting unless he/she has a voting conflict as noted herein.
9. When a tie vote occurs on any matter before the Commission, that vote is construed as a denial without prejudice.
10. The Chairperson shall prescribe the method of conduct of the hearing. All comments shall be directed to the Chair only after being properly recognized by the Chairperson. All persons recognized shall approach the podium in order to facilitate proper recording of their comments. Each person shall state his/her name and address clearly for the record.
11. All decisions of the Commission shall be made at a public meeting by a motion made and a second, called for by the Chairperson. A roll call vote may be taken by the secretary.

Article VII Parliamentary Authority

1. All meetings **mayshall** be conducted in accordance with parliamentary procedure as set forth and explained in the latest Revised Edition of Robert's Rules of Order, which **shall** serve as the official rules of procedure. (LDC 8.01.05)

**Article VIII
Amendments**

1. These by-laws shall be suspended only by a unanimous vote of the entire seven members of the Commission, however, no by-law which is required to comply with federal, state, local law, or City Council Resolution may be so suspended.

2. A proposal to amend the by-laws shall be made at **the next a** regular or special meeting of the Commission and shall require **the approval of at least five (5) members of the Commission, otherwise the proposal shall not pass, a super majority affirmative vote at the next regular or special meeting of the Commission.**

3. The Commission shall review the by-laws annually at the first regular meeting after the organizational meeting held in October.

Severability

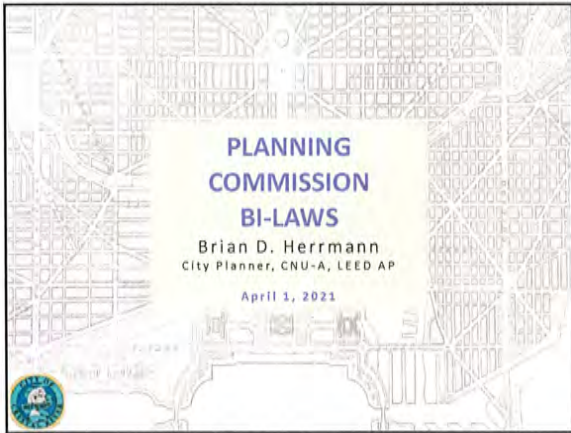
1. If any section, clause, provision or portion of these by-laws shall be held invalid or unconstitutional by a court of competent jurisdiction, such decisions shall not affect the validity or constitutionality of any other section, clause, provision or portion of these by-laws.

Certificate of Adoption


1. The forgoing by-laws of the Planning Commission of the City of Crystal River, Florida, are hereby adopted by the affirmative vote of the Commission on this ___ day of _____, 2021.

By: _____
 -- , Chairperson

Attest: _____
 Mia Fink, City Clerk



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 CITY OF CRYSTAL RIVER
 PLANNING COMMISSION
 BY-LAWS
 Article I
 Name

- The name of the organization as prescribed by City Council shall be "Planning Commission". It may also be referred to as "City Planning Commission" or "Commission". (LDC 8.02.01)
- The office of the Commission shall be at the City of Crystal River City Hall. All official documents, records, minutes, maps, etc. shall be filed or recorded in the office of the City Clerk. (LDC 8.01.08)

Article II
 Object

- The objectives and purposes of the City of Crystal River Planning Commission are those set for the in Florida Statutes, Sections 163.3174 and those powers and duties delegated to the Planning Commission in the aforementioned statutes and by the City of Crystal River Land Development Code (LDC).
- The Planning Commission shall be responsible for, but not limited to the following items:
 - Serve as the Local Planning Agency pursuant to Florida Statutes 163.3174.
 - To hear, consider, and make recommendations to the City Council regarding applications to amend the Official Zoning Map, amend the text of the LDC, create a subdivision and amend the Official Zoning Map to PUD together with a PUD master plan.
 - To conduct public hearings and render decisions in compliance with the requirements of the LDC.
 - Any other matter, within the jurisdiction of the Commission, authorized by the City of Crystal River Land Development Code (LDC) and the City Council.

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Article III
 Members

- Membership in terms of office shall be as specified in the ordinance establishing the Commission **is and** shall be comprised of seven (7) regular members plus one nonvoting member appointed from the Citrus County School Board (LDC 8.02.02).
- All voting Commission members shall take the "Oath of Office" at the meeting immediately following their appointment. (Exhibit I)

Article IV
 Alternate Members to the Planning Commission

- Pursuant to Ordinance 06-0-16, there shall be two (2) alternate members of the Crystal River Planning Commission appointed by the City Council.
- Alternates shall attend all regular meetings of the Planning Commission.
- Alternates will be non-voting members unless they are acting in place of a regular member who is absent or disqualified.
- Alternates may participate in discussion of any agenda item.
- There shall be identified a First Alternate and a Second Alternate **based upon the date in which they are sworn in as alternate members of the Commission. After the initial identification, the positions shall rotate monthly.**
- In the event **of that either one (1) or two (2) regular members being either are** absent or disqualified, **one or both alternates shall be seated in the regular members' positions.** When seated in place of a regular member, an alternate shall have all of the responsibilities and the authority of a regular member. This includes participation in all discussions, the ability to make motions, and the ability to vote.
- Should one of the seven (7) regular voting members of the Planning Commission convey that they are unable to remain on the board, or shall they be removed, the First Alternate shall be seated as a regular member of the Commission and the Second Alternate shall rotate to the position of First Alternate.**

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**Article V
Officers**

1. At the first regular meeting in the month of October each year (Organization Meeting) the Commission shall elect, from its members, a Chairperson and a Vice Chairperson. The Vice Chairperson shall act as Chairperson of the Commission during the absence or disability of the Chairperson.
2. The Chairperson shall preside at all meetings and hearings of the Commission and shall have the duties normally identified by parliamentary practice. The Chairperson shall have the authority to appoint committees and generally perform other duties as may be prescribed in these by-laws. The Chairperson shall have the privilege of discussing all matters before the Commission, making motions and shall vote therein. (LDC 8.0105)(LDC 8.02.03 (d))
3. Upon request, the Chairperson (or designee) shall may make reports of the Commissions business to the City Council on a regular basis.
4. The Planning and Development Director shall act as the administrative office of the Commission, and shall make provision for a secretary at regular and special meetings.
5. A temporary Chairperson shall be elected by its members in attendance, at any meeting, in the case that both the Chairperson and the Vice Chairperson are absent.
6. Vacancies in any elected office shall be filled by regular election procedures as herein specified with the terms to run until the next annual organizational meeting. Resignations from the Commission shall be in writing and transmitted to the Chairperson who will then forward same to the City Council of Crystal River.


**Article VI
Meetings**

1. Regular meetings shall be held the first Thursday of each month at 6:00 ~~5:30~~ p.m. in the City Hall Council Chambers located at 123 NW Highway 19, Crystal River, Florida. In the event of conflict with holidays the majority of members may change the date of any scheduled meeting. In the event of a declared emergency the Chairperson or the Planning and Development Director may cancel any scheduled meeting. Special meetings may be called by the Chairperson when such meetings are deemed necessary.

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Members shall be notified three (3) days prior to a special meeting and shall be notified as to the time and place of such meeting. Meetings shall have a three (3) hour time limit that may be extended by majority vote of the Commissioners present.

2. ~~The majority of members of the Commission, five (5) members shall constitute a quorum of the Commission. The number of votes to transact business shall be a majority require a quorum of the members present at any meeting unless otherwise provided by law. Approval of actions before the commission requires an affirmative vote of a majority of the members present.~~ (LDC 8.021.07)
3. All meetings of the Commission shall be conducted in strict compliance with the Florida Sunshine Law.
4. The agenda may contain, but not limited to the following items:
 - (A) A cover page containing "Notice to the Public" and "General Meeting Procedures".
 1. CALL TO ORDER
 2. ROLL CALL
 3. MOMENT OF SILENCE
 4. PLEDGE OF ALLEGIANCE
 5. ADOPTION OF AGENDA
 6. APPROVAL OF MINUTES
 7. PUBLIC HEARINGS
 8. UNFINISHED BUSINESS
 9. NEW BUSINESS
 10. CITIZEN INPUT
 11. COMMUNICATIONS
 12. COMMITTEE REPORTS
 13. STAFF COMMENTS
 14. COMMISSIONER'S COMMENTS
 15. CHAIRMAN'S COMMENTS
 16. ADJOURNMENT



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5. A workshop meeting may be called by majority vote of the Commission.
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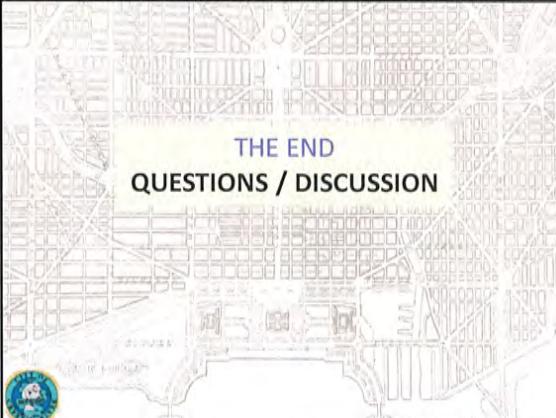
1. The forgoing by-laws of the Planning Commission of the City of Crystal River, Florida, are hereby adopted by the affirmative vote of the Commission on this the _____ day of _____ 2021.

By: _____
Xxxx Xxx, Chairperson


Attest: _____
Mia Fink, City Clerk



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**THE END
QUESTIONS / DISCUSSION**



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