

# Planning Commission Agenda

## January 4, 2024 - 5:30 p.m.

**Daniel Grannan – Chair**  
**Tonia Herring – Vice Chair**  
**Richard Laxton**  
**Deborah MacArthur Anderson**  
**Karen Cunningham**



**Terry Thompson**  
**Larry Schenavar**  
**Alternate 1 – Gregory Acker**  
**Alternate 2 – Kimberly Salter**  
**Chuck Dixon – School Board\***

- 1) Call to Order
- 2) Roll Call
- 3) Moment of Silence
- 4) Pledge of Allegiance
- 5) Adoption of Agenda
- 6) Approval of Minutes: **November 2<sup>nd</sup>, 2023**
- 7) Citizen Input: 3 minutes
- 8) Public Workshop:

**Draft Community Development Code** – Conduct a workshop to solicit public input and receive recommendation from the Planning Commission. A presentation will be made by Stringfellow Planning & Design, serving as the city’s planning consultant, to highlight the various design standards of the proposed form-based code. This item will be scheduled for another workshop at a future City Council meeting. The final adoption of the code will take place at future advertised public hearings before the Planning Commission and City Council.

### 9) Public Hearings:

A.)

1. **Conduct a Public Hearing for APPLICATION NO. PCA23-0004 brought by Highlander Development Inc o/b/o Mary Street, LLC** – Small-Scale Comprehensive Plan Amendment to the Future Land Use Map to change 39 acres +/- **from** O/SC, Office/Services Commercial and LDR, Low Density Residential **to** HC, Highway Commercial (3.71 acres), MDR, Medium Density Residential (5.58 acres), and HDR, High Density Residential (29.77 acres), which address is known as 3607 N Citrus Avenue, Crystal River.
2. **Conduct a Quasi-judicial Public Hearing for APPLICATION NO. PZMA23-0004 brought by Highlander Development Inc o/b/o Mary Street, LLC** – Amendment to the Official Zoning Map to change 39 acres +/- **from** CG, General Commercial and R-1, Low Density Residential **to** CH, High Intensity Commercial

#### NOTICE TO PUBLIC

Any person who decides to appeal any decision of the Planning Commission with respect to any matter considered at this meeting will need a record of the proceedings and for such purpose may need to provide that a verbatim record of the proceeding is made, which record includes testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

Any person requiring reasonable accommodation at this meeting because of a disability or physical impairment should contact the City of Crystal River, City Manager's Office, 123 N. W. Highway 19, Crystal River, FL 34428 (352) 795-4216, at least two (2) days prior to the meeting.

(3.71 acres), R-2, Medium Density Residential (5.58 acres), and R-3, High Density Residential (29.77 acres), which address is known as 3607 N Citrus Avenue, Crystal River.

B.) **Conduct a Public Hearing for APPLICATION NO. PZMA23-0005 brought by THE CITY OF CRYSTAL RIVER –** Text Amendment to Appendix A – Land Development Code of Crystal River, Florida, Code of Ordinances by adding a new Section 2.03.04 *Prohibition on medical marijuana dispensing facilities*. To include standards to prohibit medical marijuana dispensing facilities from establishing or locating within the boundaries of the city. The text amendment is added to Chapter 2 as a sub-section of Section 2.03.00 *Land uses permitted in each zoning district.*, of the LDC. In 2017, section 381.986, Florida Statutes, was amended which provides in relevant part that “A county or municipality may, by ordinance, ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that county or municipality.”

- 10.) Unfinished Business
- 11.) New Business
- 12.) Citizen Input: 5 minutes
- 13.) Staff Comments
- 14.) Commissioner’s Comments
- 15.) Chairman’s Comments
- 16.) Adjournment

\*Appointed by School Board pursuant to §163.3174, Florida Statutes.

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# Planning Commission Minutes

## November 2, 2023 - 5:30 p.m.

**Daniel Grannan – Chair**  
**Tonia Herring – Vice Chair**  
**Richard Laxton**  
**Deborah MacArthur Anderson**  
**Karen Cunningham**



**Terry Thompson**  
**Larry Schenavar**  
**Alternate 1 – Gregory Acker**  
**Alternate 2 – Kimberly Salter**  
**Chuck Dixon – School Board**

- 1) Call to Order
- 2) Roll Call

**Commissioners Present:** Daniel Grannan, Terry Thompson, Karen Cunningham, Larry Schenavar, Richard Laxton, Kimberly Slater, Deborah MacArthur Anderson

**Commissioners Absent:** Gregory Acker, Tonia Herring, Chuck Dixon

**Staff Present:** Robert Batsel City Attorney, Michael Manning Assistant City Manager, Jenette Collins Growth Management Director, Heather Lacey Associate Planner, Sabrina Utter Deputy Clerk, Mia Fink Clerk

- 3) Moment of Silence was led by Chairman Grannan
- 4) Pledge of Allegiance was led by Chairman Grannan
- 5) Adoption of Agenda -Motion to adopt the agenda was made by Commissioner Thompson; seconded by Commissioner Grannan. **Motion carried 7-0.**
- 6) Approval of Minutes: **October 5<sup>th</sup>, 2023-** Motion to approve the minutes of October 5th, 2023, was made by Commissioner Thompson; seconded by Commissioner Laxton. **Motion carried 7-0.**
- 7) Organizational Meeting – Motion to appoint Commissioner Grannan as Chair was made by Commissioner Thompson; seconded by Commissioner Cunningham. **Motion carried unanimously.**  
A motion to appoint Commissioner Thompson as Vice Chair was made by Commissioner Grannan; seconded by Commissioner Schenavar. **Motion carried unanimously.**
- 8) Citizen Input: 3 minutes- None
- 9) Public Hearings: Clerk Utter swore in individuals wanting to give testimony.

A.) **Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PV23-0002 – WILLIAM NICELY**, A Variance request of the City of Crystal River Land Development Code (LDC) to allow for a residential access (driveway apron) and driveway exceeding the maximum width requirements, pursuant to Section 6.04.02 Access and driveway design requirements, of the LDC, for property which address is 1433 SE 4<sup>th</sup> Avenue. A complete legal description of the property is on file with the Growth Management Department.

**Chair** opened the (quasi-judicial) hearing.

**Conflict of Interest:** None.

**Ex Parte Communication:** None.

**Staff Presentation:** Jenette Collins, Growth Management Director, presented the application to the commission.

**Applicant Presentation:** William Nicely, 470 U.S. Hwy 90 West Crystal River, spoke to the application purpose and addressed Commissioner questions and concerns.

**Public Comment:** None.

**Rebuttal:** None.

**Commissioner Discussion:** A motion to recommend City Council approve **APPLICATION NO.**

**PV23-0002** brought by William Nicely, was made by Commissioner Thompson; seconded by

Commissioner Laxton **Motion carried 7-0.**

- B.) **Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PV23-0003 – CASEY AND KATHERINE DAMRON** – A two-part variance request of the City of Crystal River Land Development Code (LDC) to allow for a residential swimming pool addition 1) exceeding the maximum allowed height of two feet when encroaching in the required building setback of a water adjacent yard pursuant to Section 4.02.02 Standards for building and building placement (setbacks); and 2) exceeding the maximum allowed impervious surface ratio (ISR) in a RW, Residential Waterfront zoning district pursuant to Section 4.02.01 Standards for lot design, of the LDC, for property which address is 256 NW Magnolia Circle. A complete legal description of the property is on file with the Growth Management Department.

**Chair** opened the (quasi-judicial) hearing.

**Conflict of Interest:** None.

**Ex Parte Communication:** None.

**Staff Presentation:** Jenette Collins, Growth Management Director, presented the application to the commission. Mrs. Collins reported staff does not support either requests. Commissioners asked staff clarifying questions of staff regarding the presentation.

**Applicant Presentation:** Christopher Luetgert, Contractor, Crystal River, FL presented commission with proposal and reasons for requests. Commission members expressed concerns about drainage and asked questions about how to mitigate the water. Paul Mastatseria, Engineer, Ocala Fl, explained the engineering of the pool and storm water issues.

**Public Comment:** Austin Dailey, Ocala Florida, Roberts Development Company, the neighbor's legal representative, spoke to oppose the requested variance.

**Rebuttal:** None.



**Commissioner Discussion:** A motion to deny both variance requests made in **APPLICATION NO. PV23-0003** brought by Casey and Katherine Damron, was made by Commissioner Thompson; seconded by Commissioner Grannan. **Motion carried 6-1 with Commissioner Schenavar in opposition.**

10) **Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZMA23-0003 – CRYSTAL RIVER PLANTATION CORPORATION** – An amendment of the Official Zoning Map by changing the zoning on 0.90 acres from Planned Unit Development (PUD) TO Neighborhood Business Residential (NBR), and by changing the zoning on 60.73 acres from PUD to High Intensity Commercial (CH), for a total of 61.63 acres, for property which address is 9520 W Fort Island Trail, Crystal River, Florida. A complete legal description of the property is on file with the Growth Management Department.

**Chair** opened the (quasi-judicial) hearing.

**Conflict of Interest:** None.

**Ex Parte Communication:** None.

**Staff Presentation:** Jenette Collins, Growth Management Director, presented the application and history of old applications to the commission members and recommended approval of the request.

**Applicant Presentation:** Daniel Baker 200 Ocean Crest Dr. Palm Coast, FL, presented to council the change request and took questions from the commission.

**Public Comment:** Henry Brown, Crystal River, discussed potential stormwater issues.

Mary Schlumberger, 720 N Dove Pt. Crystal River, discussed stormwater, property values and traffic issues.

Ron Johnson, 40 N Country Club Dr. Crystal River, inquired about future development regulations, which Mrs. Collins addressed, and plans for the parcel.

Marion Gibbons 148 Country Club Dr. Crystal River, inquired about stormwater and rear ingress, which Mrs. Collins addressed.

Susan Reichman, 9797 W. Smokey Ln. Crystal River, discussed stormwater, traffic and safety issues.

**Rebuttal:** Mr. Baker addressed concerns presented during public comment and future plans for the property. Staff discussed CH zoning.

**Commissioner Discussion:** A motion to recommend City Council approve **APPLICATION NO.**

**PZMA23-0003** brought by Crystal River Plantation Corporation, was made by Commissioner Thompson; seconded by Commissioner Grannan. **Motion carried 7-0.**

11) Unfinished Business- None.

12) New Business

a) Review of By-Laws- Motion to approve the by-laws was made by Commissioner Thompson; seconded by Commissioner Grannan. **Motion carried 7-0.**

13) Citizen Input: None

14) Staff Comments: Announced cancellation of December meeting. Mrs. Collins provided an update on form-based code development.

15) Commissioner's Comments-None

16) Chairman's Comments- None

17) Adjournment- Motion to adjourn the meeting was made by Commissioner Grannan; seconded by Commissioner Thompson at 6:47 PM.

ATTEST:

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Sabrina Utter, Deputy Clerk

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Chairman Daniel Grannan

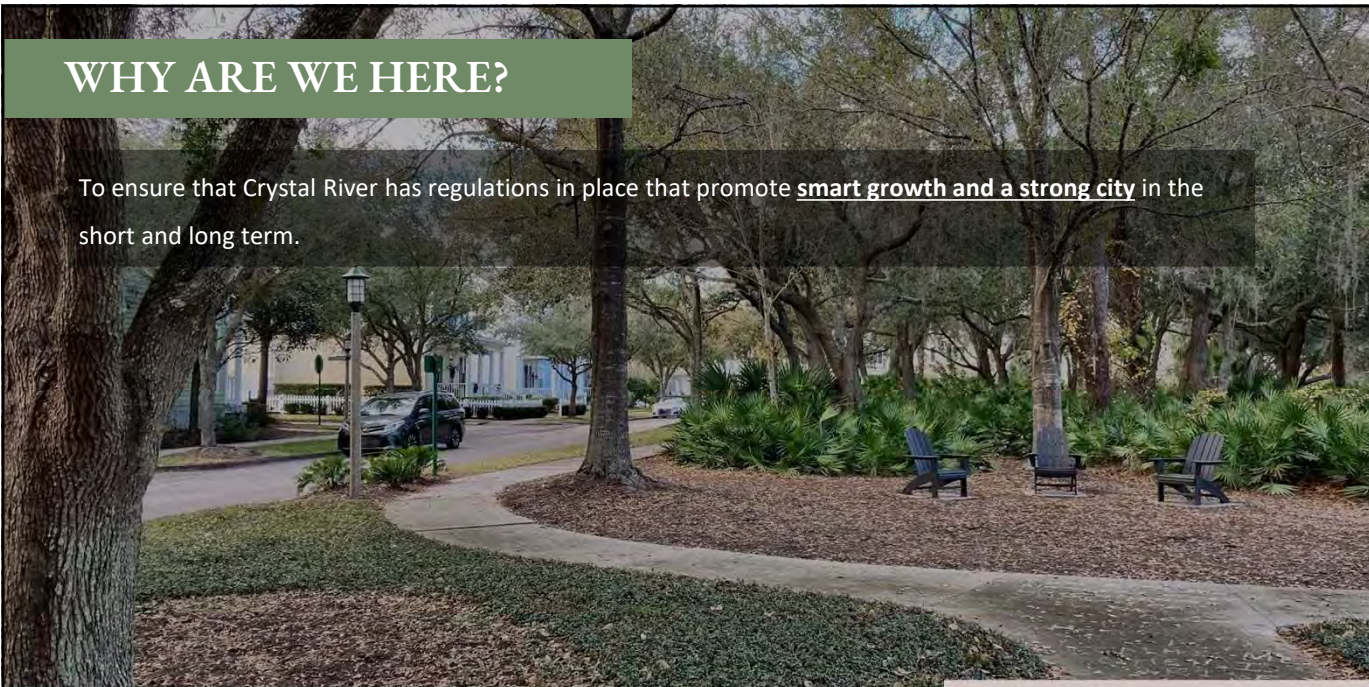


# CRYSTAL RIVER FBC



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## WHY ARE WE HERE?

To ensure that Crystal River has regulations in place that promote **smart growth and a strong city** in the short and long term.



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# SUMMARY

1. Project Timeline
2. Code Approach
3. Map Updates
4. Zoning Code Structure
5. Next Steps
6. Q&A

CRYSTAL RIVER FBC

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STATUS	TASK	2023						2024					
		JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY
<b>PHASE 1</b>													
Complete	Existing Conditions Analysis												
Complete	Code and Previous Studies Review												
Complete	FLU Review												
Complete	Zoning Map Review												
Complete	Steering Committee Meeting	6/29											
<b>PHASE 2</b>													
Complete	Draft Code			8/30									
Complete	S.C. Follow-Up												
Complete	Comment Deadline					10/13							
Complete	S.C. Follow Up Meeting						11/17						
Pending	Council/P.C. Presentations									01/04			
<b>PHASE 3</b>													
Pending	Final Code Draft									2/29			
Pending	Public Hearings												
	APPROVAL												X

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# ORGANIZED BY CONTEXT

Context sensitive zoning through a Form-Based Code maintains natural features and community character while allowing for increased development activity and economic growth where desired within the city of Crystal River.



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# CONTEXT - NATURAL



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# CONTEXT - CIVIC



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# CONTEXT - SUBURBAN NEIGHBORHOODS



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# CONTEXT - URBAN NEIGHBORHOODS



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# CONTEXT - URBAN CENTERS



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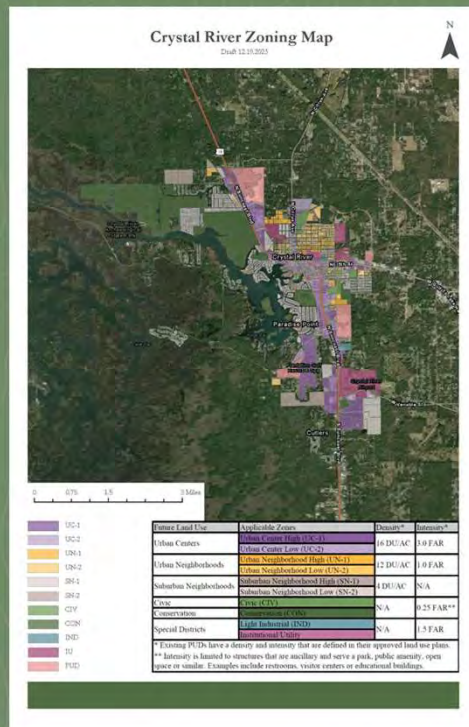
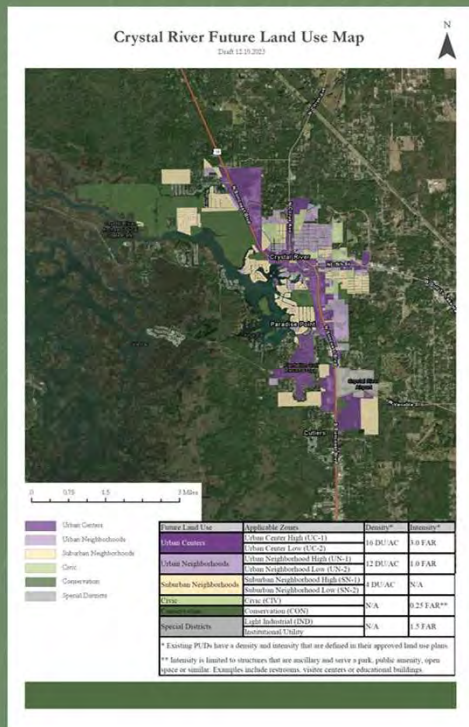


# CONTEXT - SPECIAL DISTRICTS



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## MAP CONVERSION

Future Land Use	Applicable Zones	Previous Zoning
Urban Centers	Urban Center High (UC-1)	CH, CRA
	Urban Center Low (UC-2)	CW, CG
Urban Neighborhoods	Urban Neighborhood High (UN-1)	NBR, R-3
	Urban Neighborhood Low (UN-2)	R-2
Suburban Neighborhoods	Suburban Neighborhood High (SN-1)	R-1, R-W
	Suburban Neighborhood Low (SN-2)	R-C
Natural Lands	Civic Space (CIV)	PUB (some parcels zoned PUB should be moved into other zones)
	Conservation (CON)	CON
Special Districts	Light Industrial (IND)	various
	Institutional/Utility	Airport, etc.

\* Existing PUDs have a density and intensity that are defined in their approved land use plans.  
 \*\* Intensity is limited to structures that are ancillary and serve a park, public amenity, open space or similar. Examples include restrooms, visitor centers or educational buildings.

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## DENSITY & INTENSITY

Future Land Use	Applicable Zones	Density*	Intensity*
Urban Centers	Urban Center High (UC-1)	16 DU/AC	3.0 FAR
	Urban Center Low (UC-2)		
Urban Neighborhoods	Urban Neighborhood High (UN-1)	12 DU/AC	1.0 FAR
	Urban Neighborhood Low (UN-2)		
Suburban Neighborhoods	Suburban Neighborhood High (SN-1)	4 DU/AC	N/A
	Suburban Neighborhood Low (SN-2)		
Civic	Civic Space (CIV)	N/A	0.25 FAR**
Conservation	Conservation (CON)		
Special Districts	Light Industrial (IND)	N/A	1.5 FAR
	Institutional/Utility		

\* Existing PUDs have a density and intensity that are defined in their approved land use plans.  
 \*\* Intensity is limited to structures that are ancillary and serve a park, public amenity, open space or similar. Examples include restrooms, visitor centers or educational buildings.

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# THE CODE



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# BLOCKS & THOROUGHFARES

### Introduction to the Code

The City of Crystal River recognizes the need for a comprehensive code to guide its future development and promote sustainable growth. The code structure is designed to provide a clear and organized framework for development in the city, with a focus on creating walkable, bikeable, and attractive urban environments. The code will be organized into several sections, each addressing a specific aspect of development, from block configuration and connectivity to zoning requirements and building design. The goal is to ensure that development in the city is well-designed, sustainable, and responsive to the needs and goals of the community. The code will provide clear guidelines and standards for developers, property owners, and city officials, with the ultimate goal of creating a vibrant and livable community that is attractive to residents, businesses, and visitors alike.

### Section 10 Block Configuration

#### a. General Requirements

All new development shall improve the interconnected pattern of the existing street grid or design new blocks that are consistent with this code section. The following apply to all new developments:

- (1) The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new developments.
- (2) Sidewalks, on-street parking and landscaping shall be coordinated to provide safe and attractive streets.
- (3) Cul-de-sacs and dead end streets are prohibited unless wetlands, waterbodies, limited access facilities, DOT intersection spacing requirements or other physical barriers prohibit connection. This prohibition does not include stub-out streets used for future connections.
- (4) In three way intersections, the terminating street should end in a prominent feature such as a water body, an open space, or building facade.
- (5) Streets shall be designed as described in the Thoroughfares section of this code.

#### b. Block Configuration

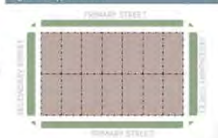
- (1) Block perimeter shall not exceed 2,000 linear feet, except where exempted in this Section. Block perimeter is measured at the back of the sidewalk. Where a New is proposed (refer to Open Space Type), block perimeter is measured along the sidewalk at the front of the units facing the new. See Figure 11.

Figure 11 Block & New Diagram



- (2) For existing and new blocks with a perimeter of 1,800 linear feet or more, a pedestrian connection must be established between the longest faces of the block. The connection should have sufficient marking or paving to indicate the pedestrian path.
- (3) The shape of a block shall be generally rectangular, but may vary due to natural features or site constraints.
- (4) Blocks shall typically be two lots deep with the exception of blocks containing Open Space.
- (5) Blocks shall typically be fronted with lots on at least two faces, preferably on the longest street faces.

Figure 12 Typical Block



### Street

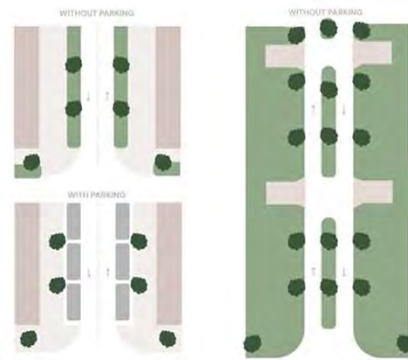
A small-scale connector. A street is urban in character, with raised curbs, raised drainage, wide sidewalks, on-street parking, trees in regular planting rows, and buildings set back from setbacks.

ROW Width: 50' min +	Median: N/A
Lanes: 2 (10'-12' wide)	Swale: Optional
Sidewalk: Required on both sides, 5' wide min for residential, 7' min for non-residential uses	Street Trees: Canopy required every 45' with 8' wide planter or understorey trees every 20'
Bike Facilities: Shared	Lighting: Required

### Residential Avenue

A small neighborhood serving street that has only low traffic demand and is used in very low volume situations or where a street and is required by local conditions.

ROW Width: 48' min	Median: 6' planter for canopy trees or 4' planter for path trees
Lanes: 1-2 pavement width	Swale: Required on both sides and in median
Sidewalk: None required	Street Trees: Canopy required every 45' with 8' wide planter
Bike Facilities: None required	Lighting: Required only at intersections



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# OPEN SPACES

## Open Spaces Types

Refer to the figures below for the required standards and details for all permitted Open Space Types. Where an Open Space is smaller than the required improvement, the improvement is not required. Signs may include saw walls, benches or other creative solutions.

GREEN	SQUARE	PLAZA
<b>Width:</b> 30' minimum <b>Size:</b> 1 Acre minimum <b>Improvement:</b> 85% maximum <b>Street Frontage:</b> 80% minimum <b>Open Water:</b> 75% maximum <b>Improvements:</b> 1 canopy tree and 2 secondary per acre (plants are considered as 1/2 tree) or 20' wide, 20' deep, 10' high of 12 required. Pedestrian Lighting	<b>Width:</b> 30' minimum <b>Size:</b> 0.25 acre minimum <b>Improvement:</b> 85% maximum <b>Street Frontage:</b> 80% minimum <b>Open Water:</b> 50% maximum <b>Improvements:</b> 1 canopy tree and 2 secondary or 4 plants (6' canopy, 12' trunk) or 20' wide, 20' deep, 10' high of 12 required. Pedestrian Lighting	<b>Width:</b> 30' minimum <b>Size:</b> 800 SF minimum <b>Improvement:</b> 85% maximum <b>Street Frontage:</b> 80% minimum <b>Open Water:</b> 50% maximum <b>Improvements:</b> 1 canopy tree every 40' of along centerline (plants for every 200 SF, max of 12 required). Pedestrian Lighting
POCKET PARK	COURTYARD	NEW (PEDESTRIAN PASSAGEWAY)
<b>Width:</b> 30' minimum <b>Size:</b> 400 SF minimum 1 acre maximum <b>Improvement:</b> 85% maximum <b>Street Frontage:</b> Adjacent on one side <b>Open Water:</b> 50% maximum <b>Improvements:</b> 1 canopy tree per acre, 1 minimum (2 secondary or 4 plants for every 400 SF, max of 12 required). Pedestrian Lighting	<b>Width:</b> N/A <b>Size:</b> 800 SF minimum <b>Improvement:</b> 85% maximum <b>Street Frontage:</b> N/A, public path required <b>Open Water:</b> 50% maximum <b>Improvements:</b> 1 canopy tree or 4 plants for every 400 SF (plants for every 200 SF, max of 12 required). Pedestrian Lighting	<b>Width:</b> 30' minimum <b>Size:</b> 800 SF minimum <b>Improvement:</b> 85% maximum <b>Street Frontage:</b> N/A <b>Open Water:</b> 50% maximum <b>Improvements:</b> 1 canopy tree every 50' or corner (1 secondary tree allowed). Pedestrian Lighting

## Open Space Inspiration Images

Below are images intended to provide design direction for Open Space design in Crystal River.



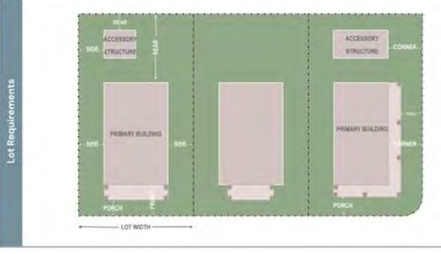
# ZONING & BUILDINGS

Table 4.1 Zoning Requirements



ZONING	UC-1	UC-2	UN-1	UN-2	SN-1	SN-2
<b>SETBACKS</b>						
Front	0'	5'	12'	10'	20'	25'
Rear	5'	5'	10'	10'	30'	25'
Side*	5'	5'	10'	10'	15'	10'
Corner	5'	5'	10'	10'	15'	15'
Front-Battery Front Setback	Fronts and batteries may encroach the front and corner setback up to 5'					
Specialized Front Setback	0'	0'	5'	5'	10'	10'
Accessory Structure Rear	5'	5'	5'	5'	10'	10'
Fronted Setback	0'	0'	20'	20'	20'	20'
View Tower Inland Front Setback	0'	5'	12'	10'	20'	25'
View Tower Inland Side Setback	5'	5'	12'	10'	25'	20'
View Tower Corner Setback	5'	5'	12'	10'	15'	15'
Rear Rear Front Setback	5'	5'	30'	30'	30'	30'
<b>LOT REQUIREMENTS</b>						
Minimum Width	18' attached	20' attached	22' attached	24' attached	75'	90'
Minimum Lot Size	1,500 SF	1,800 SF	1,800 SF	2,300 SF	7,500 SF	9,000 SF
Lot Coverage	90%	80%	75%	75%	60%	50%
<b>MAX DENSITY / INTENSITY</b>						
Dwelling Units per Acre	16 DU/AC	16 DU/AC	12 DU/AC	4 DU/AC		
Top Floor Area	3,000 SF		1,000 SF	N/A		
<b>HEIGHT*</b>						
Maximum Building Height	65' to top plate	52' to top plate	42' to top plate	42' to top plate	38' to top plate	38' to top plate
Maximum Habitable Tower Height	75' to ridge	62' to ridge	52' to ridge	52' to ridge	50' to ridge	50' to ridge
	90'	65'	45'	45'	45'	45'
<b>DESIGN BY CONTEXT</b>						
<b>RECOMMENDED OPEN SPACES</b>						
Green	✓	✓	✓	✓	✓	✓
Plaza	✓	✓	✓	✓	✓	✓
Pocket Park	✓	✓	✓	✓	✓	✓
Courtyard	✓	✓	✓	✓	✓	✓
View Tower	✓	✓	✓	✓	✓	✓
Water	✓	✓	✓	✓	✓	✓

Table 4.2 Measuring Zoning Requirements





# ZONING & BUILDINGS

• Non-residential Architectural Compatibility. All new non-residential buildings shall demonstrate consistency with the vernacular architecture of coastal Florida and Crystal River. Applicants shall demonstrate that the proposed building is using the appropriate, quality materials and maintaining consistency with the coastal character of Crystal River.

- (1) **Authentic Materials.** The following materials are considered compatible with Crystal River's vernacular architecture.
  - (a) Stucco (smooth or sand finish)
  - (b) Cement Board (terrazzo or similar)
  - (c) Composite Cladding
  - (d) Board and Batten
  - (e) Oyster Shell Tabby (medium to heavy application only)
  - (f) Brick/Clay
- (2) **Purpose of architectural regulations.** The intent of these architectural regulations is to improve and elevate the visual aesthetics of all non-residential buildings in Crystal River in order to promote a consistent coastal character throughout the city. Examples of this intent are shown in the images on this page.



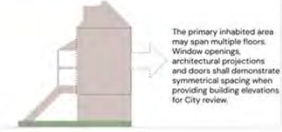
## Elevated Building Design Standards

This section will provide guidelines for the design and development of new buildings located within flood zones, which are required to build the first floor elevation above the flood elevation indicated for the flood hazard zone in which they are located. These buildings may have a finished floor elevation (FTE) several feet or more above ground level. In order to preserve and enhance the visual aesthetics and pedestrian experience throughout Crystal River, specific design standards relating to elevated buildings are required.

c. **Massing.** Elevated buildings require special treatment of massing due to the increased height of the overall structure which may cause compatibility issues with existing structures if not addressed properly. Therefore all elevated buildings shall have three clearly defined sections: a base consisting of a foundation, garage space, and/or storage; a middle consisting of the primary inhabited area of the building; and a top consisting of the roof, attic, and secondary inhabited areas of the building as shown in the diagram below.



**Top - Roof, Attic and Secondary Inhabited Area**  
**Middle - Primary Inhabited Area**  
**Base - Foundation, Garage, Storage**



# ZONING & BUILDINGS

a. **Middle and Primary Inhabited Areas.** The primary inhabited area of the building shall exist between the foundation level and the roof level.

- (1) **Porches and Balconies.** The first habitable floor of buildings must include front porches or balconies with a minimum depth of 6 feet and spanning over half (50%) of the front exterior. For instance, a 34-foot-wide structure should have a porch that is at least 17 feet wide. Upper floors on multi-story buildings are not mandated to have balconies, but it is recommended.
- (2) **Materials.** The following finish materials for the middle levels of buildings are approved for use in Crystal River.
  - (a) Stucco (smooth or sand finish)
  - (b) Cement Board (terrazzo or similar)
  - (c) Composite Cladding
  - (d) Board and Batten
  - (e) Cedar Shingles
  - (f) Oyster Shell Tabby (medium to heavy application only)
  - (g) Brick
  - (h) Metal Panels with Concealed Fasteners (50% max)
- (3) **Windows and Doors.** Windows and doors shall be regularly spaced, and overall front facades for inhabited areas shall have a minimum of 30% glazing.
- (4) **Railings.** All porches, balconies, and decks shall have railings. All railings on the front facade shall be a minimum of 50% transparent. Frosted glass railings are acceptable in meeting this requirement.



Table 4.6. New Neighbourhoods – Large Subdivisions

This section will provide guidelines for the design and development of new neighbourhoods in Crystal River. It is the intention of the standards to provide a variety of housing types, Open Spaces, and Thoroughfare Types within a walkable development.

Neighbourhood Requirements	
<b>Applicability</b>	Subdivisions 25 Acres or greater
<b>Pedestrian Shed</b>	1/2 Mile
<b>Minimum Open Space</b>	5% Per Zoning Minimum of 3 Open Space Types
<b>Minimum Connectivity</b>	1 External Connection Every 1/2 Mile of Perimeter
<b>Maximum Block Perimeter</b>	3,000 LF
<b>Minimum Community Perimeter Buffer</b>	15'

### Minimum Building Diversity

- For sites larger than 40 acres, the new neighbourhood shall have at least five of the following building categories (open between 25 and 40 acres require 3 types):
- 1. commercial / office / retail buildings
  - 2. mixed use or live/work units
  - 3. multi-family buildings or townhomes
  - 4. bungalows on small lots (30 ft - 50 ft wide)
  - 5. cottages on standard lots (50 ft - 75 ft wide)
  - 6. estates on large lots (75 ft and above)
- To meet this requirement, each unit type must represent at least 10% of the total unit count. Commercial/Office/Retail is required occupy at least 5% of the net developable area to count towards this requirement.

### Illustrative Neighbourhood Plan



# USES & PARKING

**Table 5.1 Uses by Zone.** The following table outlines permitted, conditional and prohibited uses per Zone. The use table below is generalized for ease of use and more specific uses may be further regulated subject to subsection (f).

USES	UC-1	UC-2	UC-3	UC-4	UC-5	UC-6	UC-7	UC-8	UC-9	UC-10	CIV	CON
<b>RESIDENTIAL/HOSPITALITY</b>												
Multifamily Residential	P	F	F	F	F	F	F	F	F	F	F	F
Single Family Attached (Townhomes)	P	F	F	F	F	F	F	F	F	F	F	F
Single Family Detached	P	F	F	F	F	F	F	F	F	F	F	F
Live/Work Units	P	F	F	F	F	F	F	F	F	F	F	F
Accessory Dwelling Unit	P	F	F	F	F	F	F	F	F	F	F	F
Short Term Rental / "Resort Housing"	P	F	F	F	F	F	F	F	F	F	F	F
Hotel, Resort & Inn	P	F	F	F	F	F	F	F	F	F	F	F
Residential Care	P	F	F	F	F	F	F	F	F	F	F	F
<b>CIVIC/INSTITUTIONAL</b>												
Assembly	P	F	F	F	F	F	F	F	F	F	C	F
Hospital & Clinic	P	F	F	F	F	F	F	F	F	F	F	F
Library/Museum	P	F	F	F	F	F	F	F	F	F	F	F
Law Enforcement & Fire	P	F	F	F	F	F	F	F	F	F	F	F
School	P	F	F	F	F	F	F	F	F	F	F	F
Post Office	P	F	F	F	F	F	F	F	F	F	F	F
<b>RETAIL/SERVICE</b>												
Neighborhood Retail	P	F	F	F	F	F	F	F	F	F	F	F
General Retail	P	F	F	F	F	F	F	F	F	F	F	F
Craftsman Retail	P	F	F	F	F	F	F	F	F	F	F	F
Neighborhood Service	P	F	F	F	F	F	F	F	F	F	F	F
General Service	P	F	F	F	F	F	F	F	F	F	F	F
<b>OFFICE</b>												
Office	P	F	F	F	F	F	F	F	F	F	F	F
Home Occupation	P	F	F	F	F	F	F	F	F	F	F	F
<b>AMUSEMENT</b>												
Recreation Indoor	P	F	F	F	F	F	F	F	F	F	F	F
Recreation Outdoor	P	F	F	F	F	F	F	F	F	F	F	F
<b>INDUSTRIAL</b>												
Light Industrial	P	F	F	F	F	F	F	F	F	F	F	F
Heavy Industrial	P	F	F	F	F	F	F	F	F	F	F	F
Utilities	P	F	F	F	F	F	F	F	F	F	F	F

- Parking shall be provided as required in Table 5.4.
- Shared Parking.** Where a development proposes more than one use and those uses share parking facilities, Table 5.3 shall be used to calculate the minimum required parking.
- Parking Reductions.** The Growth Management Director or his/her designee may administratively reduce the parking requirement for a development by up to 10% without the need for a public hearing.
- Electric Vehicle Charging.** The parking requirement may be further reduced by providing an electric charging station. Each station may reduce the parking requirement by 4 stalls for a maximum of a 10% reduction in parking.
- All parking areas and all other paved areas, shall be landscaped to achieve a 70 percent tree canopy at maturity. Refer to Section 6 for landscaping.
- Loading zones.** A standard off-street loading space shall be a minimum of 10 feet in width by 20 feet in length and an oversized loading space shall be a minimum of 12 in width and 40 feet in length, exclusive of aisle and maneuvering space and shall have a minimum vertical clearance of 15 feet.

Angle In Degrees	Curb Length	Stall Depth	Travel Lane Width
0	22'	8.5'	12' / 20'
30	18'	18'	12' / 20'
45	12'	17'	14' / 20'
60	10'	18'	18' / 22'
90	5'	18'	20' / 22'

(7) **CSA Parking Fee In Lieu.** Where a proposed development in the CSA boundary is constrained such that meeting the parking requirement causes a hardship, the Growth Management Director may approve a fee in lieu of providing parking payable to the City. The City shall publish this fee on the Fee Schedule which will be kept on record at the City.

**Table 5.4 Minimum Parking Requirements & Reductions**

USE	PARKING SPACE REQUIRED
Residential	2 spaces per unit, studio or one-bedroom apartments shall be 1 space per unit 0.51 spaces per assisted living unit and one parking space per independent living unit.
Hospitality	1 space per bed or 2 spaces per 1,000 SF, whichever is less
Retail, Service & Amusement	2 spaces per 1,000 SF
Office & Industrial	2 spaces per 1,000 SF used for office/1 per 3,000 SF for apartment areas or storage (based on)

USE	REDUCED PARKING SPACES PER UNIT	UC-1	UC-2	UC-3	UC-4	UC-5	UC-6	UC-7	UC-8	UC-9	UC-10	CIV	CON
Residential	Spaces req. =	60%	60%	100%	100%	60%	60%	100%	100%	100%	100%		
Hospitality	Spaces req. =	70%	100%	100%	100%	10%	100%	100%	100%	100%	100%		
Retail, Service & Amusement	Spaces req. =	90%	80%	75%	90%	70%	90%	70%	90%	90%	90%		
Office & Industrial	Spaces req. =	80%	20%	95%	95%	95%	95%	95%	95%	95%	95%		

# LANDSCAPING & TREES

## Landscaping

This section will provide the required landscaping per Zone with the intent to maintain

### Section 6: Landscape

- a. General
- All Construction Plan that propose more than three lots/units or any non-residential use shall require a landscape plan. All lots require tree plans.
  - Each landscape plan shall be designed to reach 70% canopy coverage at maturity of the landscape.

### b. Plant Materials

- All plant materials shall comply with the Florida No. 1 standard as per the Department of Agriculture and Consumer Services.
- All plant materials shall be Florida-Friendly or have suitability for the soils and annual climate.
- At least 50% of trees and shrubs shall be native to Florida.
- Canopy Trees shall be a minimum 3" inch caliper. Understory Trees shall be a minimum 2½-inch caliper, aggregated for multi-trunk, 6' minimum height.
- Understory trees can replace canopy trees at a 2:1 ratio for up to 50% of required trees, provided that canopy coverage can be achieved at maturity.
- Palms shall be field grown, preferably with a minimum 8 foot clear trunk, except for sabal palms or similar species.
- Palms can replace canopy tree requirements at a 3:1 ratio for up to 50% of required trees. Specimen Palms can replace 1:1 for up to 15% of required trees.
- Replacement of canopy trees is capped at 25% of any required canopy trees.

**Table 6.2 Parking Lot Landscape**



Landscaping Island Requirement	Every 10th Stall
Hedge Row Buffer Requirement	8' Wide Buffer along Street Frontage

Lot Size	Number of Lot Trees Required
2,500 SF or less	1 Canopy Tree, 2 Understory Trees or 3 Palms
2,501 - 6,000 SF	2 Canopy Trees
6,001 - 10,000 SF	3 Canopy Trees
10,000 SF or greater	3 Canopy Trees per ½ acre

**Figure 6.1 Inspirational Landscape Imagery**

The following images are intended to provide examples of appropriate landscape design.





# ADMIN & PROCESS

## Section 8 Administration

Table 8.1 Public Notice Requirements

APPLICATION TYPE	MAIL	NEWSPAPER	POST
<b>PLANNING COMMISSION</b> (minimum number of days notice required)			
Annexation	10	7	10
Zoning/hearing inclusion of PUD initiated other than by city	10	7	10
Large-scale Comprehensive Plan amendment	10	7	N/A
Small-scale Comprehensive Plan amendment	10	7	10
Variance	10	7	10
Conditional Use Application for approval or revocation of CUI	10	7	10
Vacate Public Rights-of-Way	10	7	N/A
Vacate Plat	10	7	N/A
<b>CITY COUNCIL</b> (number of days notice required)			
Annexation	10	SN	10
Zoning/hearing inclusion of PUD initiated other than by city	10	SN	10
Large-scale Comprehensive Plan amendment	10	SN	N/A
Small-scale Comprehensive Plan amendment	10	SN	10
Variance	10	+	10
Conditional Use Application for approval or revocation of CUI	10	+	10
Vacate Public Rights-of-Way	10	+	10
Vacate Plat	10	+	10
<b>ADMINISTRATIVE</b> (number of days notice required)			
Small-Scale Use Ordinance / Lot Consolidation / Use of Title			10

Key:  
 SN Statutory notice  
 + Minimum 10 days prior to adoption  
 ++ Minimum 10 days prior to lot reading and 7 days prior to adoption

(cont.) Action by the City Manager may be appealed to the City Council by filing, no later than five business days from the date of the City Manager's written decision a written notice of appeal with the City Clerk outlining the basis for the appeal. A copy of the notice of appeal shall also be simultaneously filed with the Growth Management Department. The written notice of appeal will be placed on a future City Council agenda for Council action on the appeal.

**Public Notice.** In addition to those requirements imposed by state law, public notice shall be provided as set forth on Table 8.1. Nothing herein shall require duplication where these requirements are identical to those imposed by state law.

**Mailing Requirements.** Unless otherwise required herein, mail notice of a public hearing of a type set forth in Table 8.1 shall contain the following information:

- Title and substance of proposed ordinance, resolution or development order or application.
  - Time, date and location of the public hearing, including any instructions for attending or participating in a hearing conducted by video over the internet.
  - Location of the property affected by the application with reference to the nearest intersection of two or more streets.
  - Name, address and telephone number of the office where additional information can be obtained; and
  - Location and times where proposed ordinance, resolution, or development order application may be reviewed.
- All notices shall be provided by first-class mail. Mail notices shall be postmarked no later than the minimum number of calendar days as required in Table 8.1. Proof of mailing shall be retained by the city.
- Mail notice as required in Table 8.1 shall be provided to all property owners of record, including property owned by the applicant, within 300 feet of any boundary line of the property to which the ordinance, resolution or development order relates. If any boundary line of the property to which the ordinance, resolution or development order relates is within 300 feet of any portion of a subdivision

## Section 9 Process

Table 9.1 Preliminary Subdivision Checklist

Applicants shall apply for the Preliminary Subdivision review by furnishing the city with the following documents and information:

### Required Documents

- Completed Preliminary Subdivision application
- Copy of recorded deed
- Owner/gent affidavits (original signatures, all owners)
- Property record card
- Boundary survey
- Three 24-inch by 36-inch certified Preliminary Subdivisions
- Traffic Study
- CD, flash drive or other storage device with Preliminary Subdivision in PDF format.
- Title Opinion of an attorney licensed in the State of Florida or a certification by an abstractor or a title company dated no earlier than 30 days prior to the submittal showing all persons or entities with an interest in records in the property, including but not limited to the record fee owners, easement holders, mortgage and lien holders, leasehold interest holders, judgment interest holders, and parties with any interest in the land by reason of probate or other legal proceedings. The report shall include the tax identification number for the property and copies of documents such as deed, easements, etc., referenced in the title opinion.
- Preliminary Subdivision application fee

### Required Information

- 100-year flood elevation: 100-year flood elevations shall be included.
- Location of fire hydrants, proposed location(s), and/or the minimum of 600 feet spacing for any other NFPA spacing requirements.
- Any other information reasonably required by the City.
- Title block: The title or name of the proposed tract proposed for development and the name and address of the engineer, architect, or surveyor who prepared and design the Preliminary Subdivision.
- Legend: Date, scale, north arrow, corner, total number of lots, and minimum lot size.
- Legal description: A full and detailed legal description of the tract to be platted and its approximate acreage.

### Required Information

- Vicinity map: A vicinity map, at scale, showing the proposed development in relation to the abutting land uses and streets.
- Thoroughfare Sheet: All thoroughfare types labeled including location, name, and right-of-way and pavement width, sidewalks, on-street parking, both on and off-street, and any other information that will be shown. A summary table with percentages of each type shall be included.
- Proposed Zoning: A colored map depicting the zoning proposed for each lot within the subdivision.
- Lot Types Sheet: The proposed lot and housing types with square lot lines, dimensions, and lot numbers shall be shown. Lots shall be numbered in consecutive order. A summary table with percentages of each type shall be included.
- Open Space Sheet: All open space types labeled, including parkways, easements, lanes, and waterways within the tract to be subdivided shall be shown on the plat. The purposes for each easement shall be indicated. A summary table with percentages of each type shall be included.
- Parks and recreation dedication: Land to be dedicated for parks and recreation shall be shown and its approximate acreage indicated.
- Dedications and reservations: All parcels of land proposed to be dedicated or reserved for public use, such as roads, easements, parks, sidewalks, bike or pedestrian trails, shall be indicated on the plat.
- Proposed rights-of-way and street names shall be proposed.
- Proposed building setback lines: Proposed building setback lines shall be shown on the plat.
- Finished floor elevations: Finished floor elevations shall be shown on plans and below the lot lines. Elevation shall be coordinated with the lot grading to ensure positive drainage. No flooding or standing water will accumulate on any given lot.
- Benchmarks: Plans shall show benchmarks used to determine construction elevations in subdivision. Plans shall include description and elevation of benchmarks.
- Stormwater layout: The plat shall include the location, flow direction, and design of stormwater management. Stormwater calculations are not required at this time; however, the applicant should show the existing direction of flow of surface drainage.
- Flow lines (boundaries): The plat shall include the boundary lines of each phase of the proposed subdivision.
- Transportation analysis: A traffic analysis shall be required with methodology approved by the City.
- Non-binding concurrence review is performed at the stage of the development review process to determine whether there are any non-binding concurrence issues.
- Tree removal application and tree survey: A tree removal application and tree survey. The tree area shall be shown on the plat. There is a separate application and fee for tree removal.

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# SUPPLEMENTAL REGS & DEFINITIONS

## a. Limitations on Fill

- Limitations on placement of fill. Subject to the limitations of this section, fill shall be designed to be stable under conditions of flooding, including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour.
- Use of nonstructural fill in Zone A/AE. In SFHA Zone A, fill on the outside of the footprint of the foundation of single-family through quadruple residential structures on lots which are not part of a development with a master grading plan approved by the City is prohibited, except minor fill may be used:
  - In front yards when necessary for the construction of a driveway to a garage.
  - At the front entrances for access to the principal structures.
  - For landscaping and drainage under and around structures, and
  - For parking, stairs, patios, walkways and similar minor site features.
- Nonstructural fill requirements. Where nonstructural fill is permitted, the following shall apply:
  - Fill shall not be greater than 6-inches on lots greater than 60-feet in width, or not more than 12-inches of site compatible nonstructural fill, where site compatible fill is similar to natural soils.
  - Fill shall be graded to provide adequate drainage and to transition to natural grade before property line.
  - Not prevent the free passage of floodwater and waves etc.
  - Not divert floodwater or deflect waves such that damage is sustained by adjacent or nearby property.
- Use of nonstructural fill in Zone V. In SFHA Zone V, fill shall be limited to minor quantities of nonstructural, noncompact fill around the perimeter of a building for landscaping/aesthetic purposes and for drainage, provided the fill will wash out from storm surge (thereby rendering the building free of obstructions) prior to generating excessive loading forces, ramping effects or wave deflection. Minor quantities of fill are limited to depths of not more than 6-inches of site compatible nonstructural fill on lots greater than 60-feet in width, or not more than 12-inches of site compatible nonstructural fill, where site compatible fill is similar to natural soils.

## b. Decks & Boat Structures

- Decks and boat structures. This section shall provide standards for decks, boat docks, boat lifts, boat covers, and boat houses.
- Boat Structures as a Principal Structure. Decks may be permissible as a principal structure on lots approved/planned for such purpose, subject to the following standards:
  - The lot is owned by the owner of the development lot in the surrounding subdivision.
  - The lot has less than two hundred fifty (250) square feet of land.

## Section 10 Definitions

- Graphics: The graphics, tables, and text utilized throughout this code are regulatory. In case of a conflict, text shall control over tables and graphics. Further tables shall control graphics.
- The following terms shall have the following meanings:
- Alley:** A narrow thoroughfare between and especially behind buildings and further described in Table 52.
  - Applicant:** A developer or an authorized agent of a developer.
  - Balcony:** An open air cantilevered structure.
  - Raving:** Mounted to a building and extends over eaves, windows or patios to provide shelter from the sun and rain. Awnings may be of different materials, such as fabric or metal.
  - Block:** The aggregate of lots, passages, lanes, and Alleys bounded on all sides by streets.
  - Block Depth:** A block measurement that is the horizontal distance between the front property line on a block face and the front property line of the parallel or approximately parallel block face.
  - Block Length:** A block measurement that is the horizontal distance along the front and corner property lines of the lots comprising the block.
  - Canopy:** A freestanding structure which may be constructed of cloth or rigid materials, including but not limited to metal, wood, concrete, plastic or glass, which is not attached to and supported by columns, poles or braces extending to the ground. Canopies are not affixed to a building.
  - Canopy Sign:** A sign which is suspended from, attached to, or supported from or forms a part of a canopy.
  - Change of Use:** A change in use of property occurs whenever the essential character or nature of the activity conducted on a lot changes. This occurs whenever:
    - The change involves a change from one principal use category to another.
    - A land use within a planned unit development is added or otherwise increases the overall intensity of development within the PUD.
    - A business or enterprise, different in type and category, intends to operate from the same lot, property and/or space from the previously existing business or enterprise.
  - A change in the status of property from unoccupied to occupied or vice versa does not necessarily constitute a change in use. Whether a change in use occurs shall be determined by comparing the two active uses of property without regard to any intervening period during which the property may have been occupied unless the property has remained unoccupied for more than 180 consecutive days or has been abandoned.
  - A change in ownership of a business or enterprise or a change in the name shall not be regarded as a change in use.
  - The intent of these provisions is to provide for the elimination of nonconforming structures and uses.
  - Complete Street:** A street designed to enable safe mobility for all users, whether traveling in motor vehicles, on bicycles, public transportation, or as a pedestrian.
  - Dedication:** The intentional application of land by the owner to the city for public use and/or ownership.
  - Density:** The number of dwelling units located in an area of land, usually oriented as units per acre.
  - Dwelling Unit:** A building or portion thereof, designed or used exclusively for residential occupancy, but not including hotels, lodging houses, motels, or mobile homes.
  - Easement:** A legal interest in land, granted by the owner to another person or entity, which allows for the use of all or a portion of the owner's land for such purposes as access or placement of utilities.
  - Expression Line:** An architectural feature, a decorative, three dimensional, linear element, horizontal or vertical, protruding or indented at least two inches from a facade utilized to delineate floors or stories of a building.
  - Facade:** The exterior face of a building, including but not limited to the wall, windows, windwalls, doorways, and design elements such as expression lines. The front facade is any building face adjacent to the front property line.
  - Frontage:** The linear footage of property abutting a dedicated street or highway as measured along a lot or parcel of land. The length of the property line of any one part of a lot along a street on which a business or shopping center shall be measured along the front face of that portion of the building occupied by the business.

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## Next Steps

1. Council Workshop
2. Legal Review
3. Final Draft
4. Final Adoption Hearings



CRYSTAL RIVER FBC

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## Q&A



CRYSTAL RIVER FBC

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Crystal River, FL

# Community Development Code

DRAFT 12/19/2023

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Section 1

# Block Configuration

## Introduction to the Code

The City of Crystal River recognizes the need for a comprehensive code to guide its future development and promote sustainable growth. The code structure is designed to provide a clear and organized framework for development in the city, with a focus on creating walkable, bikeable, and attractive urban environments. The code will be organized into several sections, each addressing a specific aspect of development, from block configuration and connectivity to zoning requirements and building design. The goal is to ensure that development in the city is well-designed, sustainable, and responsive to the needs and goals of the community. The code will provide clear guidelines and standards for developers, property owners, and city officials, with the ultimate goal of creating a vibrant and livable community that is attractive to residents, businesses, and visitors alike.

### Section 1.0 Block Configuration

#### a. General Requirements.

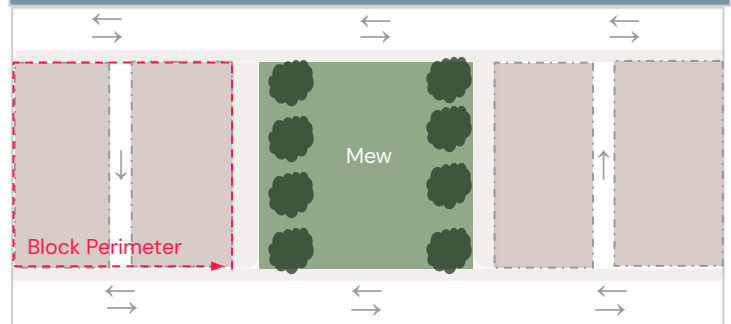
All new development shall improve the interconnected pattern of the existing street grid, or design new blocks that are consistent with this code section. The following apply to all new developments:

- (1) The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new developments.
- (2) Sidewalks, on-street parking and landscaping shall be coordinated to provide safe and attractive streets.
- (3) Cul-de-sacs and dead end streets are prohibited unless wetlands, waterbodies, limited access facilities, DOT intersection spacing requirements or other physical barriers prohibit connection. This prohibition does not include stub-out streets used for future connections.
- (4) In three way intersections, the terminating street should end in a prominent feature such as a water body, an open space, or building facade.
- (5) Streets shall be designed as described in the Thoroughfares section of this code.

#### b. Block Configuration.

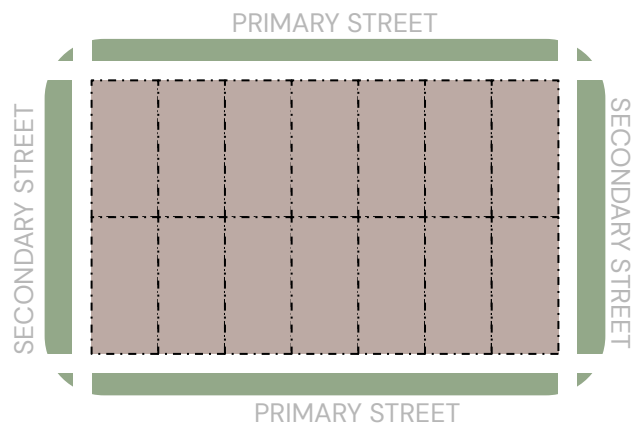
- (1) Block perimeter shall not exceed 2,000 linear feet, except where exempted in this Section. Block perimeter is measured at the back of the sidewalk. Where a Mew is proposed (refer to Open Space Types), block perimeter is measured along the sidewalk at the front of the units facing the mew. See Figure 1.1

Figure 1.1 Block & Mew Diagram



- (2) For existing and new blocks with a perimeter of 1,800 linear feet or more, a pedestrian connection must be established between the longest faces of the block. The connection should have sufficient marking or paving to indicate the pedestrian path.
- (3) The shape of a block shall be generally rectangular, but may vary due to natural features or site constraints.
- (4) Blocks shall typically be two lots deep with the exception of blocks containing Open Space.
- (5) Blocks shall typically be fronted with lots on at least two faces, preferably on the longest street faces.

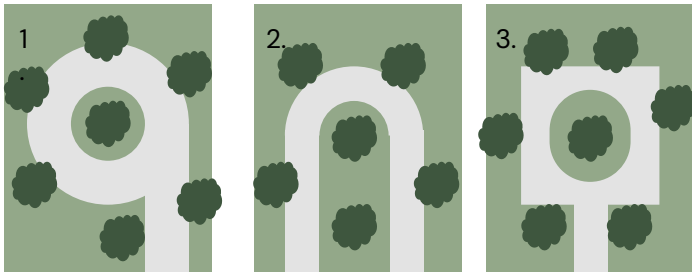
Figure 1.2 Typical Block



c. Dead Ends: Closes and Cul-de-sacs.

Where dead ends are required by site conditions, cul-de-sacs and closes shall be designed to include a planted median. Refer to the table and images for design requirements.

Closes & Cul-de-sacs	
<b>ROW Width:</b> +/- 100' (ROW may be smaller, provided safe turning radii is provided)	<b>Turn Radius:</b> 20' minimum, may be measured at curb or along vehicular path.
<b>Lanes:</b> 14' min	<b>Median Planting:</b> Shrubs required in the median unless the median is an inverted swale (bioswale). A bioswale requires rock ( or similar erosion control) and grasses.





Section 2

# Thoroughfares

## Section 2 Thoroughfares

### a. Intent.

This section aims to establish clear standards for the design of thoroughfares to ensure they are safe, functional, and accessible for all users. It will cover a range of elements including sidewalks, bike lanes, street lighting, crosswalks, and traffic calming measures. The goal is to promote walkability and bicycle friendliness, as well as to ensure that vehicles can move efficiently through the city. Specific requirements may include the minimum width and placement of sidewalks, the location and design of bike lanes, the type and placement of street lighting, and the use of traffic calming measures.

### b. General Requirements

- (1) All proposed thoroughfares, landscaping elements, and sidewalks shall be located in dedicated Rights-of-Way as a tract of land unless otherwise approved by the City.
- (2) Thoroughfare Assemblies. All new vehicular facilities shall match one of the thoroughfare assemblies, described in this section, whether publicly dedicated or privately held.
- (3) Where provided and permitted, parking shall be parallel. Angled parking on a thoroughfare type is permitted when adjacent or proximate (within 100') of non-residential uses. Angled parking shall be 45° or higher for safe visibility.
- (4) Minimum parallel parking dimensions may include the width of the any flat curbing surface (i.e. Miami Curb).

### c. Thoroughfare Types.

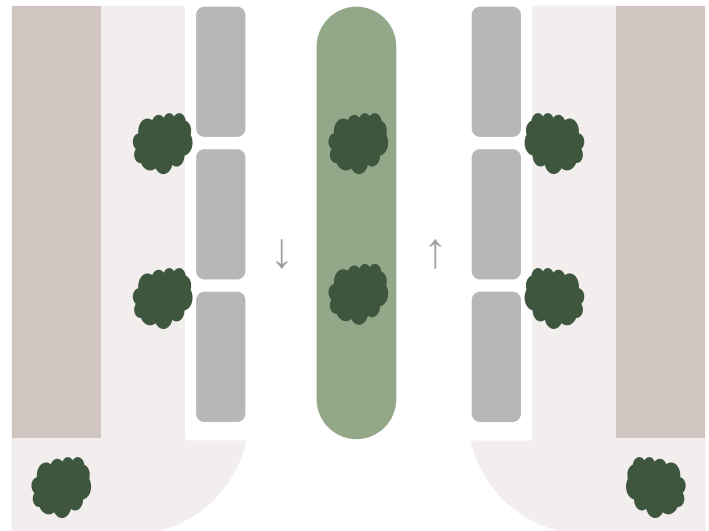
- (1) Thoroughfares are intended to complement the intensity of development it abuts. In general, narrower rights-of-way are intended to serve less densely populated areas and wider ROWs accommodate higher volumes of pedestrians, cyclists and vehicles.
- (2) The following graphics and tables depict the requirements for each Thoroughfare Type.

## Avenue

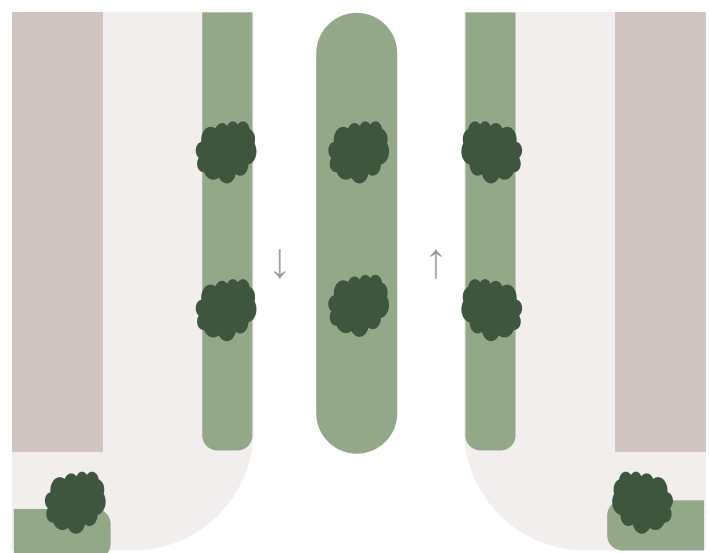
A short-distance connector that traverses an urban area. Its axis is terminated by a building, greenspace, natural feature or monument. Avenues typically begin and end within the City limits.

<b>ROW Width:</b> 60' min' +	<b>Median:</b> Required (12' min)
<b>Lanes:</b> 2 (12' wide)	<b>Swale:</b> Optional in Median
<b>Sidewalk:</b> Required, 5' min. width in SN-1 & SN-2 8' min. Width in UN-1 & UN-2 12' min width in UC-1 & UC-2	<b>Street Trees:</b> Canopy trees required every 45' with 6' wide planter
<b>Bike Facilities:</b> 10' min width, may be in median, adjacent to lane or shared with the sidewalk.	<b>Lighting:</b> Required

### WITH PARKING



### WITHOUT PARKING





## Street

A small-scale connector. A street is urban in character, with raised curbs, closed drainage, wide sidewalks, parallel parking, trees in individual planting areas, and buildings aligned on short setbacks.

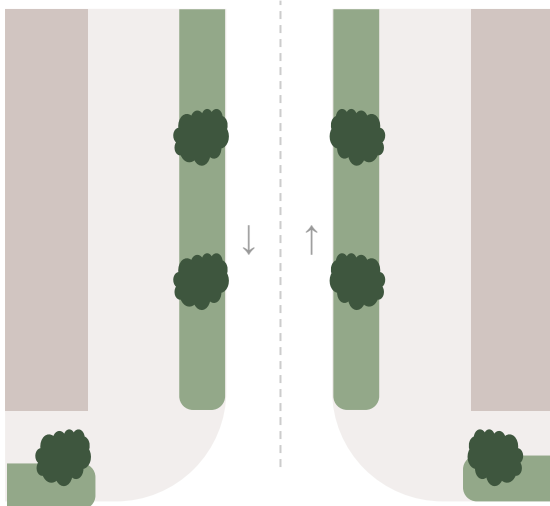
<b>ROW Width:</b> 50' min +	<b>Median:</b> N/A
<b>Lanes:</b> 2 (10'-12' wide)	<b>Swale:</b> Optional
<b>Sidewalk:</b> Required on both sides, 5' wide min for residential, 7' min. for non-residential uses.	<b>Street Trees:</b> Canopy required every 45' with 6' wide planter or understory trees every 20'
<b>Bike Facilities:</b> Shared	<b>Lighting:</b> Required

## Residential Avenue

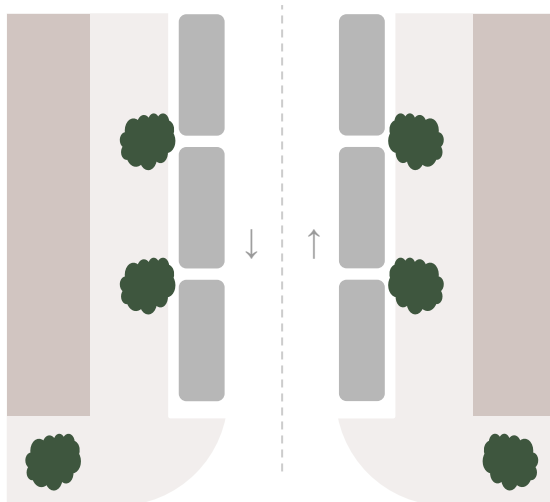
A small neighborhood serving street that has very low traffic demand and is used in very low volume situations or where a dead end is required by natural conditions.

<b>ROW Width:</b> 48' min	<b>Median:</b> 6' planter for canopy trees or 4' planter for palm trees
<b>Lanes:</b> 14' pavement width	<b>Swale:</b> Required on both sides and in median
<b>Sidewalk:</b> None required	<b>Street Trees:</b> Canopy required every 45' with 6' wide planter
<b>Bike Facilities:</b> None required	<b>Lighting:</b> Required only at intersections

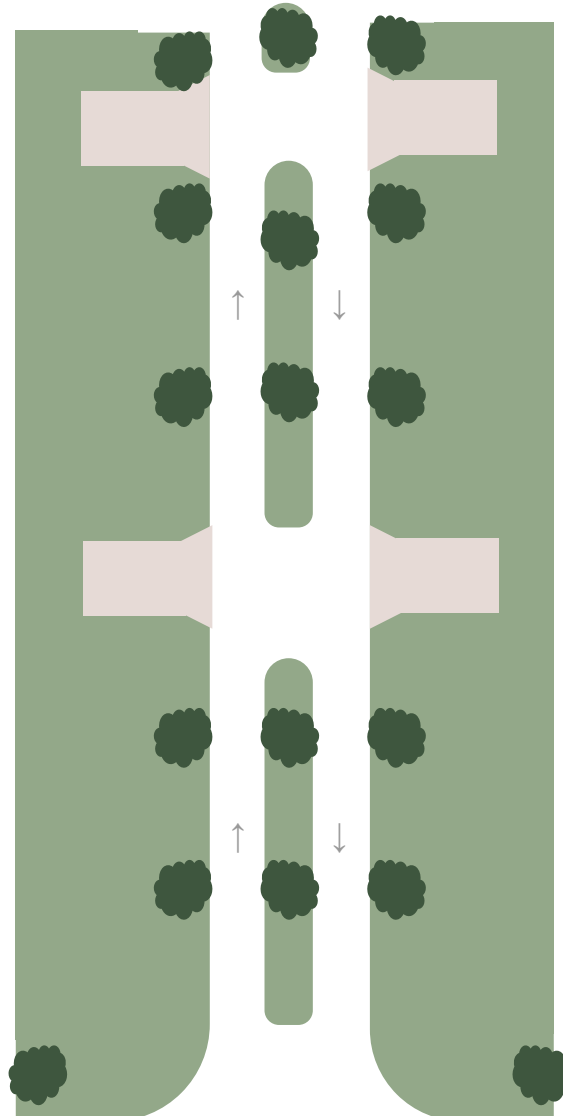
WITHOUT PARKING



WITH PARKING



WITHOUT PARKING

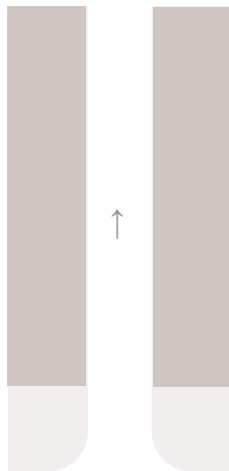


## Alley

A narrow access route servicing the rear of buildings on a street. Alleys have no sidewalks, landscaping, or building setbacks. Alleys are used by garbage trucks and must accommodate dumpsters. Alleys are usually paved to their edges, with center drainage via an inverted crown.

<b>ROW Width:</b> 20' min	<b>Median:</b> N/A
<b>Lanes:</b> 1 (12' min.)	<b>Swale:</b> N/A
<b>Sidewalk:</b> N/A	<b>Street Trees:</b> Palms every 20', Palms may be clustered to avoid driveways
<b>Bike Facilities:</b> N/A	<b>Lighting:</b> Required only at intersections

### WITHOUT PARKING



### c. Design Considerations.

The following images depict design details that are intended to guide the finer details of thoroughfares and their interaction with surrounding uses and open spaces. A mixture of materials and the proper organization of landscape, lighting and hardscape is important in achieving an attractive streetscape.

Landscape and hardscape design should reflect neighborhood identity



Native landscaping in a mews providing connectivity and aesthetics.



Pavers with concrete ribbon curb transition to asphalt



Diverse materials and plantings creating a memorable street



Section 3

# Open Space



## Open Spaces

This section will provide guidelines for the design and development of open spaces such as parks, plazas, and public squares, with a focus on creating inviting and functional community areas. As Crystal River experiences growth and infill development, it is important to prioritize these open spaces as places for people to gather, relax, and engage in healthy activities. Well-designed and thoughtfully-placed open spaces can enhance the urban environment, promote social interaction, and contribute to a sense of community pride. This section will offer guidance on various aspects of open space design, including landscape design, seating and furniture, lighting, and amenities.

### Section 3 Open Spaces

#### a. General Requirements.

All new development shall provide Open Space(s) as defined in this section with the exception of single family residential developments that do not require a subdivision plan.

- (1) Open Spaces designated pursuant to this section shall be identified on Preliminary Subdivision Plans, Plats, Site Plans, and Construction Plan. Where subdividing land is proposed, Open Space shall be in tracts.
- (2) Where an Open Space has a waterbody, such as lakes, ponds, and/or streams, walking trails shall be provided no less than 4' wide.
- (3) Open Spaces shall be privately held unless otherwise approved by the City.
- (4) On street parking adjacent to Open Spaces is encouraged.

#### b. Allowable Area and Uses.

- (1) Open Spaces permit designated sports fields, playgrounds, semi-enclosed structures (i.e. gazebos), shade structures, stormwater ponds and conserved uplands areas.
- (2) Fully enclosed structures are permitted in Open Spaces 1 acre or larger, provided that they do not exceed 2,000 square feet.
- (3) Utility Easements, and storage areas do not count towards Open Space area requirements. Wetlands do not count except for areas accessed by a boardwalk.
- (4) Upland lands that are proposed to be undisturbed shall count towards the Open Space requirements provided appropriate protection details are provided in the Construction Plan (i.e. protective fencing) and a 5' walking path is provided within the undisturbed upland area.

Zone	Percentage Open Space*
UC-1, UC-2	20%
UN-1, UN-2	30%
SN-1, SN-2	
CIVIC	70%
IND	20%
* Open Space requirement is calculated on net developable acreage. Open Space Types, Buffers and Stormwater count towards this requirement.	

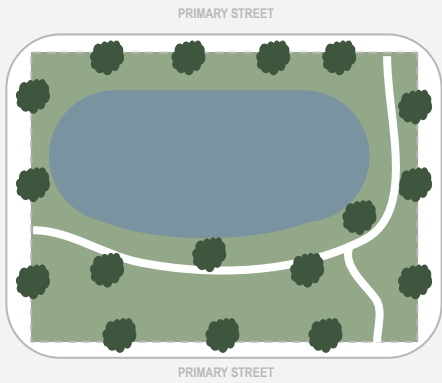
Figure 3.1 Example Small Scale Plaza



# Open Spaces Types

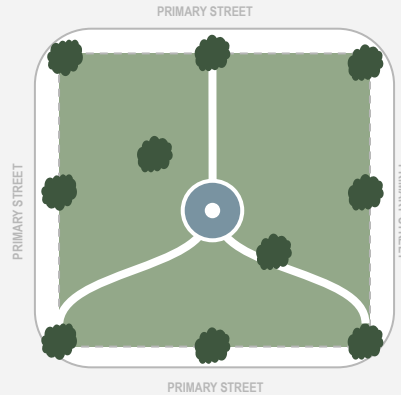
Refer to the figures below for the required standards and details for all permitted Open Space Types. Where an Open Space is smaller than the required improvement, the improvement is not required. Seats may include seat walls, benches or other creative solutions.

## GREEN



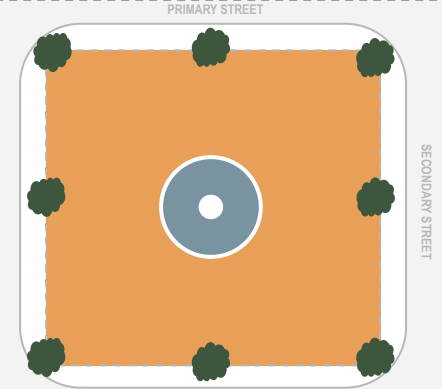
<b>Width</b>	30' minimum
<b>Size</b>	1 Acre minimum
<b>Impervious</b>	40% maximum
<b>Street Frontage</b>	35% minimum
<b>Open Water</b>	70% maximum
<b>Improvements</b>	4 Canopy Trees, and 8 Understory per acre (fractions are rounded up) 6 seats per acre Walking paths Pedestrian Lighting

## SQUARE



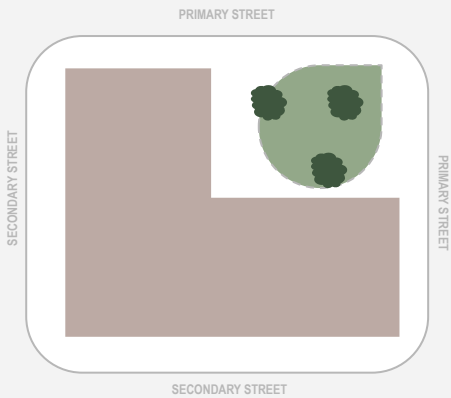
<b>Width</b>	60' minimum
<b>Size</b>	0.25 acres minimum
<b>Impervious</b>	65% maximum
<b>Street Frontage</b>	100% minimum
<b>Open Water</b>	30% maximum
<b>Improvements</b>	1 Canopy Tree, and 2 Understory or 4 Palms for every 10,890 SF (¼ acre) 6 seats for every .25 acres, max of 12 required Walking paths Pedestrian Lighting

## PLAZA



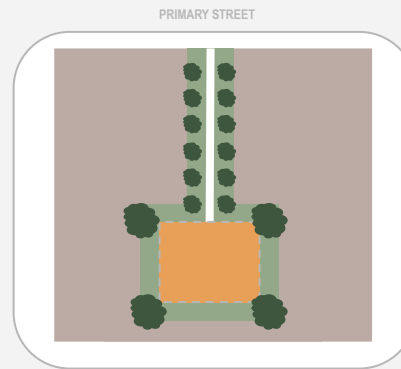
<b>Width</b>	30' minimum
<b>Size</b>	900 SF minimum
<b>Impervious</b>	90% maximum
<b>Street Frontage</b>	20% minimum
<b>Open Water</b>	50% maximum
<b>Improvements</b>	1 Canopy Tree every 45' of along perimeter 3 seats for every 900 SF, max of 12 required. Hardscaped walking surface Pedestrian Lighting

## POCKET PARK



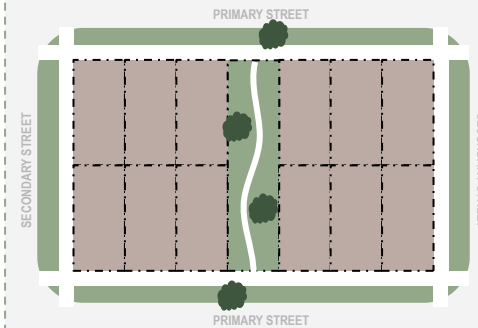
<b>Width</b>	30' minimum
<b>Size</b>	400 SF minimum 1 acre maximum
<b>Impervious</b>	90% maximum
<b>Street Frontage</b>	Adjacent on one side.
<b>Open Water</b>	30% maximum
<b>Improvements</b>	4 Canopy Tree per Acre, 1 minimum 2 Understory or 3 Palms for every 400 SF 2 seats for every 400 SF, max of 8 required. Pedestrian Lighting

## COURTYARD



<b>Width</b>	N/A
<b>Size</b>	900 SF minimum
<b>Impervious</b>	90% maximum
<b>Street Frontage</b>	N/A, public path required
<b>Open Water</b>	30% maximum
<b>Improvements</b>	2 Understory or 4 Palms for every 900 SF 6 seats for every 900 SF, max of 12 required Walking path connecting the public sidewalk Pedestrian Lighting

## MEW (PEDESTRIAN PASSAGEWAY)



<b>Width</b>	30' minimum
<b>Size</b>	900 SF minimum
<b>Impervious</b>	90% maximum
<b>Street Frontage</b>	N/A
<b>Open Water</b>	50% maximum
<b>Improvements</b>	1 Canopy Tree every 60' on center 1 Understory Tree alternately planted Walking paths Pedestrian Lighting



## Open Space Inspiration Images

Below are images intended to provide design direction for Open Space design in Crystal River.





Section 4

# Zoning

## Zoning

This section will provide the standards that each lot must adhere to in the City of Crystal River. The requirements will depict setbacks, heights, lot coverage and frontage design. The intent of this code section is to provide for a range of form throughout the City. Where intensity is the highest, the standards will focus on ensuring pedestrians, cyclists and motorists can safely access their daily needs and discretionary activities. This section will also regulate the transition from higher mixed use areas to low density residential areas. The intent is to ensure quiet enjoyment of private property while ensuring current and future residents are proximate to work, shopping, and recreational activities.

### Section 4 Zoning

#### a. Establishment of Zones

- (1) **Zoning Map.** The City of Crystal River hereby adopts the Zoning Map which is on file with the Growth Management Department.
- (2) **Zones Established.** The City of Crystal River shall be divided into Zones and Special Districts that implement the Comprehensive Plan. The zones in this article are hereby established, and shall be shown on the Zoning Map.
- (3) **Zones.** The following Zones are hereby established.
 

(a) Urban Center 1	<b>UC-1</b>
(b) Urban Center 2	<b>UC-2</b>
(c) Urban Neighborhood 1	<b>UN-1</b>
(d) Urban Neighborhood 2	<b>UN-2</b>
(e) Suburban Neighborhood 1	<b>SN-1</b>
(f) Suburban Neighborhood 2	<b>SN-2</b>
(g) Civic Space	<b>CIV</b>
(h) Conservation	<b>CON</b>
- (4) **Special Districts.** The following Special Districts are hereby established.
 

(a) Light Industrial	<b>IND</b>
(b) Institutional / Utilities	<b>IU</b>
(c) Planned Developments	<b>PUD</b>

#### b. Zoning Standards

- (1) The following explains and further defines the standards outlined for each Zone.
- (2) **Lot.** A platted land area which is subject to minimum and maximum lot width, maximum building width, setbacks, and lot coverage. Additional standards below apply to all zones.
- (3) **Lot coverage.** The maximum percentage of a lot permitted to be covered by principal structures, accessory structures, pavement, and other impervious surfaces. Post and beam structures along with permeable surfaces, such as gravel, do not count toward the maximum lot coverage percentage.

- (4) **Setbacks.** Minimum setbacks are detailed in Table 4.1. Setbacks for detached single family residential lots in UC and UN zones are detailed below:

LOT WIDTH	Front	Side	Corner	Rear
32' - 45' Wide	15'	5' / 5' OR 3' / 7'	10'	20'
46' - 69' Wide	20'	7.5' / 7.5' OR 5' / 10'	15'	20'
70' Wide and up	20'	10'	15'	20'

- (5) **Porch.** An open air roofed structure. Porches and balconies shall not be screened or enclosed for non-residential uses. Arcades, colonnades, stoops, and awnings may serve as alternatives to porches for the Urban Center zones.
- (6) **Balcony.** An open air cantilevered structure.
- (7) **Frontage Transparency.** For all non-residential buildings, the first habitable story front and corner facades must have at least 60% transparency. This is measured between 2 and 8 feet above the finished floor elevation.
- (8) **Accessory & Temporary Structures.** An accessory structure, separate from the main building on the lot, shall not be taller than the primary structure and shall use materials and architectural details similar to the main building. Temporary structures like tents, inflatable pools, sail shades, and game nets are restricted to the rear and side yards.
- (9) **Height.** The height of a building is defined as the vertical distance from the finished floor elevation to the top plate of the wall and the top of the building ridge or parapet. Within the floodplain, height is measured from either the base floodplain elevation or the finished floor elevation, whichever is lower.
- (10) **Height Exemptions.** Non-habitable towers or chimneys with less than a 200 SF footprint may exceed the building height by 10'. Habitable towers (View towers), may exceed the height as permitted by Zone.



**Table 4.1 Zoning Requirements**



ZONING	UC-1	UC-2	UN-1	UN-2	SN-1	SN-2
<b>SETBACKS</b>						
Front	0'	8'	12'	15'	20'	25'
Rear	3'	5'	10'	10'	20'	25'
Side*	0' for attached building (zero lot line development)* 5' for detached buildings (includes end units on townhomes)*				7.5'	10'
Corner	3'	5'	10'	15'	15'	15'
Porch/Balcony Front Setback	Porches and balconies may encroach the front and corner setback up to 8'					
Staircase Front Setback	0'	0'	2'	2'	10'	10'
Accessory Structure Rear	3'	5'	5'	5'	10'	10'
Waterfront Setback	25' to mean high water line					
View Tower Interior Front Setback	0'	8'	12'	15'	20'	25'
View Tower Interior Side Setback	5'	5'	5'	5'	7.5'	10'
View Tower Corner Setback	5'	5'	10'	15'	15'	15'
View Tower Rear Setback	5'	5'	30'	30'	50'	50'
<b>LOT REQUIREMENTS</b>						
Minimum Width	18' attached 32' detached	20' attached 32' detached	22' attached 32' detached	24' attached 40' detached	75'	90'
Minimum Lot Size	1,620 SF	1,800 SF	1,980 SF	2,160 SF	7,500 SF	9,000 SF
Lot Coverage	90%	80%	75%	70%	60%	50%
<b>MAX DENSITY / INTENSITY</b>						
Dwelling Units per Acre	16 DU/AC		12 DU/AC		4 DU/AC	
Floor Area Ratio	3.0 FAR		1.0 FAR		N/A	
<b>HEIGHT**</b>						
Maximum Building Height	65' to top plate 75' to ridge	52' to top plate 62' to ridge	42' to top plate 52' to ridge	42' to top plate 52' to ridge	38' to top plate 50' to ridge	38' to top plate 50' to ridge
Maximum Habitable Tower Height	80'	65'	48'	48'	45'	45'
<b>DESIGN BY CONTEXT</b>						
<b>RECOMMENDED OPEN SPACES</b>						
Green	✓	✓	✓	✓	✓	✓
Square	✓	✓	✓	✓		✓
Plaza	✓	✓	✓	✓		
Pocket Park	✓	✓	✓	✓	✓	✓
Courtyard	✓	✓	✓	✓		
Mews			✓	✓	✓	✓

\*Refer to Section 4(b)(4) for required setbacks of single family residential lots in Urban Center & Urban Neighborhood Zones.

\*\* Height may require FAA approval where adjacent to airports.

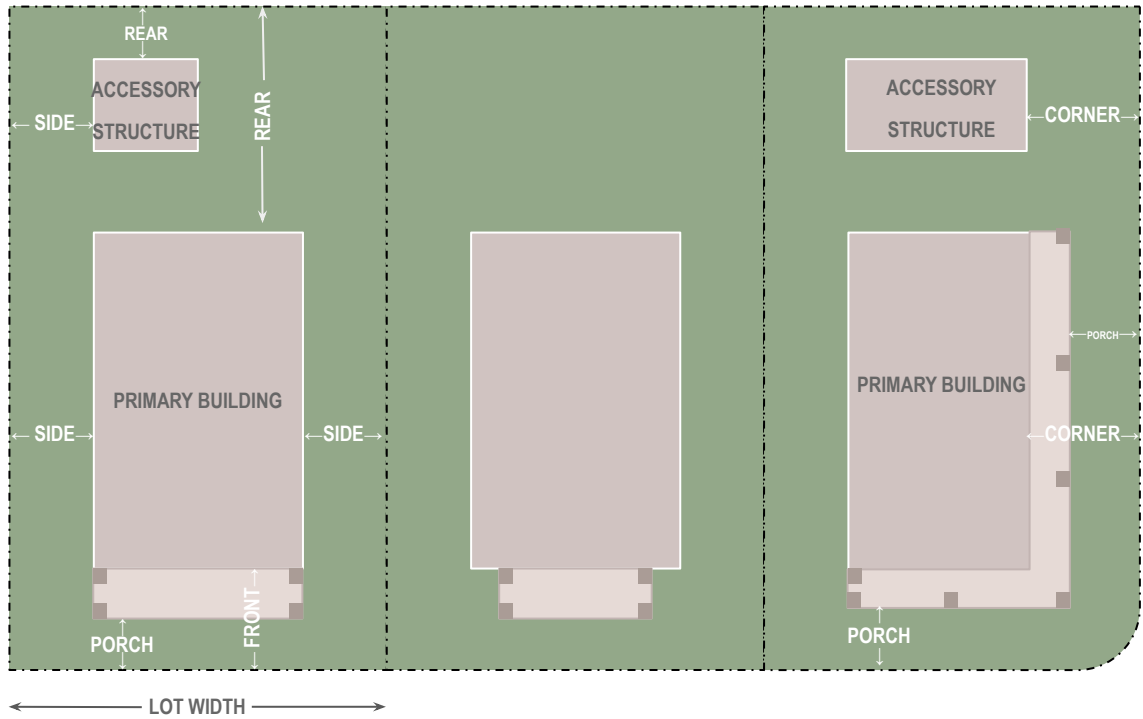
**Table 4.1 (cont.) Zoning Requirements**

ZONING	IND	IU	CIV	CON
<b>SETBACKS</b>				
Front*	10'	10*	N/A	N/A
Rear	25'	25*	N/A	N/A
Side	10'	10*	N/A	N/A
Corner	15'	15*	N/A	N/A
Accessory Structure Rear	15'	15*	N/A	N/A
<b>LOT REQUIREMENTS</b>				
Minimum Width	100'	N/A	N/A	N/A
Minimum Lot Size	10,000 SF	N/A	N/A	N/A
Lot Coverage	70%	70%	45%	10%
<b>MAX DENSITY / INTENSITY</b>				
Dwelling Units per Acre	N/A			
Floor Area Ratio	1.5 FAR		0.25	
<b>HEIGHT</b>				
Maximum Building Height	46' to top plate 52' to ridge	38' to top plate 50' to ridge	42' to top plate 52' to ridge	N/A

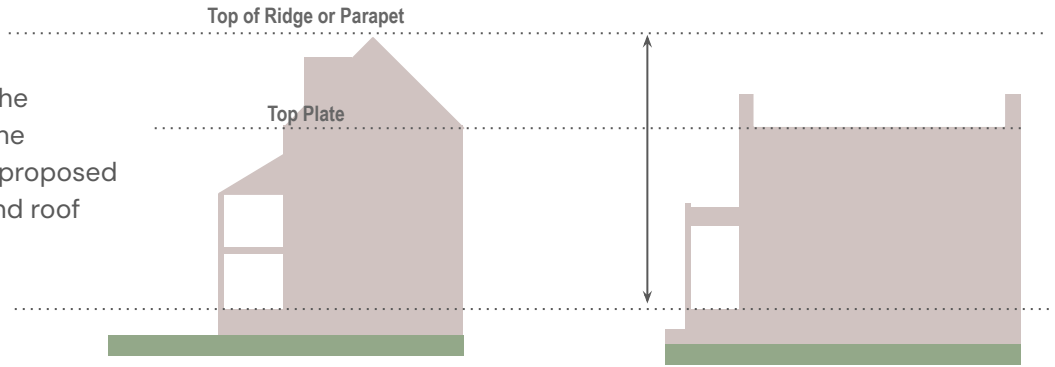
\*Power plants, water treatment facilities or similar uses shall have a 50' minimum setback from any property line.

**Table 4.2 Measuring Zoning Requirements**

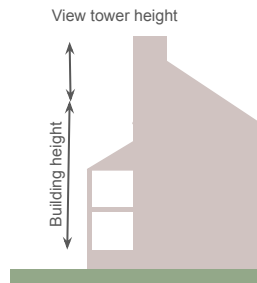
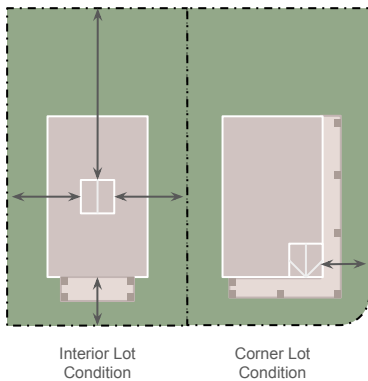
**Lot Requirements**



The height is measured as the vertical distance between the finished floor elevation of a proposed building and its top plate and roof ridge.



**View Towers**



**Table 4.3 Residential Garage & Driveway Configurations**

Lot Width	Parking Layout	General Requirements	Material Requirements
0' wide and greater		<p>Any lot may access from the rear using a platted alley, access easement or rear access drive. Driveway depth should provide enough space to allow a car to park in the driveway without blocking traffic on the alley. This equates to a 20' rear setback from the garage door to the edge of alley pavement, access easement, or rear access drive. The garage may be detached or attached to the primary building.</p>	N/A
20' wide to under 40'		<p>On lots of 20' to under 40' a front-loaded home is permitted if the finished floor elevation is at 9' or more above finished grade. Garage door widths are limited to a single 9' door, and must be set back 30' from the front property line. The driveway material must be pavers or another approved surface. The maximum driveway width is 10'.</p>	<p>If the garage door faces the street, the garage doors shall have window openings.</p>
40' wide and greater		<p>For lots at least 40 feet wide, two-car garages with side yard driveways and split single-car front-loaded garages are allowed. Garage doors must not exceed 9 feet in width. The use of shared driveway aprons is recommended.</p>	<p>If the garage door faces the street, the garage doors shall have window openings.</p>
60' wide to 75'		<p>On lots with a width of 60 to less than 75 feet, front-loaded homes are permitted. Garages must be set back at least 25 feet from the front property line. Driveways should be paved with pavers or another approved material and not exceed 20 feet in width. The width of each garage door is limited to 9 feet, and the total width of garage doors should not surpass 40% of the facade's total width.</p>	<p>If the garage door faces the street, the garage doors shall have window openings.</p>
70' wide and greater		<p>On lots 70' or wider, a J-Loaded or Side-Loaded home is permitted. Two car garage doors are permitted. The driveway material must be pavers or another approved surface and may not be more than 12' in width within 10' of the front property line.</p>	N/A
80' wide and greater		<p>For lots with front-facing garages, the garage facade must be set back at least 10 feet behind the primary facade or 15 feet behind the porch, whichever is greater. These lots can have up to three single garage doors or a combination of one two-car garage and one single-car garage. Single-car garage doors are limited to 9 feet in width, and two-car garage doors to 16 feet. Driveway material must be approved, such as pavers, and not exceed 16 feet in width within 10 feet of the front property line.</p>	<p>If the garage door faces the street, the garage doors shall have window openings.</p>

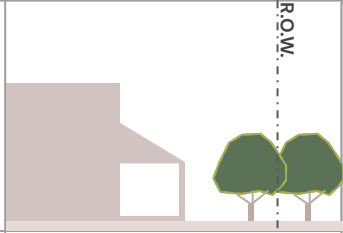
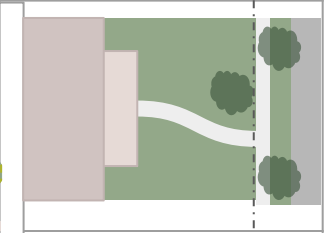

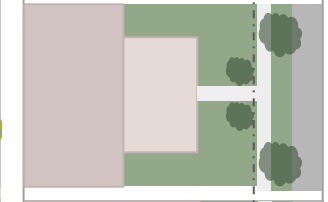

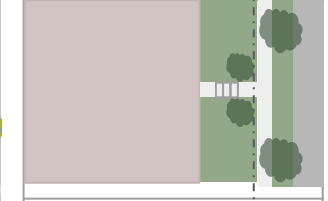
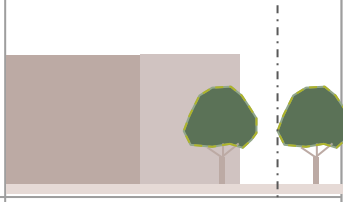
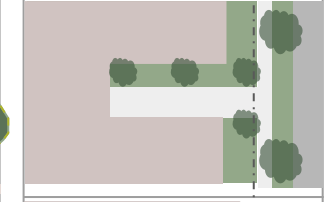
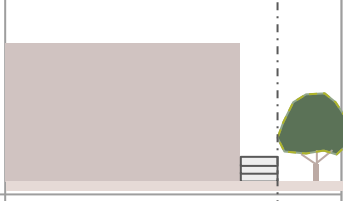
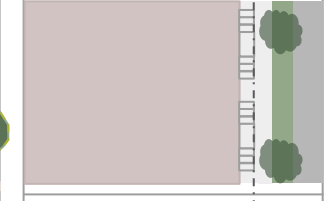
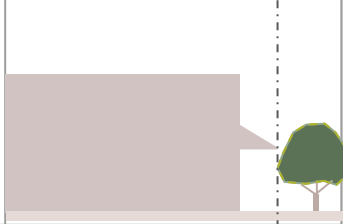
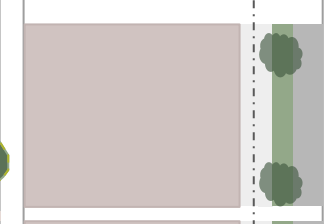
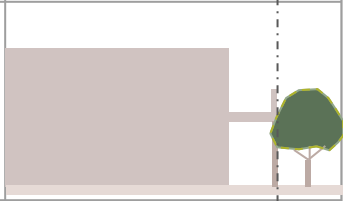





**Table 4.4 Permitted Frontage Types**

Section View

Plan View

All buildings shall adhere to one or more of the following frontage types.

<p><b>Common Yard:</b> a planted frontage wherein the building is set back substantially from the property line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The deep setback provides a buffer in residential settings or from the higher speed thoroughfares.</p>		
<p><b>Porch &amp; Fence:</b> a planted frontage wherein the building is set back from the property line with an attached porch permitted to encroach into the front setback. An optional fence at the property line helps define the street. Porches shall be no less than 6 feet deep.</p>		
<p><b>Terrace:</b> a frontage where the building is set back from the property line by an elevated terrace. This buffers residential use from busy sidewalks and protects the private yard from public encroachment. Terraces in non-residential development shall be a minimum of 8 feet deep.</p>		
<p><b>Forecourt:</b> a Frontage wherein a portion of the building is close to the property line and the central portion is set back. The forecourt created can be suitable for vehicular drop-offs as well. Forecourts should be used in conjunction with other frontage types.</p>		
<p><b>Stoop:</b> a frontage wherein the facade is aligned close to the property line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor residential use.</p>		
<p><b>Storefront:</b> a frontage wherein the facade is aligned close to the property line with the building entrance at sidewalk grade. This type is conventional for retail use. It has a substantial transparency on the sidewalk level and an awning that may overlap the sidewalk to within 2 feet of the curb.</p>		
<p><b>Gallery:</b> a frontage wherein the facade is aligned close to the property line with an attached column-supported cover or a lightweight colonnade overhanging the sidewalk. This type is conventional for retail use. The gallery shall be no less than 8 feet wide.</p>		
<p><b>Arcade:</b> a colonnade supporting habitable space that overlaps the Sidewalk, while the facade at sidewalk level remains at or behind the frontage line. This type is conventional for retail use. The arcade shall be no less than 8 feet wide.</p>		

**e. Non-residential Architectural Compatibility.** All new non-residential buildings shall demonstrate consistency with the vernacular architecture of coastal Florida and Crystal River. Applicants shall demonstrate that the proposed building is using the appropriate, quality materials and maintaining consistency with the coastal character of Crystal River.

- (1) **Authentic Materials.** The following materials are considered compatible with Crystal River’s vernacular architecture.
  - (a) Stucco (smooth or sand finish)
  - (b) Cement Board (Hardie or similar)
  - (c) Composite Cladding
  - (d) Board and Batten
  - (e) Oyster Shell Tabby (medium to heavy application only)
  - (f) Brick/Clay
- (2) **Purpose of architectural regulations .** The intent of these architectural regulations is to improve and elevate the visual aesthetics of all non-residential buildings in Crystal River in order to promote a consistent costal character throughout the city. Examples of this intent are shown in the images on this page.



Having a more transparent storefront, traditional signage design and brickwork give this building a historic aesthetic.



A hurricane-resistant standing seam metal roof, earth tone colors, siding and trim allow this coffee shop drive-thru to blend into the built environment.



Elevated design of a grocery anchor using cement board siding, and hurricane-resistant standing seam metal roofing



Simplistic metal signage, historic brick and floor to ceiling windows engage pedestrians on the street. This building is also partially elevated, similar to many future buildings in Crystal River.



Example of an existing strip mall that has been refurbished with corbels, metal roof accents, oyster shell tabby, and coordinated trim colors along with native landscaping. These simple changes allow for greater visual compatibility with traditional/ historic buildings.



Pitched hurricane-resistant standing seam metal roof with a view tower add architectural interest to this bank building

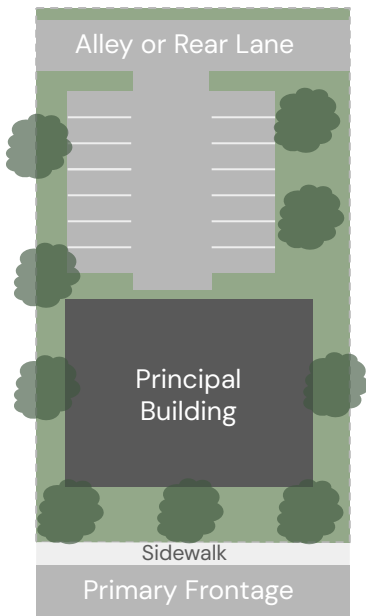


## **Table 4.5 Parking Location Requirements for Surface Parking Lots**

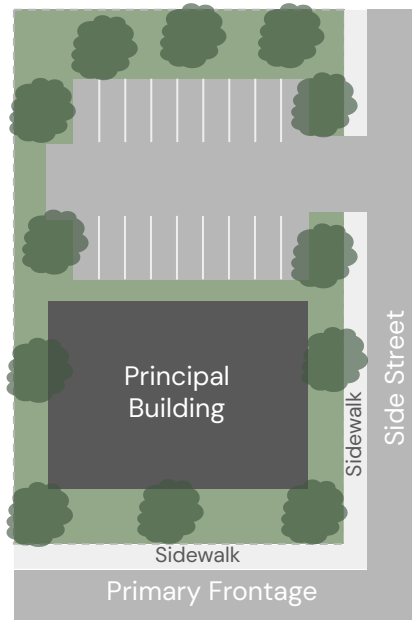
This table outlines surface parking lot placement requirements. Generally, parking shall be placed behind the principal building and primary frontage, in order to promote a pedestrian-friendly streetscape. Specific and unique site constraints may require other parking lot locations subject to approval by the Growth Management Director.



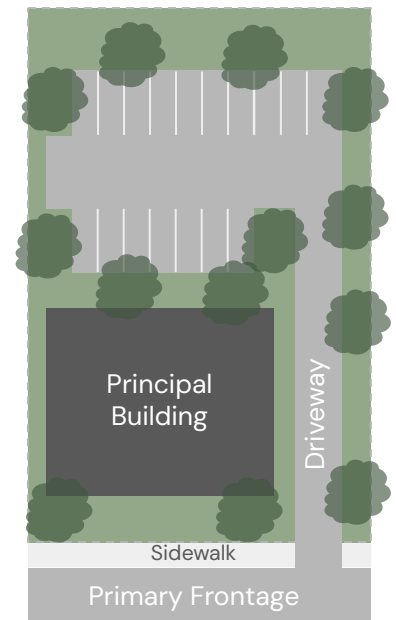
**Parking Access by Alley / Rear Lane**



**Parking Access by Side Street**



**Parking Access by Frontage Street**





## Elevated Building Design Standards

This section will provide guidelines for the design and development of new buildings located within flood zones, which are required to build the first floor elevation above the flood elevation indicated for the flood hazard zone in which they are located. These buildings may have a finished floor elevation (FFE) several feet or more above ground level. In order to preserve and enhance the visual aesthetics and pedestrian experience throughout Crystal River, specific design standards relating to elevated buildings are required.

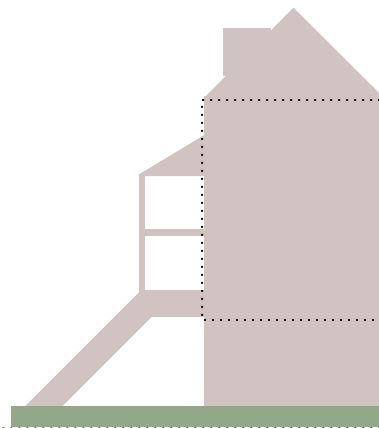
**c. Massing.** Elevated buildings require special treatment of massing due to the increased height of the overall structure which may cause compatibility issues with existing structures if not addressed properly. Therefore all elevated buildings shall have three clearly defined sections; a **base** consisting of a foundation, garage space, and/or storage, a **middle** consisting of the primary inhabited area of the building, and a **top** consisting of the roof, attic, and secondary inhabited areas of the building as shown in the diagram below:



**Top** – Roof, Attic and Secondary Inhabited Area

**Middle** – Primary Inhabited Area

**Base** – Foundation, Garage, Storage



The primary inhabited area may span multiple floors. Window openings, architectural projections and doors shall demonstrate symmetrical spacing when providing building elevations for City review.

**d. Base & Foundations.** The relationship between finished floor level and finished grade for each individual lot shall be determined by FEMA requirements. This requirement will cause new buildings to have varying foundation heights depending on existing ground elevation. For this reason, foundation treatments are a critical design element in the City of Crystal River.

- (1) **Foundations.** Foundations may either be solid poured, a system of masonry columns and/or structural piers. If columns, or piers are used, buildings shall have a solid foundation wall recessed a minimum of 1" from face of column or pier, wooden louvers or pierced brick screening to cover the opening between the columns or piers. Wooden screens shall be painted to match the trim color of the building.
- (2) **Materials.** The following finish materials for foundations and lower levels are approved for use in Crystal River:
  - (a) Brick (rustic and/or recycled)
  - (b) Stucco (smooth finish)
  - (c) Oyster Shell Tabby (medium to heavy application only)
  - (d) Cultured Stone
  - (e) Exterior Wall Tile
  - (f) Wood - Open Slats, Painted or Stained
- (3) **Foundation Vents.** Venting in solid walls or breakaway walls shall be proportionately spaced and shall be designed as an accent to the foundation. The use of painted wooden louvers is strongly recommended for this purpose.
- (4) **Uninhabited Base Floor.** The uninhabited base floor shall be fully enclosed or semi-enclosed on all sides facing the public right-of-way. Uninhabited areas under the footprint of porches decks and/or balconies may be open air, provided they are not used for storage.
- (5) **Base Floor Uses.** Allowable uses on the base floor are limited to uses permitted by the zoning district and allowable per FEMA requirements.
- (6) **Stairs.** Stairs shall provide direct access to the front door from the driveway or a walking path.
- (7) **ADA Accessible Ramps and Chair lifts.** All buildings shall be compliant with ADA regulations. Ramps and chair lifts are encouraged to be located along the side, rear, or interior of the principal building.





**e. Middle and Primary Inhabited Areas.** The primary inhabited area of the building shall exist between the foundation level and the roof level.

- (1) **Porches and Balconies.** The first habitable floor of buildings must include front porches or balconies with a minimum depth of 6 feet and spanning over half (50%) of the front exterior. For instance, a 34-foot-wide structure should have a porch that is at least 17 feet wide. Upper floors in multi-story buildings are not mandated to have balconies, but it is recommended.
- (2) **Materials.** The following finish materials for the middle levels of buildings are approved for use in Crystal River:
  - (a) Stucco (smooth or sand finish)
  - (b) Cement Board (Hardie or similar)
  - (c) Composite Cladding
  - (d) Board and Batten
  - (e) Cedar Shingles
  - (f) Oyster Shell Tabby (medium to heavy application only)
  - (g) Brick
  - (h) Metal Panels with Concealed Fasteners (50% max).
- (3) **Windows and Doors.** Windows and doors shall be regularly spaced, and overall front facades for inhabited areas shall have a minimum of 30% glazing.
- (4) **Railings.** All porches, balconies, and decks shall have railings. All railings on the front facade shall be a minimum of 50% transparent. Frosted glass railings are acceptable in meeting this requirement.





**f. Top, Roof, Attic, and Secondary Inhabited Areas.**

This level of the building shall exist above the primary inhabited area and is subject to the following standards:

- (1) **Pitch.** For pitched roofs, the main roof structure shall be no less than 6/12. Lower pitches on the primary roof structure require approval from the Growth Management Director. Pitches for porches, breezeways and other secondary structures may be less. Flat roofs require a parapet wall of sufficient height to shield any mechanical equipments or utilities on the roof.
- (2) **Roof Penetrations.** All roof penetrations and appurtenances (gas flues, exhaust vents, plumbing vents, skylights etc.) shall be located on the rear roof slopes so they are not visible from the street. Roof penetrations shall be painted a color that is compatible with the roof color. Chimneys are exempt from this requirement.
- (3) **Materials.** The following finish materials for roofs and upper levels are approved for use in Crystal River. Dormers and gables may use approved materials from the middle zone of the building.
  - (a) 30-year or better architectural cut fiberglass/asphalt shingles.
  - (b) Cedar shakes.
  - (c) Slate
  - (d) Metal or Standing Seam
  - (e) Copper
  - (f) Clay or Terracotta Tile
  - (g) Concrete Tile
  - (h) TPO, PVC, EPDM or similar when used in conjunction with a parapet wall
- (4) **Dormers and Gables.** For sloped roofs, dormers and/or gables are required on the front facade of the roofline. Side and rear rooflines may be hipped.
- (5) **Towers and Projections.** For multifamily, commercial and office buildings exceeding 2 stories, a tower or similar architectural feature is required on one corner of the building. When proposing multiple buildings, only one must meet the tower condition and shall be situated at a street corner or facing an open space. The tower can surpass the allowed maximum building height by up to 20%.





## Table 4.6 New Neighbourhoods – Large Subdivisions

This section will provide guidelines for the design and development of new neighborhoods in Crystal River. It is the intention of the standards to provide a variety of housing types, Open Spaces, and Thoroughfare Types within a walkable development.

### Neighbourhood Requirements

<b>Applicability</b>	Subdivisions 25 Acres or greater
<b>Pedestrian Shed</b>	¼ Mile
<b>Minimum Open Space</b>	% Per Zoning Minimum of 3 Open Space Types
<b>Minimum Connectivity</b>	1 External Connection Every ¼ Mile of Perimeter
<b>Maximum Block Perimeter</b>	2,000 LF
<b>Minimum Community Perimeter Buffer</b>	15'

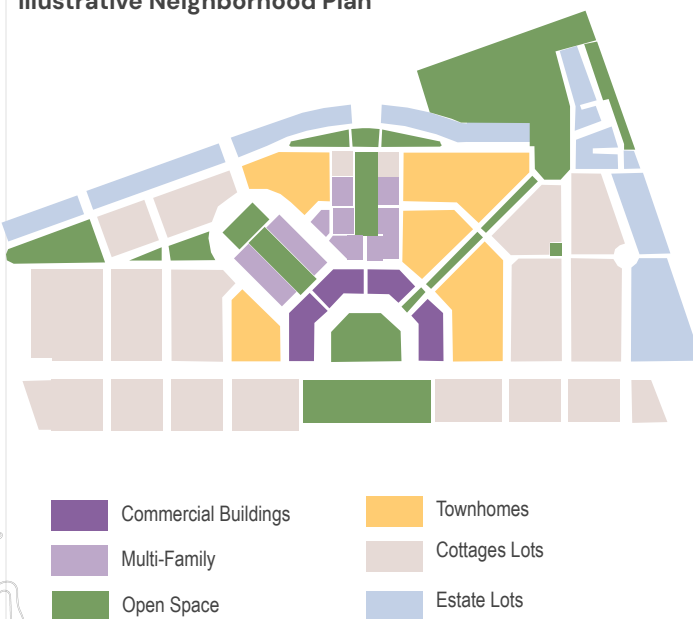
### Minimum Building Diversity

For sites larger than 40 acres, the new neighborhood shall have at least five of the following building categories (sites between 25 and 40 acres require 3 types):

- 1. commercial / office / retail buildings
- 2. mixed use or live/work units
- 3. multi-family buildings or townhomes
- 4. bungalows on small lots (30 ft- 50 ft wide)
- 5. cottages on standard lots (50 ft-75 ft wide)
- 6. estates on large lots (75 ft and above)

To meet this requirement, each unit type must represent at least 10% of the total unit count. Commercial/Office/Retail is required occupy at least 5% of the net developable area to count towards this requirement.

### Illustrative Neighborhood Plan



Section 5

# Uses & Parking



## Uses & Parking

This section will provide the allowable uses per Zone in the City of Crystal River. The intent of this section is to provide the largest variety of uses that in the highest intensity Zones while protecting the primarily residential uses that occur in the lowest density areas. Supplementary standards may be tied to specific uses in order to enhance the form-based standards of this code. This section also provides parking requirements by use.

### Section 5: Uses

#### a. General

- (1) A lot may contain more than one use.
  - (2) Each of the uses may function as either a principal use or accessory use on a lot, unless otherwise specified.
  - (3) Uses are either permitted by-right in a zone, conditional or have applicable supplemental standards.
  - (4) Each use may have both indoor and outdoor facilities, unless otherwise specified.
  - (5) Any change in the use of a property shall require a "Change of Use/Occupancy" Permit. The City shall inspect the subject property and any structures to ensure applicable standards are met to support the use.
- (2) Permitted ("P"). These uses are permitted by-right in the Zones in which they are listed.
  - (3) Conditional Use ("C"). These uses require the development plan to meet additional criteria as specified by this section.
  - (4) Listed uses that are prohibited in the zone are indicated by a blank space.

#### b. Organization

- (1) The uses are grouped into general categories, which may contain lists of additional uses or clusters of uses.
  - (2) **Unlisted Similar Use.** If a use is not listed but is similar in nature and impact to a use permitted within a Zone, the Growth Management Director may interpret the use as permitted. The Growth Management Director may refer to the North American Industry Classification System (NAICS) for use interpretation. The unlisted use will be subject to any supplemental standards applicable to the similar permitted use.
  - (3) **Unlisted Dissimilar Use.** If a use is not listed and cannot be interpreted as similar in nature and impact to a permitted use, the use may only be permitted if submitted to the Planning and Zoning Board for recommendation and approved by the City Council.
- d. **Conditional Use Criteria.** Conditional Uses are uses that may require additional design considerations to ensure compatibility with the surrounding properties. Additional information not referenced in this code may be requested by staff regarding the application for a Conditional Use. A conditional use may be denied or approved by the City Council. Appropriate staff shall make a recommendation for conditions of approval. If approved the City Council, the conditions of approval may modify code requirements on all, some or none of the following:
    - (1) Building Height
    - (2) Landscape Buffer Size or Composition
    - (3) Increased Setbacks
    - (4) Door, Window or Opening Locations
    - (5) Parking Requirements
    - (6) Increased Protection of Natural Features & Waterbodies
    - (7) Light or Sound Mitigation

#### c. Use Table

- (1) Each Zone includes its own use table. Each use table outlines the permitted uses in each Zoning District. Each use is given one of the following designations for each Zone in which that use is permitted.

**Table 5.1 Uses by Zone** The following table outlines permitted, conditional and prohibited uses per Zone. The use table below is generalized for ease of use and more specific uses may be further regulated subject to subsection (f).

	UC-1	UC-2	UN-1	UN-2	SN-1	SN-2	CIV	CON
<b>USES</b>								
<b>RESIDENTIAL &amp; HOSPITALITY</b>								
Multifamily Residential	P	P	P	P				
Single Family Attached (Townhomes)	P	P	P	P				
Single Family Detached	P	P	P	P	P	P		
Live/Work Units	P	P	P	P	C			
Accessory Dwelling Unit	P	P	P	P	P	P		
Short Term Rental / "Resort Housing"								
Hotel, Resort & Inn	P	P	C	C				
Residential Care	P	P	C	C				
<b>CIVIC / INSTITUTIONAL</b>								
Assembly	P	P	C	C			C	
Hospital & Clinic	P	P	C					
Library/Museum	P	P	C				P	
Law Enforcement & Fire	P	P	P	P				
School	P	P	P	C			C	
Post Office	P	P	C				P	
<b>RETAIL &amp; SERVICE</b>								
Neighborhood Retail	P	P	C					
General Retail	P	P						
Craftsman Retail	P	P	C					
Neighborhood Service	P	P	C					
General Service	P	P	C					
<b>OFFICE</b>								
Office	P	P	P	C				
Home Occupation	P	P	P	P	P	P		
<b>AMUSEMENT</b>								
Recreation Indoor	P	P	C	C				
Recreation Outdoor	P	C	C					
<b>INDUSTRIAL</b>								
Light Industrial	C	C						
Heavy Industrial								
Utilities	P	P	P	P				

**Table 5.2 Uses Per Special District** The following table outlines permitted, conditional and prohibited uses per Special Districts. The use table below is generalized for ease of use and more specific uses may be further regulated subject to subsection (f).

	IND	IU	PUD
<b>USES</b>			
<b>RESIDENTIAL &amp; HOSPITALITY</b>			
Multifamily Residential			Uses Allowed Per PUD
Single Family Attached (Townhomes)			
Single Family Detached			
Live/Work Units			
Accessory Dwelling Unit			
Short Term Rental / "Resort Housing"			
Hotel, Resort & Inn	C		
Residential Care			
<b>CIVIC / INSTITUTIONAL</b>			
Assembly	C		Uses Allowed Per PUD
Hospital & Clinic	C	P	
Library/Museum	C	P	
Law Enforcement & Fire	P	P	
School	P	P	
Post Office	P	P	
<b>RETAIL &amp; SERVICE</b>			
Neighborhood Retail	P	C	Uses Allowed Per PUD
General Retail	P	C	
Craftsman Retail	P	C	
Neighborhood Service	P	C	
General Service	P	C	
<b>OFFICE</b>			
Office	C	C	Uses Allowed Per PUD
Home Occupation			
<b>AMUSEMENT</b>			
Recreation Indoor	P	P	Uses Allowed Per PUD
Recreation Outdoor	C	C	Uses Allowed Per PUD
<b>INDUSTRIAL</b>			
Light Industrial	P	P	Uses Allowed Per PUD
Heavy Industrial			
Utilities	P	P	



e. Defined Uses

- (1) **Residential and Hospitality.** A category of uses that include several residence and hospitality types.
- (2) **Multifamily Residential.** A use containing more than one dwelling unit on one lot.
- (3) **Single Family Attached (Townhomes).** A single family dwelling unit on a fee simple lot which is attached to one or more single family dwelling units by shared walls.
- (4) **Single Family Detached.** A single family dwelling unit on a lot and detached from any other dwelling units. This use includes group homes.
- (5) **Live/Work Unit.** A dwelling unit on its own lot that contains, to a varying but limited extent, a workplace component operated by the resident. In a live/work unit, the use is required to meet the following standards.
  - i. Hours of Operation. Permitted hours of operation where customers and clients are received shall be limited to 8:00 AM to 7:00 PM.
  - ii. Entrances. Separate entrances must be provided for business and dwelling.
  - iii. Percentage of Non-Residential. In no case shall the square footage of the non-residential use exceed 50% of any unit's net living area.
- (6) **Accessory Dwelling Unit.** A room or set of rooms in a single-family home, or as a standalone structure, that has been designed or configured to be used as a separate dwelling unit and has been established by permit.
- (7) **Short Term Rental / Resort Housing.** Resort Housing is permitted exclusively on properties zoned 'CW' (Commercial Waterfront) prior to this code's adoption. All Resort Housing must comply with current zoning requirements.
- (8) **Hotel, Resort & Inn.** A facility offering temporary lodging to the general public consisting of sleeping rooms with or without in-room kitchen facilities and with on-site staff. Secondary uses may also be provided, including but not limited to restaurants, conference space, meeting rooms, resort amenities and entertainment venues. Secondary uses are encouraged to be located near active street frontage.
- (9) **Residential Care.** A facility offering temporary or permanent lodging to the general public consisting of an unlimited number of sleeping rooms with or without in-room kitchen facilities, often marketed to the elderly or disabled. Residential care includes such uses as independent living facilities allowing nursing or assisted care, as well as assisted living facilities, nursing homes, residential care homes, and transitional treatment facilities. Assistance with daily activities may be provided for residents. Secondary service uses may also be provided, such as restaurants and meeting rooms. Rooms shall be accessed from the interior of the building.
- (10) **Civic.** A category of uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, and hospitals.
- (11) **Assembly.** A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. Assembly includes such uses as a churches, community centers, private clubs and lodges.
- (12) **Hospital & Clinic.** A licensed institution providing medical care and health services to the community. These services may be located in one building or clustered in several buildings and may include laboratories, in- and out-patient facilities, training facilities, medical offices, staff residences, food service, pharmacies, and a gift shop.
- (13) **Library/Museum.** A structure open to the general public housing educational, cultural, artistic, or historic information, resources, and exhibits. Food service and a gift shop may be permitted as accessory uses.
- (14) **Law Enforcement and Fire.** A facility providing public safety and emergency services; training facilities, locker rooms, and limited overnight accommodations may also be included. The facilities shall be housed in a permitted building, but shall have the following additional allowances:
  - i. Garage doors are permitted on the front facade.
  - ii. Driveways are exempt from maximum driveway widths
- (15) **Post Office.** A publicly accessed facility for the selling of supplies and mail related products and the collection and distribution of mail and packages.
- (16) **School.** A public or private education facility with classrooms and offices, that may also include associated indoor and outdoor facilities such as student housing, ball courts, gymnasium, theater, and food service.
- (17) **Retail and Service.** A category of uses involving the sale of goods, merchandise, or services to the general public for personal or household consumption. Visibility and accessibility are important to these uses, as most patrons do not utilize scheduled appointments.

e. Defined Use (cont.)

(17) (cont.) Outdoor manufacturing activities and storage of goods are prohibited; however, outdoor display may be allowed during normal business hours provided they do not restrict ADA access or encroach rights-of-way.

iii. **Neighborhood Retail.** A use in this category shall occupy a space of less than 10,000 square feet.

iv. **General Retail.** A use in this category includes all Neighborhood Retail uses occupying a space of greater than 10,000 square feet.

v. **Craftsman Retail.** A use involving small scale manufacturing, production, assembly, and/ or repair with no noxious by-products. Sales may take place in a showroom or small retail outlet. This use may also include associated facilities such as offices and small scale warehousing where distribution is limited. The maximum overall gross floor area is limited to 10,000 square feet. In the zoning districts where a craftsman retail use is permitted with additional standards, the following apply:

1. A minimum 20% of gross floor area shall be dedicated to a showroom adjacent to a Primary Street and directly accessible through the principal entrance.
2. Outdoor manufacturing activities and storage of goods are prohibited; however, outdoor display may be allowed during normal business hours.

vi. **Neighborhood Service.** A use in this category occupies a space of less than 10,000 square feet.

vii. **General Service.** A use in this category includes all Neighborhood Service uses occupying a space of greater than 10,000 square feet.

(18) **Office.** A room, studio, suite or building in which a person transacts business or carries out a stated occupation. However, this term does not include any facility involving manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair or storage of materials, goods and products; or the sale or delivery of any materials, goods or products which are physically located on the premises.

(19) **Home Occupation.** An occupational use in a resident's permanent home that is clearly subordinate to the principal use as a residence and does not require any alteration to the exterior of a building.

(20) **Amusement.** A category of uses providing recreational services indoor and outdoor.

(a) **Recreation Indoor.** The use of a building for entertainment and experiential purposes such as an arcade, a bowling alley, a skating rink or other indoor sporting activities.

(b) **Recreation Outdoor.** A use that is either fully or partially open air that provides entertainment or experiential services. Example uses include, but are not limited to, athletic facilities, skate parks, disc golf or other outdoor sporting activities. All recreation outdoor uses require a 15' buffer along the perimeter of the property.

(21) **Industrial.** A category of uses that are permitted for the purpose of manufacturing, processing, finishing and storing a variety of goods and equipment.

i. **Light Industrial.** The processing or manufacturing of finished products or parts from previously prepared materials including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, provided that all manufacturing processes are contained entirely within a fully enclosed building. Any heat, glare, dust, smoke, fumes, odors, or vibration are confined to the building interior. A light industrial use may include a showroom or ancillary sales of products related to the items manufactured on-site. In the zoning districts where Light Industrial is permitted, with additional standards, the following apply:

1. Open storage of equipment, materials or commodities shall be limited to the rear of the lot and fully screened.

ii. **Heavy Industrial.** The processing, manufacturing, or compounding of materials, products, or energy, or any industrial activities which because of their scale or method of operation regularly produce noise, heat, glare, dust, smoke, fumes, odors, vibration, or other external impacts detectable beyond the lot lines of the property. Heavy industrial uses may regularly employ hazardous material or procedures or produce hazardous by-products, include outdoor storage areas, and may have activities that take place outside of structures.

(22) **Utilities.** Utility operations that are required throughout the city to provide service to urban development.

**f. Supplemental standards for specific uses.**

General uses permissible in each zoning district are identified in Table 5.1 and Table 5.2. This section details specific uses that have additional standards or are restricted in the City of Crystal River.

- (1) Where there is a conflict between a standard applicable to the zoning district and the supplemental standards set forth below, the more restrictive standard shall apply.
- (2) **Adult uses.** Adult entertainment establishments are regulated in chapter 11, article II, of the City Code of Ordinances. The following uses are defined and subject to the standards and criteria set forth in chapter 11, article II, of the City Code of Ordinances: adult bookstore, adult theater, and adult dancing establishment. Such uses shall comply with the standards of the zoning district in which the use is permissible, and the design and location standards set forth in sections 11-71 through 11-73 of the City Code of Ordinances.
- (3) **Alcoholic beverage sales.** The sale of alcoholic beverages shall not be permitted on any parcel of land if any part of said parcel is situated with five hundred (500) feet from any point on a building or structure used as a school, hospital, religious facility, public library, or a park or playground open to the public.
  - (a) This restriction does not apply to alcoholic beverage sales limited to malt beverages and wine.
  - (b) No existing lawful establishment in which alcoholic beverages are sold shall become nonconforming because of the subsequent erection or expansion of a school, hospital, religious facility, public library, or a park or playground open to the public.
  - (c) The temporary suspension or lapse of a state license to sell alcoholic beverages as a result of a change of ownership or tenant shall not make a previously conforming use of any property for the sale of alcoholic beverages unlawful or nonconforming.
  - (d) The setbacks contained in this section shall not apply to those businesses within the city limits of the City of Crystal River, holding an

- (a) (cont.) occupational license as a restaurant, and otherwise duly licensed as such under any requirements of state or local law, which derives at least fifty-one (51) percent of its gross revenues from the sale of food and non-alcoholic beverages, and which does not sell or serve alcoholic beverages after the hours for serving food have elapsed.

- (5) **Car wash establishments (freestanding).** A. A car wash establishment is permissible in the CH zoning district, subject to the district standards and the supplemental standards set forth below.

- (a) A car wash establishment shall be located a minimum of two hundred fifty (250) feet from any property zoned SN-1 or SN-2. Measurement of the distance shall be from the property line of the lot on which the car wash establishment is located to the property line of the nearest lot zoned for residential purposes.
- (b) An off-street stacking lane shall be provided for each stall where car washing occurs. Each stacking lane shall be a minimum of one hundred (100) feet in length.
- (c) The primary access to the car wash establishment shall be from a collector or arterial street.

- (6) **Gasoline service stations.** The term "gasoline service station" includes convenience stores with gas pumps, and establishments that provide the following accessory uses in addition to gas pumps: fast food restaurants, drive-through restaurants, groceries and sundries, supplies for the traveling public, food and beverages.

- (a) Gasoline service stations shall comply with the requirements of chapter 12, article II, of the City Code of Ordinances.
- (b) Gasoline pumps shall be set back a minimum of thirty (30) feet from any property line.



- (a) Underground storage tanks shall be designed, located, and monitored in full compliance with state requirements. Evidence of such compliance shall be provided to the city.
  - (b) Oil drainage pits and hydraulic lifts shall be within an enclosed structure and set back a minimum of fifty (50) feet from any property line.
  - (c) Gasoline service stations located within one hundred (100) feet of any property zoned SN-1 or SN-2 shall require a buffer two (2) times the buffer that is otherwise required by this code. Within the required buffer a minimum six (6) foot tall masonry, wood, or solid fence is required. The decorative or finished side of the fence shall face outwards.
  - (d) Dumpsters shall not be located within fifty (50) feet of property zoned for UN-1, UN-2, SN-1 or SN-2.
  - (e) Any repair services shall be provided only within an enclosed building.
  - (f) Vehicle parts, supplies, damaged parts, or other materials and supplies shall be stored within an enclosed building.
  - (g) The sale of vehicles is prohibited on the gasoline service station site and any adjacent right-of-way.
- (7) **Marinas.** A marina is permissible in the UC-1 and UC-2 zoning district, subject to the zoning standards and the supplemental standards set forth below. Construction of a new marina, expansion of an existing marina, or renovation of an existing marina shall adhere to the requirements of this section.
- (a) A marina shall provide parking for boat trailers or vehicle-trailer combinations. Fifty (50) percent of the required off-street parking vehicles may be replaced with parking for vehicle-trailer combinations.
- In addition to the required parking set forth in this Code. Parking may be provided for boat trailers.
- (b) A marina may provide wet or dry storage for boats; sale of fuel and oil for watercraft; sale of parts and supplies for watercraft; sale of prepared, packaged food and beverages for personal consumption; sale of personal safety equipment; sale of bait; and sale of fishing equipment.
  - (c) All docks and structures erected over or in the water shall be confined to the area adjacent to the uplands forming a part of the marina.
  - (d) Parking and dry-storage shall be placed on uplands.
  - (e) Any permissible channels shall be of a minimum depth and width capable of providing access to the marina.
  - (f) Design and construction of the marina, associated docks, piers, and/or boardwalks shall maintain natural water circulation and the free flow of water.
  - (g) Any bulkhead shall not extend beyond the established mean high water line.
  - (h) No piers, docks, or other facility shall be located so as to interfere with navigation.
  - (i) Wetlands and grass beds shall be avoided.
  - (j) Construction materials and processes shall minimize environmental impacts and shall be the best technology available.
  - (k) Where fuel or other hazardous substances will be stored, handled, or sold, the marina shall provide facilities and procedures for the prevention, containment, recovery, and mitigation of spilled fuel or other hazardous substance. Facilities and procedures shall be designed to prevent

substances from entering the water or soil, and shall include adequate means for prompt and effective cleanup of any spills that occur.

- (a) Fueling facilities shall be located as far as possible from the shoreline. Permanent docking is prohibited along the portion of the pier containing fuel pumps and fueling equipment.
  - (b) Stacked dry storage shall only be permissible within an enclosed building.
  - (c) Facilities for engine repair shall be within an enclosed building.
  - (d) Any marina which provides mooring for vessels for living-aboard purposes shall have sewage holding facilities and provide pump-out, holding, and treatment facilities. Further public restrooms with facilities for sewage disposal and bathing are also required.
  - (e) Proof of permits or exemptions from applicable state and federal regulatory agencies shall be provided to the city.
- (8) Telecommunications Towers.
- (a) All telecommunications towers shall be conditional uses in Industrial (IND) and Institutional/Utility (IU) Special Districts.

**g. Prohibited Uses.**

- (1) Reserved.

**g. Parking Requirements.**

- (1) Parking shall be provided as required in Table 5.4.
- (2) **Shared Parking.** Where a development proposes more than one use and those uses share parking facilities, Table 5.3 shall be used to calculate the minimum required parking.
- (3) **Parking Reductions.** The Growth Management Director or his/her designee may administratively reduce the parking requirement for a development by up to 10% without the need for a public hearing.
- (4) **Electric Vehicle Charging.** The parking requirement may be further reduced by providing an electric charging station. Each station may reduce the parking requirement by 4 stalls for a maximum of a 10% reduction in parking.
- (5) All parking areas and all other paved areas, shall be landscaped to achieve a 70 percent tree canopy at maturity. Refer to Section 6 for landscaping.
- (6) **Loading zones.** A standard off-street loading space shall be a minimum of 10 feet in width by 26 feet in length and an oversized loading space shall be a minimum of 12 in width and 40 feet in length, exclusive of aisle and maneuvering space and shall have a minimum vertical clearance of 15 feet.

Table 5.3 Minimum Parking Dimensions

Angle in Degrees	Curb Length	Stall Depth	Travel Lane widths
0	22'	8.5'	12' / 20'
30	18'	18'	12' / 20'
45	12'	17'	14' / 20'
60	10'	18'	18' / 22'
90	9'	18'	20' / 22'

- (7) **CRA Parking Fee in Lieu.** Where a proposed development in the CRA boundary is constrained such that meeting the parking requirement causes a hardship, the Growth Management Director may approve a fee in lieu of providing parking payable to the City. The City shall publish this fee on the Fee Schedule which will be kept on record at the City.

**Table 5.4 Minimum Parking Requirements & Reductions**

USE	PARKING SPACES REQUIRED*
Residential	2 spaces per unit, studio or one-bedroom apartments shall be 1 space per unit 0.5 space per assisted living unit bed and one parking space per independent living unit.
Hospitality	1 space per bed or 2 spaces per 1,000 SF, whichever is less
Retail, Service & Amusement	2 spaces per 1,000 SF
Office & Industrial	2 spaces per 1,000 SF used for offices, 1 per 3,000 SF for equipment areas or storage spaces etc.

USE	Peak Hour REQUIRED PARKING BY USE	Mon - Fri	Mon - Fri	Mon - Fri	Sat & Sun	Sat & Sun	Sat & Sun
		8AM - 6PM	6PM - 12AM	12AM - 8AM	8AM - 6PM	6PM - 12AM	12AM - 8AM
Residential	Spaces req. =	60%	100%	100%	80%	100%	100%
Hospitality	Spaces req. =	70%	100%	100%	70%	100%	100%
Retail, Service & Amusement	Spaces req. =	90%	80%	5%	100%	70%	5%
Office & Industrial	Spaces req. =	100%	20%	5%	5%	5%	5%
Shared Parking Requirement	Total =	Total =	Total =	Total =	Total =	Total =	Total =
Adjusted Parking Requirement	The highest required parking based on shared parking =						



Section 6

# Landscaping

# Landscaping

This section will provide the required landscaping per Zone with the intent to maintain

## Section 6: Landscape

### a. General

- (1) All Construction Plan that propose more than three lots/units or any non-residential use shall require a landscape plan. All lots require tree plans.
- (2) Each landscape plan shall be designed to reach 70% canopy coverage at maturity of the landscape.

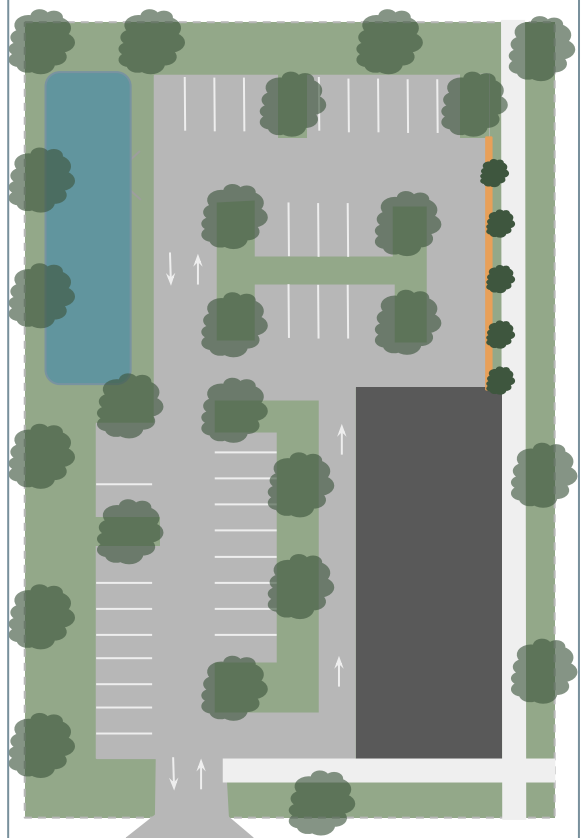
### b. Plant Materials

- (1) All plant materials shall comply with the Florida No. 1 standard as per the Department of Agriculture and Consumer Services.
- (2) All plant materials shall be Florida-Friendly or have suitability for the soils and annual climate.
- (3) At least 50% of trees and shrubs shall be native to Florida.
- (4) Canopy Trees shall be a minimum 3" inch caliper.
- (5) Understory Trees shall be a minimum 2½-inch caliper, aggregated for multi-trunk, 6' minimum height..
- (6) Understory Trees can replace canopy trees at a 2:1 ratio for up to 50% of required trees, provided that canopy coverage can be achieved at maturity.
- (7) Palms shall be field grown, preferably with a minimum 8 foot clear trunk, except for sabal palms or similar species.
- (8) Palms can replace canopy tree requirements at a 3:1 ratio for up to 50% of required trees. Specimen Palms can replace 1:1 for up to 15% of required trees.
- (9) Replacement of canopy trees is capped at 25% of any required canopy trees.

**Table 6.1 Lot Tree Requirements**

Lot Size	Number of Lot Trees Required
2,500 SF or less	1 Canopy Tree, 2 Understory Trees or 3 Palms
2,501 – 6,000 SF	2 Canopy Trees
6,001 – 10,000 SF	3 Canopy Trees
10,000 SF or greater	3 Canopy Trees per ¼ acre

**Table 6.2 Parking Lot Landscape**



Landscape Island Requirement	Every 10th Stall
Hedge Row Buffer Requirement	8' Wide Buffer along Street Frontage

### Table 6.3 Buffering

This section will provide the required buffering between differing Zones or Districts to ensure that compatibility is maintained. Buffers are required on the parcel(s) that has the higher intensity Zoning category. These buffers are intended to ensure privacy, while allowing for efficient use of land area. All buffers shall be continuous in width along the property line where a buffer is required. Reductions in the minimum width require approval by Growth Management Director or a variance request. The buffer prescriptions below outline the minimum plantings for the length of a buffer. The remaining width of each buffer shall be filled with groundcovers, sod, and / or mulch. Sod shall cover no more than 30% of the planting area. Large expanses of mulch shall not be permitted without plantings, unless provided within a tree save area. Shrub plantings are encouraged to be curvilinear or in organic arrangements to represent a more natural look.

	UC-1	UC-2	UN-1	UN-2	SN-1	SN-2	IND
UC-1	0'	0'	8'	10'	15'	25'	35'
UC-2	0'	0'	8'	10'	15'	25'	35'
UN-1	8'	8'	0'	0'	10'	15'	35'
UN-2	10'	10'	0'	0'	8'	10'	35'
SN-1	15'	15'	10'	8'	0'	0'	35'
SN-2	25'	25'	15'	10'	0'	0'	35'
IND	35'	35'	35'	35'	35'	35'	0'

Buffer Widths	Req. Canopy Trees	Req. Understory Trees or Palms	Req. Shrubs
8'	1 per 60 lf	1 tree per 60 lf or 3 Palms per 60 lf	2' Continuous Hedge
10'	1 per 50 lf	1 tree per 50 lf or 3 Palms per 50 lf	2' Continuous Hedge
15'	1 per 50 lf	1 tree per 50 lf or 3 Palms per 50 lf	Continuous Double Row 2' Hedge
25'	1 per 40 lf	1 tree per 50 lf or 3 Palms per 50 lf	Continuous Double Row 2' Hedge
35'*	1 per 40 lf	1 tree per 50 lf or 3 Palms per 50 lf	Continuous Double Row 2' Hedge

35' Buffers require a 6 foot masonry wall or 100% opaque fence.  
lf = linear feet



c. Submittal & Maintenance Requirements.

- (1) The landscape design plan shall include, but not be limited to the following:
  - (a) location and size of all landscaped areas;
  - (b) a calculation of the amount of irrigated coverage;
  - (c) the location, species, quantity, spacing and size of all trees, hedges and shrubs as well as the proposed type of sod;
  - (d) Canopy trees to be preserved shall be provided with both existing and proposed spot grades located at the base of each tree to be preserved. An estimated drip-line shall be provided;
  - (e) any hardscape components including, but not limited to, walls and fences;
  - (f) location, layout and design of the irrigation system;
  - (g) location of proposed irrigation mainlines, laterals, valves, and heads;
  - (h) inhibiting or interrupting device or switch on an automatic landscape irrigation system pursuant to F. S. § 373.62;
  - (i) the names of persons, corporation or agent responsible for continued maintenance of landscaped areas.
- (2) **Irrigation.** All landscaping required under this section will be required to have a 100% automatic irrigation system as required for the long term maintenance of the plant material. All street trees, landscape buffers and trees in commons areas must have a separate irrigation system. All landscape and irrigation plans must be signed and sealed by a State of Florida Registered Landscape Architect. The city council may grant a waiver and exempt the irrigation system design requirements if the applicant can demonstrate the irrigation system design requirements are shown to be excessive or unreasonable due to unusual site restrictions.
- (3) **Installation and maintenance.** Proper installation and maintenance of landscaped areas is required in order to ensure the proper functioning of a buffer as a landscaped area which reduces or eliminates nuisances and/or conflicts. All landscaping is to be installed in a professional manner following good nursery practices as set by the Florida Nurserymen's Association.
- (4) The owner is responsible for the maintenance of the landscaping on-site and in grassed rights-of-way adjoining landscape areas.
- (5) The city may conduct periodic inspections to assure compliance with the maintenance requirements of this section.
- (6) The responsibility for maintenance of a required landscaped area shall remain with the owner of the property, his successors, heirs, assignees or any consenting grantee or a homeowners' association or similar organization.
- (7) All plantings shall be maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to, watering, tilling, fertilizing and spraying, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
- (8) Replacement plantings shall be provided for any required plants which die or are removed due to disease or destruction and shall meet all minimum standards and conform to these regulations.
- (9) Natural watercourses within a landscaped area shall be maintained in a natural condition consistent with the comprehensive plan and other applicable regulations.
- (10) Landscape structural features such as walls, fences, berms or water features shall be maintained in a structurally safe and attractive condition.
- (11) Where other uses, including pedestrian, bike or other trails, are allowed within a landscaped area, these uses shall be maintained for their safe use.
- (12) **Diversity.** In order to guard against disease susceptibility, all required landscaping shall meet the following requirements: No more than 30 percent of the trees or shrubs required shall be of the same species. Live oak trees in parking lot landscaping are exempt from this requirement.
- (13) **Dumpsters & Appurtenances.** All dumpsters shall be located in the rear or side yard and screened by a 6' stone or masonry wall and a continuous hedge on three sides of the enclosure or appurtenance.



## Figure 6.1 Inspirational Landscape Imagery

The following images are intended to provide examples of appropriate landscape design.





**Figure 6.1 Inspirational Landscape Imagery (cont.)**

The following images are intended to provide examples of appropriate landscape design.





**d. Requirements for Trees and Tree protection.**

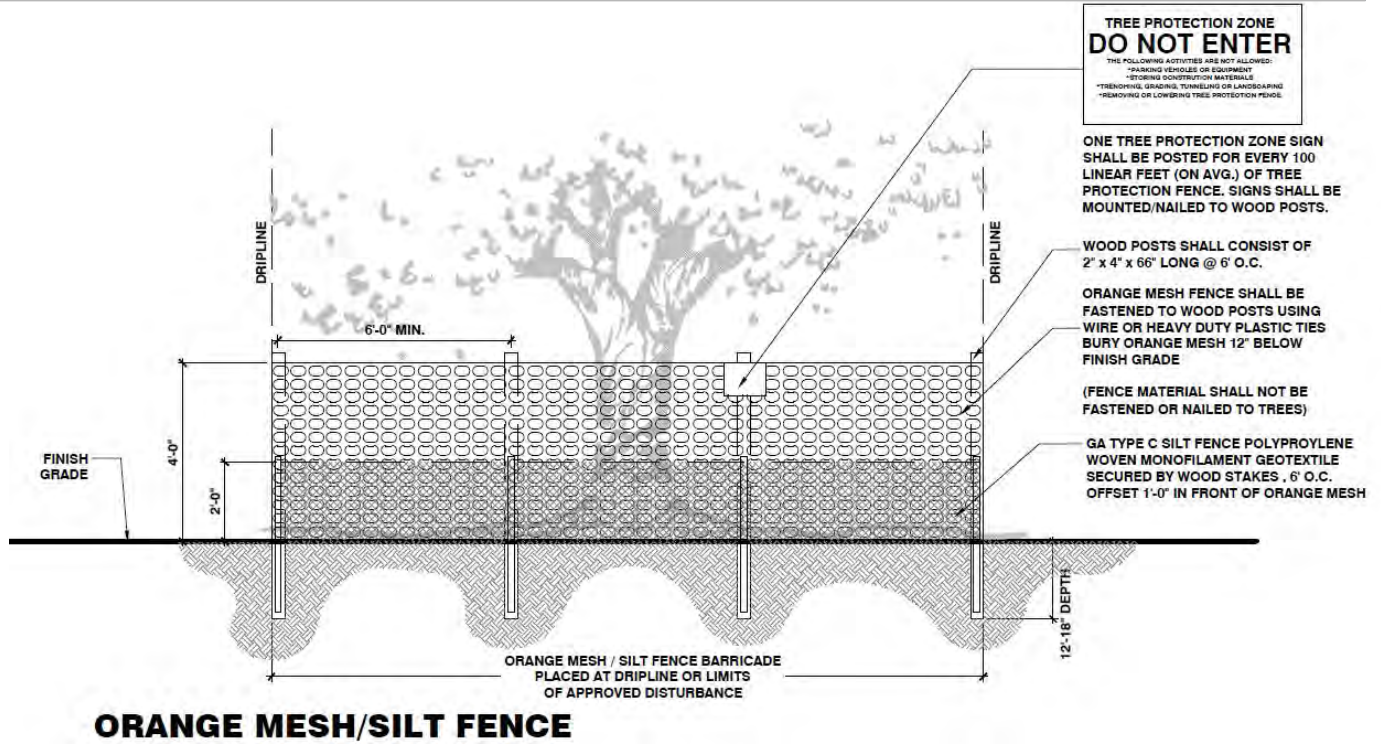
- (1) **Prohibitions.** No authorization shall be granted to remove a protected tree where the developer or property owner has failed to take reasonable measures to design and locate the proposed improvements so that the number of protected trees to be removed is minimized.
- (2) **General requirement.** All lots, developments or parcels shall meet the requirements of Table 6.1.
- (3) **Credit for existing trees.** Credits for preserved trees shall be given in accordance with the following schedule:

<b>DBH of Existing Tree</b>	<b>Credit</b>
4 to 6.9	1
7 to 10.9	2
11 to 14.9	3
15 to 19.9	4
Over 20	1 credit for each 3½ inches DBH

- (4) **Protected Trees.** All non-prohibited trees twelve (12) inches DBH or more shall be protected except where exempted in accordance with subsection (5).
- (5) **Heavily Wooded Sites.** For sites where current aerial photography shows over 80% forest coverage and a substantial presence of protected trees is anticipated, a reduction in the number of protected trees is permitted, provided the following criteria are met:
  - (a) a tree survey shall be submitted to the staff prior to any consideration of a preliminary subdivision plan or construction plan.
  - (b) The applicant shall provide a markup of the survey identifying the location and number of protected trees planned to be preserved.
  - (c) The number of trees to be protected shall equal one tree per developable acre.
  - (d) Where a site has trees twenty four (24) inches DBH or larger, the applicant shall show good faith efforts to prioritize saving larger trees on the site.
  - (e) Tree replacement or a fee in lieu is still required for this exception.

- (6) **Applications for Tree Removal.** Where protected trees are proposed to be removed an application for tree removal is required and shall include a survey with the size, location and species of the tree(s). Tree removal applications shall require one of the following justifications:
  - (a) The tree poses a safety hazard to pedestrians or other persons, buildings or other property.
  - (b) The tree is diseased, dying or pest infested as determined by a certified arborist.
  - (c) Removal of the tree will reduce competition or ensure other protected trees survive.
  - (d) Removal of the tree is a necessity for compliance with city codes.
  - (e) Tree removal is essential for reasonable and permissible use of property, or necessary for construction.
- (7) **Replacement trees.** When authorization has been granted to remove protected trees, replacement trees shall be planted on an inch for inch basis. Replacement trees shall meet the requirements of Section 6 (b).
- (8) **Tree Removal Fee in Lieu.** The Growth Management Director may approve a fee in lieu of tree preservation. The fee shall be set by the Fee Schedule kept on record at the City. The fee may be used for any landscaping or tree project found appropriate by the City.
- (9) **Tree Barricades.** A tree barricade following the drip line of the protected trees canopy is required as depicted in Figure 6.2.
- (10) **Permitted activities within Tree Barricades.** The following activities are permitted within the tree barricade area:
  - (a) Excavating or trenching by utilities service providers for installation of underground utilities. Underground utilities shall be no closer to the tree trunk than ten (10) feet.
  - (b) Placement of sod or other ground covers, and the preparation of the ground surface for such covers.
  - (c) Installation of walking paths provided no path is closer than ten (10) feet from the tree trunk.

Figure 6.2 Tree Barricade Details & Required Sign



**TREE PROTECTION ZONE  
DO NOT ENTER**

**THE FOLLOWING ACTIVITIES ARE NOT ALLOWED:**  
 \*PARKING VEHICLES OR EQUIPMENT  
 \*STORING CONSTRUCTION MATERIALS  
 \*TRENCHING, GRADING, TUNNELING OR LANDSCAPING  
 \*REMOVING OR LOWERING TREE PROTECTION FENCE

## Landscaping: Fences

This section will provide permitted fencing.

- (1) **Intent.** Fencing should provide privacy in more urban settings and compliment the character of the rural areas. Fences should be installed to withstand the high winds experienced in the region.
- (2) **General.** All fences require approval by the Growth Management Director or designee.
- (3) Refer to Figure 6.3 for examples of permitted fence types.
- (4) **Fencing and walls.** Residential fencing or walls shall be allowed in the side and rear yards at maximum height of six feet (6'), Fencing or walls shall also be allowed in the front yard with a maximum height of 4 feet (4') and minimum transparency of 50%. Notwithstanding anything to the contrary contained in the Code of Ordinances, farm fences as provided in F.S. § 604.50 are exempt from the land development code regulations including appurtenances. Existing chain link fence installed prior to the effective date of this code is considered "grandfathered" and may be maintained or partially replaced.
- (5) **Materials and Fence Types.** Fences shall be wood, composite, metal, or PVC. Site built and custom wood fencing is encouraged. For fences larger than 4 feet in height, posts are required to be set in concrete or gravel such that the concrete or gravel is buried and not visible after installation.
- (6) Wooden Picket consists of raw, sealed, stained or painted wood either in prefabricated panels or site built. Pickets are vertically oriented and typically include decorative posts with under scalloped pickets.
- (7) Wrought Iron consists of metal panels with simple angular rods or decorative rods. Wrought iron have a high level of transparency and typically intended to provide separation for dog parks, outdoor restaurant seating or urban private yards.
- (8) Wooden Shadowbox are privacy fences that are designed to allow for airflow. Shadowboxes alternate wood pickets to create openings that may or may not allow light to penetrate the pickets. The wood slats may be oriented vertically or horizontally.
- (9) Wooden Rail is a simple post and rail system that consists of milled or natural wood and has no pickets.
- (10) Wooden Lattice includes a partial wooden panel system and a 1' to 2' lattice or trellis cap on the fence. The lattice or trellis may not exceed the fence height maximum.
- (11) Wooden Panel is the most common fence and is typically fully opaque with butted or overlapped slats. The fence consists of three rails, posts and pickets. Pickets may be under or over scalloped but are typically flat.
- (12) Garden Fences consist of posts, rails and fence wire (commonly known as "hog wire") or vinyl coated chain link. These fences are appropriate around home gardens, agricultural uses, or in heavily planted areas to allow for ample sunlight and air movement. Garden fences are typically 4' in height or less. Chain link fences are not permitted in buffers.
- (13) Black Aluminum consists of 3 or more rails with evenly spaced pickets. The bottom pickets extend beyond the bottom rail and leave 1" or more of space from the ground plane. The pickets may terminate into the top rail or come to a decorative point.
- (14) Masonry Knee Walls may consist of brick, block, split face block, precast masonry or poured in place. The knee wall is typically 2' to with a maximum of 3' in height. Columns may be 4' in height and no more than 2' wide.
- (15) Masonry & Masonry Combinations consist of masonry columns with a connecting masonry wall. Rear and side yard masonry walls may not exceed 5' in height. Front yard masonry walls are limited to 3' in height. Masonry columns have a permitted height of 4' in the front yard and 6' in the rear and side yard. Columns must be 2' wide or less. Masonry Combinations of metal and wood may be used to meet the maximum fence height.
- (16) Post & Beam is a simple post and rail system with milled wood or PVC or Vinyl.
- (17) Vinyl Fence consists of post, rails and slats with a semi-transparent lattice, trellis (or similar) for the top 16" or more. Not permitted in required landscape buffers.



## Figure 6.3 Example Fence Imagery

The following images are intended to provide examples of appropriate fence design.

WOODEN PICKET



WROUGHT IRON



WOODEN SHADOWBOX



WOODEN RAIL FENCE



WOODEN LATTICE FENCE



WOODEN PANEL FENCE



GARDEN FENCE



BLACK ALUMINUM FENCE



MASONRY KNEE WALL



MASONRY & MASONRY COMBINATION



POST & BEAM



VINYL FENCE WITH DECORATIVE LATTICE (or similar)



Section 7

# Stormwater Standards

## Stormwater Standards

The city finds that the uncontrolled drainage of developed land has a significant adverse impact upon the health, safety and welfare of the city by increasing the siltation and pollution of ground and surface water, by contributing excessive nutrients to receiving waters, by diminishing groundwater recharge and by increasing the incidence and severity of flooding. In order to minimize these detrimental effects of stormwater runoff, the following stormwater management regulations are enacted to provide for the mitigation of stormwater impacts from new development and from the redevelopment of existing properties.

### a. Performance standards.

- (1) In order to achieve the benefits of stormwater management, the city shall require the provision of onsite stormwater retention for all new construction of buildings and parking lots.
- (2) The stormwater management requirement for new development shall be the retention on site of the first inch of runoff from all impervious surfaces.
- (3) The stormwater retention requirements of this section shall be achieved through the retention of stormwater runoff in surface retention facilities, such as vegetated swales or retention ponds.
- (4) The above performance standards shall apply to all new nonresidential and multi-family residential building projects on vacant land, or land made vacant after the demolition of existing structures. These requirements shall also apply to all building projects whose construction value exceeds 50 percent of the improved value detailed on the most current property tax assessment roll. Building renovations phased over a two-year period shall be combined to determine applicability of the 50-percent threshold criteria.
- (5) **Retrofits.** Where the retrofit of existing development exceeds 25 percent of the assessed value the stormwater management requirement for the redevelopment, renovation or additions to existing buildings shall be the retention on site of the first one-half inch of stormwater runoff from all impervious surfaces. The stormwater retention requirements of this section shall be accomplished by utilizing surface stormwater facilities.
- (6) **CRA Properties.** In recognition of the existing developed density of properties within the community redevelopment area, special stormwater retention requirements are provided for the development or redevelopment of these properties.
- (7) On properties within the CRA the stormwater retention requirement shall be either:
  - (a) The provision of onsite stormwater retention of the first one-half inch from all impervious surfaces into surface or subsurface facilities; or
  - (b) The payment to the city of a fee in lieu of stormwater management to be equal to the cost of providing subsurface stormwater retention facilities. These fees are to be earmarked and utilized by the city for construction and improvement to capital facilities of the off site stormwater management system within the city drainage basin. Such cost estimates shall be certified by a registered engineer. The Planning & Zoning Board shall act to resolve any conflicts or disputes regarding the appropriate fee in lieu of stormwater management.
- (8) **Single family properties.** For single-family properties, stormwater management shall incorporate onsite retention for the structure(s), parking, and driveways. This can be accomplished through swales, retention spaces, directing runoff from parking and driveways to landscaped zones instead of streets, channeling roof drainage to pervious areas where space is limited, and other measures to facilitate stormwater infiltration.
- (9) The above performance standards shall apply to all single family residential building projects including renovations whose construction value exceeds 50 percent of the assessed value.



## Stormwater Standards.

### b. Technical standards.

- (1) It is the responsibility of the applicant to submit sufficient information for the building official and public works director or their designees to determine whether the requirements of this division are being met. The public works department may from time to time issue design guidelines that are to be followed in meeting the requirements of this division.
- (2) Submittal information should detail elevations or contours, direction of flow, and other grading or fill information. Submittals should also detail the computations and calculations utilized to demonstrate satisfaction of the retention requirements. Submittals should also detail the type of soil conditions present and the depth to the water table. A soils report and/or survey may be required to verify the conditions represented on the plan.
- (3) It shall be the duty of the property owner to provide proper maintenance of the stormwater management system so that the system continues to meet the requirements of this division. The city shall have the power to inspect stormwater management systems and facilities and to require such maintenance, repair, and replacement of facilities as necessary. Necessary maintenance and repair shall be made within a time period not to exceed 30 days after notification by the city of the problem and required corrective action.
- (4) **Surface stormwater system standards.** Surface stormwater systems utilized to accomplish the stormwater retention and percolation requirements shall be designed so as to be readily accessible from rights-of-way, parking lots, courtyards, or other open areas so that maintenance and clean-out of these areas can be easily accomplished. The side slopes and bottoms of all retention areas shall have a grass or other landscape material cover. The maximum depth of retention areas shall be four feet from the surrounding average grade. The maximum side slopes of retention areas shall not exceed three to one.
- (7) Spillways or other entrance channels to retention areas shall be designed to prevent the flushing of these retention areas by heavy rains.
- (8) **Underground stormwater system standards.** Underground stormwater seepage systems may be permitted in all Zones upon city staff approval to accomplish stormwater retention. The following are requirements for such systems:
  - (a) Underground stormwater treatment systems shall be designed by a licensed professional engineer.
  - (b) Underground stormwater treatment systems shall be designed so as to accept a retention volume calculated for two inches of runoff from all contributing impervious areas.
  - (c) A system overflow outfall shall be required.
  - (d) The bottom of the stormwater treatment system shall be constructed a minimum of one foot above the estimated high ground elevation. The estimated high groundwater elevation and a modeled recovery analysis shall be performed by a licensed geotechnical engineer.
  - (e) Filtration media shall consist of a gravel or river rock to be approved by city staff. A limestone based or crushed concrete media is not permitted.

## Stormwater Standards.

- (f) A pretreatment structure shall be incorporated to remove all debris and sedimentation from the stormwater runoff prior to entering the ex-filtration system.
  - (g) Proper inspection and maintenance access ports/manholes shall be installed on all structures and ex-filtration termination points.
  - (h) The design shall meet such site or project-specific additional criteria as the director of public works may require.
  - (i) The design shall not allow or permit the grade of the site to be elevated above two feet from the existing grade of the adjoining properties or adjoining right-of-ways.
- (10) **Inspection and maintenance criteria.** Upon initial construction completion, an "as-built" drawing confirming that the stormwater treatment system was constructed according to the city approved drawings shall be signed and sealed by the engineer of record and submitted to the city public works department.
- (11) Inspection, maintenance, and testing procedures (including report forms) shall be provided by the engineer of record and submitted to the city for approval, and approved by the city, before a permit is issued.
- (12) Monthly inspections shall be performed by responsible party and findings logged and/or recorded. Monthly inspection logs shall be submitted annually to the city public works department.
- (13) Routine maintenance and cleaning operations shall be performed and logged and/or recorded. Maintenance and cleaning logs shall be submitted annually to the city public works department.
- (14) A volume test shall be performed on the underground stormwater treatment system and an engineer certified volume test report, satisfactory to the city, submitted every three years to the city public works department.
- (15) As a means of ensuring the future maintenance, repair, or replacement of the underground stormwater treatment system, the owner of the property shall be required to enter into an agreement suitable for recording in the public records, which shall run with the land and bind future owners of the property, reflecting the owner's responsibility to perform future maintenance, repairs, or replacement, as deemed reasonably necessary by the city, and in addition the owner's responsibility to pay for such future maintenance, repairs, or replacement, as deemed reasonably necessary by the city, regardless of by whom the future maintenance, repairs, or replacement is performed. The city shall have the right, but not the obligation, to perform or have performed future maintenance, repairs, or replacement, as deemed reasonably necessary by the city, and the property owner shall be responsible for the costs of such future maintenance, repairs, or replacement, the recorded agreement referred to herein shall reflect this obligation of the property owner.
- (16) **Disposition of stormwater runoff.** All stormwater systems shall include a method for the disposition of excess stormwater runoff. This disposition is to be into rights-of-way of the city with storm drainage facilities.
- (17) In cases where the disposition of stormwater runoff is other than to rights-of-way with storm drainage facilities, the approval of the city engineer or public works director shall be required for the design and disposition of stormwater runoff into other areas such as lakes, ponds, streams, canals, wetlands, or rights-of-way without storm drainage facilities.

Section 8

# Administrative



## Section 8 Administration

**a. Authority and Purpose.** These land development regulations shall be known as the “Community Development Code” of the City of Crystal River and are enacted pursuant to the requirements and authority of Article VIII, section 2(b) of the Florida Constitution, F.S. § 163.3202, the city Charter, effective 1987, and the general powers in F.S. ch. 166 (Municipal Home Rule Powers Act), including F.S. § 166.021.

It is the intent of this code to promote public health, safety, and general welfare of the community. It includes but is not limited to the specific municipal purposes below.

- (1) To achieve mixed use development that is appropriate in scale and intensity for its context.
- (2) To establish a relationship between buildings, streets, and Open Spaces that is pedestrian and bicycle friendly.
- (3) To preserve and enhance the City’s natural charm while promoting innovative development that sustainably manages the environment.
- (4) To ensure that a variety of housing types and sizes can be developed to meet the needs of the entire community.
- (5) To promote a variety of safe transportation options with context-based thoroughfare design.
- (6) To promote a public realm of high aesthetic value.

**b. Applicability.** The provisions of this Code shall apply to all development in the city, and no development shall be undertaken without prior authorization pursuant to these regulations.

**c. Development Permits and Development Orders.**

The provisions of the Code and any amendments thereto shall not affect the validity of any lawfully issued and effective development permits and orders as defined in § 166.033(4), Florida Statute if: The development activity has been authorized by a permit approved prior to the effective date of the Code or any amendment thereto; and

- (1) Work has commenced within 12 months of the authorized permit or order; and
- (2) The development activity continues without interruption (except because of war or natural disaster) until the development is complete. If the development permit expires, any further development on that site shall occur only in conformance with the requirements of the Code or amendment thereto.

**d. General Findings.** F.S. ch. 163, requires each Florida local government to enact a single land development regulations (LDRs) which implements and is consistent with the local Comprehensive Plan, and which contains all land development regulations for the city.

**e. General Public Need.** Controlling the location, design and construction of development within the city is necessary to maintain and improve the quality of life in the city as more fully described in the following sections of this Code.

**f. HOA Zoning Reviews.** A Homeowner’s Association (HOA) may request the authority to administer zoning reviews. Such authority requires City Council approval and the City Council has no obligation to grant such authority.

**g. Comprehensive Plan.** The adoption of integrated land development regulations implements the following goals, policies and objectives of the Comprehensive Plan:

- (1) F.S. § 163.3194(1)(b) requires that all land development regulations be consistent with the Comprehensive Plan of the enacting local government. A land development regulation shall be consistent with the Comprehensive Plan if the land uses, densities or intensities, or other aspects of development permitted by such order or regulation are compatible with and further the objectives, policies, land uses and densities or intensities in the Comprehensive Plan and if it meets all other criteria enumerated by the local government.
- (2) The Code incorporates new authorizations, requirements and regulations to implement the objectives and policies of the Comprehensive Plan, and to ensure that all land development activities within the city are consistent with and further the objectives, policies, land uses, densities and intensities in the Comprehensive Plan.
- (3) Nothing in this Code shall be construed to authorize development that is inconsistent with the city Comprehensive Plan.
- (4) It is recognized, however, that situations may arise in the daily administration and enforcement of these regulations whereby strict interpretation and enforcement of the regulations may be contrary to the goals, objectives and policies of the Comprehensive Plan.

## Section 8 Administration

- (5) (cont) such situations may arise due to changes in land development priorities or economics, new issues which were not anticipated at the time of the adoption of these land development regulations (LDRs) or the inability to meet competing goals through a single action. In these situations, the goals and policies of the Comprehensive Plan shall take precedence, and the Land Development Regulations (LDRs) shall be interpreted and administered consistent with the overall goals, objectives and policies of the Comprehensive Plan as interpreted by the city council, until such time that these regulations and/or the Comprehensive Plan can be amended to resolve any conflict.
- (6) The city Comprehensive Plan, as thereafter amended, is hereby adopted as the Comprehensive Plan of the city in accordance with F.S. ch. 163.
- (7) Neither this section nor the Comprehensive Plan shall be construed as temporarily or permanently taking property without due process of law. Neither this section nor the Comprehensive Plan shall be construed as affecting validly existing vested rights. Any person alleging the existence of vested rights must demonstrate to the city council's satisfaction the legal requisites of those vested rights. The council shall make the final determination as to the existence of the vested rights alleged. The mere existence of zoning contrary to the Comprehensive Plan shall not give rise to vested rights.
- (8) Upon determination by a court of competent jurisdiction that a portion of this Community Development Code or the Comprehensive Plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

**h. Maps by Reference.** There is hereby adopted as part of the land development regulations the Future Land Use Map and Map Series of the adopted Comprehensive Plan of the City of Crystal River and the Zoning Map of the City of Crystal River for use in the consistent application of these land development regulations.

**i. Interpretation.** In the event that any question arises concerning the application of regulations, performance standards, definitions, development criteria or any other provision of this Code, the city manager or designee shall be responsible for interpretation.

**j. Abrogation.** The standards included in this subpart are not intended to repeal, abrogate or interfere with any existing easements, covenants or deed restrictions duly recorded in the public records of the city.

**k. Approval Authority.** The following land development plans shall require a recommendation from the planning and zoning board and action by the city council:

- (1) Annexation;
- (2) Comprehensive Plan Amendments;
- (3) Conditional Uses;
- (4) Vacation of Public Right-of-Way (ROW)
- (5) Vacation of Plat;
- (6) Variance;
- (7) Zoning / Rezoning;
- (8) Preliminary Subdivisions.

The following land development plans shall only require action by city manager or designee:

- (1) Construction Plan;
- (2) Lot Splits;
- (3) Lot Line Deviations

**l. Deviations.** Deviations from numeric Code requirements may be granted by the City Manager or his/her designee when the request is within 10% of the relevant requirement. Deviations will be reviewed on a case-by-case basis and are not guaranteed. All other land development plans require action by the Planning Commission.

**m. Appeal.** Action by staff may be appealed to the City Manager by filing, no later than five business days from the date of staff's written decision, a written notice of appeal with the City Clerk outlining the basis for the appeal. A copy of the notice of appeal shall also be simultaneously filed with the Growth Management Department. The City Manager will schedule a public meeting for City Manager action on the appeal.

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Table 8.1 Public Notice Requirements

APPLICATION TYPE	MAIL	NEWSPAPER	POST
<b>PLANNING COMMISSION</b> (minimum number of days notice required)			
Annexation	10	7	10
Zoning/Rezoning inclusive of PUD initiated other than by city	10	7	10
Large-scale Comprehensive Plan amendment excluding text amendments	10	7	N/A
Small-scale Comprehensive Plan amendment	10	7	10
Variance	10	7	10
Conditional Use (application for approval or revocation of CU)	10	7	10
Vacate Public Rights-of-Way	10	7	N/A
Vacate Plat	10	7	N/A
<b>CITY COUNCIL</b> (number of days notice required)			
Annexation	10	SN	10
Zoning/Rezoning inclusive of PUD initiated other than by city	10	SN	10
Large-scale Comprehensive Plan amendment excluding text amendments	10	SN	N/A
Small-scale Comprehensive Plan amendment	10	SN	10
Variance	10	*	10
Conditional Use (application for approval or revocation of CU)	10	*	10
Vacate Public Rights-of-Way	10	**	10
Vacate Plat	10	**	10
<b>ADMINISTRATIVE</b> (number of days notice required)			
Lot Split / Lot Line Deviation / Lot Combination/ Unity of Title			10

Key:

- SN Statutory Notice
- \* Minimum 10 days prior to adoption
- \*\* Minimum 14 days prior to 1st reading and 7 days prior to adoption

(cont.) Action by the City Manager may be appealed to the City Council by filing, no later than five business days from the date of the City Manager's written decision, a written notice of appeal with the City Clerk outlining the basis for the appeal. A copy of the notice of appeal shall also be simultaneously filed with the Growth Management Department. The written notice of appeal will be placed on a future City Council agenda for Council action on the appeal.

n. **Public Notice.** In addition to those requirements imposed by state law, public notice shall be provided as set forth on Table 8.1. Nothing herein shall require duplication where these requirements are identical to those imposed by state law.

o. **Mailing Requirements.** Unless otherwise required herein, mail notice of a public hearing of a type set forth in Table 8.1 shall contain the following information:

- (1) Title and substance of proposed ordinance, resolution or development order or application;
- (2) Time, date and location of the public hearing; including any instructions for attending or participating in a hearing conducted by video over the internet;
- (3) Location of the property affected by the application with reference to the nearest intersection of two or more streets;
- (4) Name, address and telephone number of the office where additional information can be obtained; and
- (5) Location and times where proposed ordinance, resolution, or development order application may be reviewed.
- (6) All notices shall be provided by first-class mail. Mail notice shall be postmarked no later than the minimum number of calendar days as required in Table 8.1. Proof of mailing shall be retained by the city.
- (7) Mail notice as required in Table 8.1 shall be provided to all property owners of record, excluding property owned by the applicant, within 300 feet of any boundary line of the property to which the ordinance, resolution or development order relates. If any boundary line of the property to which the ordinance, resolution or development order relates is within 300 feet of any portion of a subdivision



## Section 8 Administration

- (8) (cont.) which is governed by an active, Florida not-for-profit corporation homeowners association or condominium association, then mail notice shall also be provided to the homeowners association or condominium association.
- (9) The list of property owners shall be derived from the most recent official tax roll of Citrus County. The applicant shall provide an affidavit attesting to the completeness and accuracy of the property owner's list.
- (10) The city shall prepare and mail all required notices, and provide an affidavit that notice was sent to all property owners included in the property owner's list.
- (11) The applicant shall be responsible for all costs associated with mailing notices.

**p. Posting Requirements.** The city shall provide the signs, subject to the criteria for size and contents established by the Growth Management Director. The signs shall comply with the city sign code, unless exempt therefrom.

- (1) The City shall install the signs in a workmanlike manner. All signs should be installed so as to withstand normal weather events.
- (2) The City shall post one sign per frontage, except if a parcel has frontage. The signs shall be posted within ten feet of the right-of-way with the locations approved by the city.
- (3) The City shall record a photograph of the sign(s) and an affidavit attesting to the date of installation and the number of signs.

**q. Newspaper Requirements.** The applicant shall be responsible for all costs associated with newspaper advertisements.

**r. Variances.** Anyone who is an owner of, or has any legal interest in property affected by the zoning code shall desire a variance, shall file an application at the office of the city clerk.

- (1) The following information is required:
  - (a) The applicant's full name and mailing address;
  - (b) The legal description of the property involved;
  - (c) A plat plan (schematic drawing) of the property involved, showing the location, existing buildings or structures and the location of proposed buildings or structures;
  - (d) A floor plan of any proposed extensions or additions;
  - (e) The purpose for which the property will be used;
  - (f) A concise statement as to why the present regulations create a hardship to the applicant.
  - (g) How the applicant believes each of the variance standards are met.

(2) **Process.** When an application requesting a variance is filed with the city, along with a filing fee as established by resolution, the city shall cause the request to be evaluated based on the standards set forth in this Section and to determine whether the proposed variance is in compliance with the city's Comprehensive Plan. City staff shall prepare and present at the public hearings a written report of its findings and any recommendations.

- (a) Public notice shall be provided as set forth in the Public Notice section. Only one public hearing before Planning Commission is required.
- (b) The Planning Commission shall decide upon the request when the matter is taken up, or if the commission is in need of more information, the commission may so indicate and take the matter up again as specified by the commission. The Planning Commission shall adopt its findings in writing.

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- (3) **Standards.** The Planning Commission may authorize a variance from the terms of this Code as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Code will result in unnecessary and undue hardship. In authorizing a variance, the council shall find:
- (a) That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district.
  - (b) That the special conditions and circumstances do not result from the actions of the applicant.
  - (c) That literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Code and would work unnecessary and undue hardship on the applicant.
  - (d) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
  - (e) That the grant of the variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
  - (f) In granting any variance, the city council may prescribe appropriate conditions and safeguards in conformity with this Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Code.
- (4) **Commencement of Construction.** When any variance is granted, construction of the structure must be initiated within 18 months from the date of grant or by such time as determined by the commission in the grant. It shall be the obligation of the owner to file written notice with the Growth Management Director that construction has commenced.
- (5) **Transfer of Variance.** A variance in the zoning regulations may be transferred along with the transfer of the property ownership, but only for the specific use and floor plan originally granted.
- s. **Nonconforming Uses & Structures.** A use, building or structure lawfully in existence on the adoption date of this ordinance, that shall be made nonconforming on such date or made nonconforming by an amendment to this Code may be continued so long as it remains the same use and cannot be changed to another nonconforming use. There may be a change of tenant, ownership or management of a nonconforming use, provided there is no change in the nature or character of such nonconforming use.
- (1) **Process.** Existing buildings or premises devoted to a nonconforming use may continue as a nonconforming use subject to the following regulations:
  - (2) **Expansion.** Any single-family nonconforming structure may be enlarged or expanded, including accessory structures, so long as the expansion is in compliance with the yard and building requirements within the zoning district where it is located.
  - (3) **Restoration.** Any nonconforming structure which has less than 50 percent of its previous existing floor area made unsafe or unusable may be restored, reconstructed and used as before. All repairs shall be made within six months after damages occur or such use shall not be rebuilt except as a conforming use.
  - (4) **Repairs.** Normal maintenance, repairs and incidental alterations of a structure containing a nonconforming use is permitted.

## **Section 8 Administration**

- (5) **Abandonment.** If a nonconforming use of structures and premises in combination is discontinued, vacant, abandoned or not used for a period of six consecutive months, it shall be considered an abandonment thereof and shall not thereafter be used except in conformance with the regulations of the zoning district in which it is located.
- (6) **Partial Destruction.** When 50 percent or more of the existing floor area of a nonconforming structure is destroyed by fire or made unsafe or unusable by other casualty or act of nature, the use of such structure as a nonconforming use shall thereafter be terminated unless the repairs can be made or the reconstruction completed within six months after damages occur. The city council may permit the reestablishment of the nonconforming use where it is determined that the repairs and/or rebuilding of the structure will take longer to complete. If this be the case, the owner of the nonconforming use property should file an application in accordance with the Public Notice requirements to request a reasonable extension of time to complete the repairs or reconstruction.
- (1) **Substantial Change.** Substantial changes to PUDs require City Council approval. The following requests shall be considered substantial changes: a change which would alter the land use type adjacent to a property boundary, increase the land use intensity and/or density, or require an amendment to the City Council's conditions of approval.
- (2) **Non-substantial Change.** Non-substantial changes shall be reviewed by staff and approved by the City Manager or designee.

**t. Planned Unit Development (PUD) Expiration.** Actual construction must begin within a planned unit development within three years of Construction Plan or as conditioned by the City Council. If actual construction has not begun, any vesting which may be claimed thereby shall be void. The applicant may request a 12-month extension prior to expiration. Construction Plan must receive approval within three years of the effective date of the PUD zoning ordinance. If Construction Plan are not submitted or, if submitted, but do not receive approval within three years of the effective date of the PUD zoning ordinance, any vesting which may be claimed thereby shall be void. If actual construction begins within the time required, but terminates prior to final completion, any vesting which may be claimed thereby shall be void except where the Cit has recognized vested rights as established by Florida Common Law or Florida Statutes. Lapse of said site development or building permit shall constitute a termination of construction.



SECTION 9

# Process

## Section 9 Process

a. **Subdivision and Plats.** It is hereby declared to be the policy of the city to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the city pursuant to the adopted Comprehensive Plan for the orderly, planned, efficient, and economical development of the municipality. Land shall not be subdivided until proper provision has been made for, but not limited to, paved streets, drainage, water, sewage, and capital improvements such as schools, parks, fire, police, administrative facilities and recreation facilities.

The existing and proposed public improvements shall conform to, and be properly related to the proposals showing in the Comprehensive Plan, official zoning map, and the capital budget of the city. It is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in the building code, zoning ordinance, Comprehensive Plan, and capital improvements budget of the city.

b. **Authority.** The city council does hereby exercise the power to review, approve, and disapprove plats for subdivision of land within the corporate limits of the city. The city council does hereby exercise the power and authority to approve or deny subdivisions of land already recorded in the office of the county clerk, if such plats are entirely or partially developed, except as such authority may have been delegated in this code.

- (1) The plat shall be considered to be entirely or partially developed if:
  - (a) Said plat has been recorded with the office of the county clerk, without prior approval by the city council; or
  - (b) Said plat has been approved by the city council, yet the council finds that the public interest will be best served by vacating all or part of said plat pursuant to the authority of F.S. § 177.101, when the conditions set forth in the statute exist.
  - (c) The provisions of this article shall be administered and enforced by the designated representative of the city. For purposes of administration of the provisions of this article, the director of the Growth Management Department, or designee, shall be the city's designated representative.

c. **Innovative Design.** The provisions of this article are not intended to prevent the use of alternate materials and methods of construction not specifically covered in these regulations, provided that the alternate has been approved by the city. The city must find that the alternate is at least equal to what is prescribed by this Code in terms of quality, strength, effectiveness, fire resistance, durability, and safety. The city may require sufficient evidence be submitted to substantiate any claim made regarding the alternate. If these criteria are not met, the city shall deny the request.

The provisions of this article are not intended to prevent the use of innovative designs not specifically covered in these regulations, provided that the design has been approved by the city. The city may approve any innovative design which is at least equal to what is prescribed by this subpart with regard to quality, efficiency, durability, and safety. The design shall also address wetlands, affordable housing, public improvements, and other applicable concerns of the city. The city may require sufficient evidence be submitted to substantiate any claim made regarding the alternate. If these criteria are not met, the city shall deny the request.

d. **Minor Lot Splits.** Minor lot splits, the division of a single, legally created lot of record into three separate lots, are permitted provided that the following conditions are met:

- (1) Only two new lots may be created from the original legally created lot of record. The original parcel shall be known as the parent parcel and those lots created out of it shall not be entitled to another minor lot split.
- (2) A minor lot split shall not be approved within a platted subdivision when it would change the character of the subdivision or increase the density beyond the general nature of the subdivision.
- (3) All other requirements of this Code and the Comprehensive Plan shall apply.
- (4) Flag lots are prohibited.
- (5) Lot splits require written notice for adjacent property owners.
- (6) New lots shall have frontage on an existing publicly maintained street.

e. **Lot Line Deviations**

Lot line deviations, the adjustment or reconfiguration of the boundary between abutting and legally created lots of record are permitted provided that the following conditions are met:

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- (1) Both lots shall be legally created lots according to the city's land development regulations, and have frontage on an existing publicly maintained street
- (2) A lot line deviation shall not be approved within a platted subdivision when such lot line adjustment changes the character of the subdivision or where the lot line adjustment increases the density.
- (3) All other requirements of the land development regulations and the Comprehensive Plan shall apply.
- (4) Flag lots are prohibited.
- (5) Lot line deviations require written notice for adjacent property owners.

### **f. Vacation of Plats**

An applicant may apply for the vacation of any plat or any part of any plat at any time before the sale of any lot therein, by a written application to the city, to which a copy of such plat shall be attached, requesting the same to be vacated.

### **g. Platting Required**

- (1) No person shall sell or transfer any land subject to this article by reference to a plat before a final plat has been approved and recorded. Nothing herein shall be construed as affecting the validity of transfers of title to interests in lands, whether by private act or operation of law.
- (2) This article is not intended to abrogate any legally enforceable easement, covenant, or any other private agreement of restriction; provided that, where the provisions of this article are more restrictive and impose higher standards than the easement, covenant, or other private agreement or restriction, the requirements of this article shall govern.

### **h. Phased Developments**

- (1) Any subdivision involving phasing or staged development shall be identified in written and graphic form in the application for Preliminary Subdivision review and shall designate, for information purposes only, all construction phases and the proposed development schedule. All construction phases in a development shall be constructed to be capable of operating independently or in conjunction with other constructed phases with respect to drainage, vehicular circulation, utilities, and other public improvements and services.
- (2) Modifications to approved phase boundaries may be administratively approved by the city following submission of a new written and graphic description of such modifications, provided that such phasing does not conflict with any previously approved construction drawings or with the requirements of this article.

### **i. Subdivision Plat Review Process**

It shall be unlawful for any person to submit a plat for the subdivision of land located in the city to the county clerk or the clerk's representative for the purpose of recording such plat in the office of the clerk until said plat has been approved by the city council under the provisions of this article and signed by the city mayor. In the event an unapproved plat is recorded, it shall be deemed invalid and shall be stricken from the public records upon adoption of an appropriate resolution by the city council. No changes, erasures, modifications, or revisions shall be made to any plat after approval by the city council.

There are four stages of review for subdivision plat approval as follows:

- (1) Pre-application Meeting
- (2) Preliminary Subdivision Review
- (3) Construction Plan Approval
- (4) Final Plat Approval

### **j. Pre-application Meeting**

- (1) The pre-application meeting with the Growth Management Department will give the applicant the opportunity to present the proposal before incurring the costs in time and expense associated with a formal application and will acquaint the applicant with subdivision procedures and requirements and any concerns of the city regarding the property in question.
- (2) All applicants for subdivision approval shall attend a pre-application meeting. The city will not accept an application for Preliminary Subdivision review until this requirement is met. The applicant may schedule a pre-application meeting by contacting the Growth Management Department. A pre-application meeting will be scheduled within seven business days of the applicant's request. The meeting will include representatives from the following city departments: Community Development, Public Works, and Public Safety.

### **k. Preliminary Subdivision Review**

- (1) The Preliminary Subdivision review allows city staff to evaluate the impacts of the proposed subdivision on the site and on the surrounding area and to determine whether the proposed subdivision is in compliance with the city's Community Development Code and Comprehensive Plan. A Preliminary Subdivision shall not be submitted to the city until the applicant has had a pre-application meeting.
- (2) Preliminary Subdivision approval means that the applicant may proceed to the Construction Plan review stage of the subdivision approval process. Construction or other work in or pertaining to the proposed subdivision shall not commence and lots shall not be sold.
- (3) The applicant shall be granted six months from the date of



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Preliminary Subdivision approval in which to submit Construction Plan for the Construction Plan review. After this time elapses, the Preliminary Subdivision approval will expire; the Preliminary Subdivision may be resubmitted but shall be subject to any changes in regulations. An extension of an additional six months in which to submit Construction Plan after the first term has elapsed may be granted at the discretion of the city.

- (4) Refer to **Section 2.2** for the Preliminary Subdivision submittal package requirements.
- (5) The Preliminary Subdivision shall specify its Future Land Use and be designed in conformity with the design standards established in this Code.
- (6) Plans will not be distributed for city staff review until all items are submitted.
- (7) City staff will determine sufficiency of the Preliminary Subdivision application package within five business days of submittal. The development coordinator will email notice of any missing items within five business days. The application has 30 days to address the deficiencies by submitting the required additional information.
- (8) Once the Preliminary Subdivision application package is determined sufficient, the development coordinator will distribute the package to city staff within two business days.
- (9) City staff has 30 business days to submit comments back to the development coordinator.
- (10) This process is repeated for subsequent submittals with the development coordinator having two business days to distribute and city staff having a maximum of ten business days to submit comments back to the development coordinator. Pursuant to §166.033(2), Florida Statutes, when an application for a development permit or development order is certified by a professional listed in s.403.0877, Florida Statutes, before a third request for additional information is issued the city will offer a meeting to attempt to resolve outstanding issues. The city will not request additional information from the applicant more than three times, unless the applicant waives this limitation in writing. If not waived, the city will proceed to process the application for approval or denial.
- (11) At each submittal, plans are to be submitted in an electronic (.pdf) version.
- (12) Once the applicant receives comments from the city and outside agencies on the plan sets, the developer has 90 days to submit a response. If the developer needs more time, the applicant should formally request an extension from the city. Failure of the applicant to respond in a timely fashion may result in the requirement to pay a new application fee.

- (13) The development coordinator will email comments to the applicant within two business days. (If all staff respond sooner, the email will be sent sooner.) Please note: Outside agencies (Citrus County, FDOT, etc.) may not abide by the city's schedule. The city will make every reasonable effort to follow up with outside agencies for comments; however, those may be received and provided to the applicant at a later time.
- (14) The Preliminary Subdivision submitted to the city shall be drawn by a professional surveyor or engineer registered in the state. The Preliminary Subdivision shall be drawn at an appropriate and uniform scale not smaller than one inch equals 100 feet.
- (15) When the city is satisfied that the Preliminary Subdivision conforms to these regulations and the Comprehensive Plan, the Preliminary Subdivision will be scheduled on the agendas for Planning & Zoning Board and City Council. The City Council will vote to approve or disapprove the Preliminary Subdivision Plan. If approved, the zoning districts detailed in the plat will be reflected on the city's official zoning map.

### I. Construction Plan Review

- (1) Following approval of the Preliminary Subdivision or for non-residential and multi-family sites, the applicant shall submit Construction Plan to the Growth Management Department for all proposed improvements in and adjoining the subdivision or site. Said Construction Plan shall be drawn, signed, and sealed by a professional engineer registered in the State of Florida. City staff will review the Construction Plan for compliance with all applicable construction and design standards and specifications and ensure that the Construction Plan conform to the approved Preliminary Subdivision or applicable code requirements.
- (2) Construction Plan shall be submitted within six months of Preliminary Subdivision approval.
- (3) Refer to **Section 2.3** for the Construction Plan submittal package requirements.
- (4) City staff will determine the sufficiency of the Construction Plan application package within five business days of submittal. The development coordinator will provide written notice of any missing items within five business days. The applicant has 30 days to address the deficiencies by submitting the required additional information.
- (5) Once the Construction Plan application package is determined sufficient, the development coordinator will distribute the package to city staff within two business days. distribute the package to city staff within two business days.
- (6) City staff has 20 business days to submit comments back to the development coordinator.

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- (13) The development coordinator will email comments to the applicant within two business days. (If all staff respond sooner, the email will be sent sooner.) Please note: Outside agencies (Citrus County, FDOT, etc.) may not abide by the city's schedule. The city will make every reasonable effort to follow up with outside agencies for comments; however, those may be received and provided to the applicant at a later time.
- (14) The Preliminary Subdivision submitted to the city shall be drawn by a professional surveyor or engineer registered in the state. The Preliminary Subdivision shall be drawn at an appropriate and uniform scale not smaller than one inch equals 100 feet.
- (15) When the city is satisfied that the Preliminary Subdivision conforms to these regulations and the Comprehensive Plan, the Preliminary Subdivision will be scheduled on the agendas for Planning & Zoning Board and City Council. The City Council will vote to approve or disapprove the Preliminary Subdivision Plan. If approved, the zoning districts detailed in the plat will be reflected on the city's official zoning map.

### m. Construction Plan Review

- (1) Following approval of the Preliminary Subdivision or for non-residential and multi-family sites, the applicant shall submit Construction Plan to the Growth Management Department for all proposed improvements in and adjoining the subdivision or site. Said Construction Plan shall be drawn, signed, and sealed by a professional engineer registered in the State of Florida. City staff will review the Construction Plan for compliance with all applicable construction and design standards and specifications and ensure that the Construction Plan conform to the approved Preliminary Subdivision or applicable code requirements.
- (2) Construction Plan shall be submitted within six months of Preliminary Subdivision approval.
- (3) Refer to **Section 2.3** for the Construction Plan submittal package requirements.
- (4) City staff will determine the sufficiency of the Construction Plan application package within five business days of submittal. The development coordinator will provide written notice of any missing items within five business days. The applicant has 30 days to address the deficiencies by submitting the required additional information.
- (5) Once the Construction Plan application package is determined sufficient, the development coordinator will distribute the package to city staff within two business days. distribute the package to city staff within two business days.
- (6) City staff has 20 business days to submit comments back to the development coordinator.
- (7) The development coordinator will email comments to the Applicant within two business days. (If all staff respond sooner, the email will be sent sooner.) Please note: outside agencies (Citrus County, FDOT, etc.) may not abide by the city's schedule. The city will make every reasonable effort to follow up with outside agencies for comments; however, those may be received and provided to the applicant at a later time.
- (8) At each submittal, plans are to be submitted in an electronic (.pdf) version.
- (9) Once the applicant receives comments from the city and outside agencies on the plan sets, the developer has 90 days to submit a response. If the developer needs more time, the applicant should formally request an extension from the city. Failure of the applicant to respond in a timely fashion may result in the requirement to pay a new application fee. Pursuant to §166.033(2), Florida Statutes, when an application for a development permit or development order is certified by a professional listed in s.403.0877, Florida Statutes, before a third request for additional information is issued the city will offer a meeting to attempt to resolve outstanding issues. The city will not request additional information from the applicant more than three times, unless the applicant waives this limitation in writing. If not waived, the city will proceed to process the application for approval or denial.
- (10) The applicant will be notified when all city staff and outside agency comments have been sufficiently addressed. Construction Plan do not require city council approval. Once the plans are approved by staff, they will be stamped as approved for construction.
- (11) Construction may begin following the approval of the Construction Plan. No developer shall proceed with any construction in the proposed subdivision prior to obtaining Construction Plan approval.
- (12) Construction Plan shall be designed in accordance with the requirements of these regulations for the construction of roads, sidewalks, bikeways, drainage and stormwater management facilities, utilities, lot filling, and other improvements as required by this article, including a master drainage map, a landscape plan, recreation facility details, and subsoil investigation report. The city shall review the Construction Plan for conformity with the Preliminary Subdivision and the requirements of these regulations and any other applicable policy, ordinance, law, or regulation.
- (13) All subdivisions within the city shall be required to connect to the city's municipal sanitary sewer and potable water systems. The city shall be listed as the provider of sanitary sewer, potable water, and, if applicable, reclaimed water on the Construction Plan.

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### n. Final Plat Review

Following Construction Plan approval, the developer may submit a final plat for approval when any one of the following conditions exist:

- (1) All public improvements have been installed and accepted by the city and (if applicable) all private improvements have been installed and approved by the city.
- (2) In the absence of the completion of all improvements referenced in this article, provision of security for such installation as required by this article has been made.
- (3) Applicants shall apply for the final plat review by furnishing the Growth Management Department with the number of copies of the final plat as the city requires, the fee for final plat review as approved by the city, and other articles deemed necessary by the city. The final plat shall be designed to conform to the approved Preliminary Subdivision. Refer to [Section 2.4 Final Plat Checklist](#) for final plat submittal packages and the design standards established in this Code and as required in F.S. ch. 177, as amended.
- (4) No amendments shall be made to the declaration of covenants, conditions and restrictions relating to: utility easements, stormwater management, the minimum percentage of annual assessments set aside for landscaping, or effective period of the Declaration or termination of the Declaration shall be made without prior approval of the City of Crystal River.
- (5) City staff will determine sufficiency of the final plat application package within five business days of submittal.
- (6) Once the final plat application package is determined sufficient, the development coordinator will distribute the package to the city's consulting surveyor, city attorney, and city engineering firm for review.
- (7) The city's staff, consultants, and city attorney will have 20 business days to submit comments back to the development coordinator.
- (8) The development coordinator will email comments to the applicant within three business days of receipt from the surveyor, city attorney, and city engineer.
- (9) The process will be repeated for subsequent submittals until the city's consulting surveyor, city attorney, and city engineer's comments have all been satisfactorily addressed. The final plat will then be scheduled for the next city council meeting. Pursuant to §166.033(2), Florida Statutes, when an application for a development permit or development order is certified by a professional listed in s.403.0877, Florida Statutes, before a third request for additional information is issued the city will offer a meeting to attempt to resolve outstanding issues. The city will not request additional information from the applicant more than three times, unless the applicant waives this limitation in writing.

If not waived, the city will proceed to process the application for approval or denial.

- (7) Upon approval by the City Council, said final plat shall be signed by the Mayor of the city and entitled to be recorded by the clerk of county court under the applicable provisions of F.S. ch. 177. City Staff will schedule the final plat on the agenda of the City Council. The Council shall approve or disapprove said final plat based upon compliance with the certification and security requirements and with all other requirements and provisions of this article and other applicable policies, ordinances, laws, and regulations. Under no circumstances will the final plat be scheduled on a city council agenda unless all required documents have been received, including two Mylar copies signed by the owner. Once the final plat is approved by the City Council, the applicant will need to deliver to the Growth Management Department two Mylar copies and the appropriate fee to cover the recording of all documents associated with the final plat. City staff will be responsible for taking the documents to be recorded.

### o. Public Improvements

- (1) The installation of all improvements shall be subject at all times to inspection by the city. The developer shall employ an engineer registered in the State of Florida to observe the work during construction to ensure compliance with approved plans. Upon completion, the engineer of record shall certify that the improvements have been installed and completed in accordance with approved Construction Plan. The developer shall submit to the city all required test reports, the required number of copies of high-quality, reproducible as-built drawings, and digital as-built drawings in the format requested by the city prepared to the specifications of the city and certified by the engineer of record showing the actual installation of all improvements.
- (2) Upon satisfactory final inspection of any public improvements, such improvements may be approved by the city's Public Works Department. Approval of such improvements does not imply acceptance for maintenance by the city or any waivers of the city's sovereign immunity from liability.
- (3) Upon satisfactory final inspection of any public improvements, acceptance of as-built drawings and required test reports, the city shall accept responsibility for the maintenance of such improvements, provided that such improvements are on land which the city owns or for which it has accepted an offer of dedication or easements. Such acceptance shall be evidenced by a written or stamped acceptance of improvements executed by the Public Works Department. Unless and until the city acquires such interests, maintenance of such improvements shall remain the sole responsibility of the developer.



## Section 9 Process

### p. Assurance for Completion and Maintenance of Improvements

- (1) **Performance security.** In order to receive final plat approval before the installation of all improvements, the developer shall provide and maintain sufficient full performance security guaranteeing the installation and acceptance of all public on-site and off-site improvements, and the installation and approval of all private on-site or off-site improvements. Where security is required, the applicant shall deliver an estimate certified by a professional engineer for the complete construction of all improvements in compliance with the approved Construction Plan and specifications, design of the final plat and the requirements of these regulations.
  - (2) In order to receive final plat approval after installation and approval of specific public or private improvements, but prior to installation and approvals of all public or private improvements, the developer shall provide sufficient partial performance security guaranteeing the installation of any remaining improvements not yet installed. Approval for posting a partial performance security must be given by the appropriate infrastructure department as it relates to the improvement. If all public improvements have been approved and accepted by the city, and private improvements have been approved and inspected by the city, the developer shall not be required to provide performance security upon final plat approval. The performance security shall be released by the city when all public improvements are installed, inspected and accepted, and when all private improvements are installed, inspected and approved pursuant to this article.
  - (3) The applicant shall deliver performance security in the amount of 110 percent of the estimated construction costs of the improvements that such improvements will be built according to the final plat, and the requirements of these regulations. The applicant will file security in the amount of 20 percent paving and drainage, and 20 percent for all other improvements, of the engineer's estimated cost of the initial security for maintenance of the improvements upon completion.
  - (4) Where approved performance security has been provided and the improvements have not been installed according to the approved construction drawings, this Code or the terms of the performance security instrument, the city may, upon ten days' written notice to the parties to the instrument, declare the performance security to be in default and exercise the city's rights thereunder. Upon default, no further permits or approval shall be granted for the project until adequate progress toward completion of the remaining improvements is shown as determined by the city.
- The following terms and conditions shall apply to the different forms of security as indicated in this section:
- (a) **Performance bond.** The applicant shall deliver to the city a good and sufficient performance bond guaranteeing the construction of the subdivision improvements and that such improvements shall be free from defects in materials and workmanship. All bonds required by this section shall be issued from a company licensed as a surety in the state. In addition, the bond shall contain an agreement that the principal and surety therein agree to pay the city all court costs and reasonable attorney's fees incurred by the city if the city commences legal action to enforce the terms of the bond. The form of the bond submitted under this section shall be approved by the city and shall be filed with the Growth Management Director.
  - (b) **Letter of credit.** The applicant shall deliver to the city a good and sufficient letter of credit issued by a banking institution located in the county that such improvements shall be free from defects in material and workmanship. A letter of credit shall be accepted as security where the total cost of the subdivision improvements does not exceed \$500,000.00. The developer shall execute a written agreement with the city authorizing the city to draw upon the letter of credit if the developer fails to fully and timely complete the performance, payment, or maintenance obligations undertaken by the developer. Only one letter of credit shall be accepted as security for a developer's construction obligation, or maintenance obligation, with respect to a subdivision or development, and multiple, combined, partial or successive letters of credit to secure the construction of a single subdivision, or the maintenance thereof, will not be accepted. Any letter of credit furnished the council shall contain an agreement that the surety or financial institution shall pay the council costs, including reasonable attorney's fees, if the council finds it necessary to commence legal action on the security. The form of the letter of credit submitted under this section shall be approved by the city and shall be filed with the Growth Management Director.
  - (6) **Maintenance security.** Where a request is made for acceptance for maintenance by the city of public improvements, security for maintenance in the amount of 20 percent of the construction cost of paving and drainage, and 20 percent of the construction cost of all other public improvements, shall be posted with the city. The security shall be in the form provided for in this section and provide that the city shall be indemnified if the applicant does not replace of

## Section 9 Process

fully repair any public improvements in the subdivision which are defective in materials or workmanship, or which were not constructed in compliance with approved plans and specifications, the design of said final plat or the requirements of these regulations. The terms of the security shall provide that the security shall expire two years from the date the improvement was accepted for maintenance by the city, unless the city serves by mail to the applicant written notice that the improvements are defective in materials or workmanship or were not constructed in compliance with the approved plans and specifications, the design of said final plat, or the requirements of these regulations within the two years.

- (7) **Inspections.** As the improvements are being constructed within the subdivision, the city staff or consulting engineer or their representatives shall have the right and privilege to inspect and visit the tract for the purpose of ensuring that all improvements are being constructed in conformity with the provisions of these regulations and said approved Construction Plan and regulations. The city's public works director or his authorized representative shall be specifically notified of the commencement and completion of the following items of construction so that an immediate inspection can be performed to assure construction in conformity with said approved Construction Plan and specifications and the requirements of these regulations:
- Drainage facilities, lift stations and sanitary sewer lines, and all other appurtenances, prior to backfilling.
  - Stabilized subgrade.
  - Curb, base, and concrete work.
  - Roadway base.
  - Surface course.
  - Permanent reference monuments and permanent control points.
- (8) The failure to notify the city's staff or their designated representatives of the commencement and completion of the construction of such items may be good cause for the city's staff to refuse to issue a certificate of completion.
- (9) **Issuance of certificate of completion.** Upon completion of construction of the improvements, the applicant or his authorized representative shall provide to the city's public works director the following items:
- A letter stipulating that construction of the improvements has been completed and requesting final inspection and approval.
  - The testing reports and certificates of compliance from material suppliers.
  - Three sets of as-built Construction Plan and a digital copy in a format required by the city.

The as-built set of plans must bear the official seal of a currently registered professional engineer licensed by the state.

- If a municipality is accepting a public water system, there must be a document indicating municipal acceptance of the construction of the water system.
  - A document of certificate of completion (DEP form 17-1,205(81) or as amended) must be presented to the city upon completion and final acceptance of construction of a sewer collection system.
- (10) Upon receipt of the items listed in this section, the city's public works director or his authorized representative shall review said data and make a final inspection of the constructed improvements and shall notify the applicant of any items of noncompliance with said construction with the design contained in the final plat, the approved Construction Plan and specifications, and the provisions and requirements of these regulations. A certificate of completion shall be issued by the city when the construction of said improvements is completed in conformity with the design contained in the approved Construction Plan and specifications, and the provisions and requirements of these regulations.
- (11) **Time for construction of sidewalks.** No person shall occupy, inhabit, or dwell in any structure on any lot or parcel of land in a subdivision until after the developer of the subdivision, or the owner of such lot or parcel of land in a subdivision, shall have first constructed and installed in the right-of-way of any public street or streets abutting such lot or parcel of land, and on the side of such street or streets nearest such lot or parcel of land, a sidewalk extending the entire distance that such lot or parcel of land abuts the public street or streets. The sidewalk shall be constructed in accordance with specifications and requirements of the regulations applicable to the construction of sidewalks within subdivisions, and shall conform in all respects to the applicable portion of the plans and specifications for construction of public improvements in the subdivision submitted by the developer prior to approval of the plat by the city council. No certificate of occupancy shall be granted or issued for the occupancy of any structure on any lot, piece, or parcel of land in a subdivision until after the sidewalk required by this section has been installed as herein required and finally inspected and approved by the city's public works director.
- (12) **Extended time for construction of sidewalks.** The developer shall be responsible for constructing sidewalks and such sidewalks shall be installed prior to the final inspection of the subdivision improvements for the issuance of a certificate of completion; provided, however, that a developer desiring to

## Section 9 Process

defer construction of the sidewalks until dwellings have been constructed on the subdivision lots may extend the time for construction of the sidewalks for a period of time not to exceed two years from the date of recording of the subdivision plat.

### q. Private Improvements

Upon satisfactory final inspection of any private improvements, receipt of as-built drawings and required test reports, the city shall approve all such improvements. Such approval shall be evidenced by a written or stamped approval of improvements executed by the Public Works Department. Maintenance of such private improvements remains the sole responsibility of the developer. Approval of such improvements does not imply acceptance for maintenance by the city or any waivers of the city's sovereign immunity from liability.

### r. Sales Centers and Model Homes

- (1) Following Construction Plan approval, building permits for model homes and sales centers may be issued. All model homes and sales centers shall be constructed and located in such manner as to comply with all requirements of this subpart and all other applicable laws, including adequate sewer and water service.
- (2) All homes shall be provided with adequate access to an approved and constructed street by completion of their construction and so situated to minimize pedestrian or vehicular traffic through areas of ongoing construction activity. This shall occur prior to the issuance of a certificate of occupancy.
- (3) The number of model homes shall be limited to no more than ten percent of the total number of homes to be built in the subdivision.

### t. Improvements

Each subdivision shall contain improvements designed and constructed according to the requirements and specifications of this Code, the City Manual of Standards and the applicable policies, regulations, and ordinances of the city and the laws of the state. The following services and facilities are required improvements within subdivisions:

- (1) Streets paved, designed, and constructed for public use according to the standards of this Code.
- (2) Sidewalks designed and constructed for public use according to the standards of this Code.
- (3) Drainage and water management facilities designed and constructed according to the standards and requirements of the Code. The term "drainage," where appropriate, shall include, but not be limited to, swales, ditches, storm sewers, seepage basins, culverts, side drains, retention or detention basins, crossdrains, and canals.

- (4) Wastewater and potable water services designed, and constructed for public use according to the standards of this Code.
- (5) A water system based upon the required standards of the Florida Department of Environmental Protection, the land development regulations and other applicable regulations.
- (6) Approved street signs, markers and traffic signals to control and circulate traffic within the subdivision's street network in accordance with the Florida Uniform Manual of Traffic Control Devices (MUTCD), published by the Florida Department of Transportation (FDOT), and the City Manual of Standards.
- (7) Such other improvements as deemed necessary to comply with the requirements of the land development regulations and to protect public health, safety, and welfare because of topography or other problems of the tract.
- (8) **Recreation facilities and public Open Space.** Where a development proposes multiple phases of construction, recreational facilities and required Open Space improvements shall be complete as a proportionate share of the entire development. By way of example, but not limitation, if phase one develops 25% of the total proposed residential units or non-residential square footage, 25% of the total recreational facilities and required Open Space improvements shall be completed. Refer to **Section 3** for required Open Space standards.



## Section 9 Process

**Table 9.1: Preliminary Subdivision Checklist**

Applicants shall apply for the Preliminary Subdivision review by furnishing the city with the following documents and information:

### ✓ Required Documents

- ❑ **Completed Preliminary Subdivision application**
- ❑ **Copy of recorded deed**
- ❑ **Owner/agent affidavits (original signatures, all owners)**
- ❑ **Property record card**
- ❑ **Boundary survey**
- ❑ **Three 24-inch by 36-inch certified Preliminary Subdivisions**
- ❑ **Traffic Study**
- ❑ **CD, flash drive or other storage device with Preliminary Subdivision in PDF format.**
- ❑ **Title Opinion** of an attorney licensed in the State of Florida or a certification by an abstractor or a title company dated no earlier than 30 days prior to the submittal showing all persons or entities with an interest of record in the property, including but not limited to the record fee owners, easement holders, mortgage and lien holders, leasehold interest holders, judgment interest holders, and parties with any interest in the land by reason of probate or other legal proceedings. The report shall include the tax identification number for the property and copies of documents such as deed, easements, etc., referenced in the title opinion.
- ❑ **Preliminary Subdivision application fee**

### ✓ Required Information

- ❑ **100-year flood elevation:** 100-year flood elevations shall be included.
- ❑ **Location of fire hydrants.** Proposed location(s) demonstrating a maximum of 500 foot spacing (or current NFPA spacing requirement).
- ❑ **Any other information reasonably required by the city.**
- ❑ **Title block:** The title or name of the proposed subdivision and the name and address of the owner of the tract proposed for development and the name and address of the engineer and surveyor engaged to prepare and design the Preliminary Subdivision.
- ❑ **Legend:** Date, scale of plat, north arrow, current zoning, total number of lots, and minimum lot size.
- ❑ **Legal description:** A full and detailed legal description of the tract to be platted and its approximate acreage.

### ✓ Required Information

- ❑ **Vicinity map:** A vicinity map, at scale, showing the proposed development in relation to the abutting land uses and streets.
- ❑ **Thoroughfare Sheet:** All thoroughfare types labeled including location, name, and right-of-way and pavement width, sidewalks, on-street parking, both on and immediately contiguous to the subdivision tract will be shown. A summary table with percentages of each type shall be included.
- ❑ **Proposed Zoning.** A colorized map depicting the zoning proposed for each lot within the subdivision.
- ❑ **Lot Types Sheet:** The proposed lot and housing types with appropriate lot lines, dimensions and lot numbers shall be shown. Lots shall be numbered in consecutive order. A summary table with percentages of each type shall be included.
- ❑ **Open Space Sheet:** All open space types labeled, existing parklands, easements, lakes, and waterways within the tract to be subdivided shall be shown on the plat. The purpose for such easements shall be indicated. A summary table with percentages of each type shall be included.
- ❑ **Parks and recreation dedication:** Land to be dedicated for parks and recreation shall be shown and its approximate acreage indicated.
- ❑ **Dedications and reservations:** All parcels of land proposed to be dedicated or reserved for public use, such as roads, easements, parks, sidewalks, bike or pedestrian trails, shall be indicated on the plat. Proposed rights-of-way and street names shall be indicated.
- ❑ **Topography:** Contour intervals of one foot, except where determined to be unreasonable by the Growth Management Director.
- ❑ **Proposed building setback lines:** Proposed building setback lines shall be shown on the plat.
- ❑ **Finished floor elevations:** Finished floor elevations shall be shown on plans and follow uniform flow patterns with adjacent streets. Finished floor elevations shall be coordinated with the lot grading to ensure positive drainage. No flooding or standing water will accumulate on any given lot.
- ❑ **Benchmarks:** Plans shall show benchmarks used to determine construction elevations in subdivision. Plans shall include description and elevation of benchmarks or temporary benchmarks to be used on-site.
- ❑ **Stormwater layout:** The plat shall include the location of retention ponds and other stormwater facilities. Stormwater calculations are not required at this time; however, the applicant should show an arrow indicating the direction of flow of surface drainage.
- ❑ **Phase lines (boundaries):** The plat shall include the boundary lines of each phase of the proposed development.
- ❑ **Transportation analysis:** A traffic analysis shall be required with methodology approved by the City.
- ❑ **Preliminary (non-binding) concurrency review application:** A non-binding concurrency review is performed at this stage of the development review process to determine whether there are any level-of-service issues.
- ❑ **Tree removal application and tree survey:** A tree removal application and tree survey. This may also be submitted with the Construction Plan at the applicant's discretion. Please note: There is a separate application and fee for tree removal.

## **Section 9 Process**

**Table 9.2: Construction Plan Checklist (1 of 2)**

Applicants shall apply for the Construction Plan review by furnishing the city with the following documents and information:

<b>✓ Required Documents</b>	<b>✓ Required Information</b>
<ul style="list-style-type: none"><li><input type="checkbox"/> Completed application</li><li><input type="checkbox"/> Concurrency application</li><li><input type="checkbox"/> Capacity letter for the provision of potable water and wastewater</li><li><input type="checkbox"/> Copy of recorded deed</li><li><input type="checkbox"/> Owner/agent affidavit (original signatures, all owners)</li><li><input type="checkbox"/> Property record card</li><li><input type="checkbox"/> Two sets of 24-inch by 36-inch certified Construction Plan</li><li><input type="checkbox"/> Boundary and topographical survey</li><li><input type="checkbox"/> Title Opinion</li><li><input type="checkbox"/> Copy of architectural plans</li><li><input type="checkbox"/> Two sets of landscaping and irrigation plans, 24 inches by 36 inches, by a landscape architect</li><li><input type="checkbox"/> Two sets of stormwater management calculations</li><li><input type="checkbox"/> Two sets of lift station calculations</li><li><input type="checkbox"/> Copy of the completed Southwest Water Management District application for permit</li><li><input type="checkbox"/> Two copies of the geotechnical report</li><li><input type="checkbox"/> One copy of the photometric survey</li><li><input type="checkbox"/> A CD , flash drive or other storage device of the Construction Plan, architectural plan, and landscaping and irrigation plan in PDF format</li><li><input type="checkbox"/> Construction application review fee and concurrency application review fee</li><li><input type="checkbox"/> All documents included in the Preliminary Subdivision submittal, if applicable.</li><li><input type="checkbox"/> Engineer's letter of certification including total infrastructure construction costs.</li></ul>	<p style="text-align: center;"><b>Reference the following page for the required information.</b></p>

## Section 9 Process

**Table 9.2: Construction Plan Checklist (2 of 2)**

Applicants shall apply for the Construction Plan review by furnishing the city with the following documents and information:

### ✓ Required Information

- ❑ All Construction Plan and support documents both on site and off site shall bear the date, seal and signature of the project engineer
- ❑ **Size.** The standard size sheet for Construction Plan submitted for review shall be 24 inches by 36 inches
- ❑ If applicable, the Construction Plan shall be in conformance with the Preliminary Subdivision
- ❑ **Location.** The plans shall include a location map that shows the location of the project in the broad context of the city
- ❑ **Scale.** Construction Plan shall be drawn to scale using such a scale that all required features are readily discernible. The permit-issuing authority shall make the final determination whether the plans are drawn to the appropriate scale
- ❑ Construction Plan shall include the name of the applicant, name of the development, north arrow, and legend
- ❑ Legal description and acreage or square footage
- ❑ Date of plan
- ❑ Property boundaries
- ❑ Zoning of the property and surrounding properties
- ❑ Property lines with dimensions
- ❑ Street right-of-way lines
- ❑ Utility or other easement lines
- ❑ **Topographic information.** Existing contours at one-foot intervals based on field surveys or photogrammetric survey extending a minimum 100 feet beyond the tract boundary. The topographic survey shall be certified by a land surveyor, registered in the state
- ❑ **Soils information.** Identification of on-site soils shall be drawn on the face of the plan using the Soil Survey of Citrus County Area, Florida. An applicant may challenge this determination by demonstrating (through the testing of a geotechnical engineer) that the identified soils are not classified correctly. If the above determination is concurred with by the city engineer, then these alternative soil determinations will be used in preparing the plans
- ❑ **Environmental Study & Wetlands survey.** Stake and survey of environmentally sensitive areas shall be shown on the Construction Plan. An environmental impact assessment is required for significant or ecologically fragile areas
- ❑ **100-year flood elevation information.** Where the 100-year flood elevation is shown on the county flood insurance rate (FIRM) maps, as amended, the applicant shall show the location of the 100-year flood elevation. Data shall be shown for all areas within the 100-year flood zone, as indicated on the FIRM maps. In the above circumstance, the developer will be responsible for the necessary drainage basin studies to

establish the 100-year flood elevation. This work will be prepared to the satisfaction of the city engineer. If the proposed development will create a change to the existing 100-year flood elevation, this change will be reflected in an amendment to the FIRM maps. The applicant shall submit a letter of map amendment to FEMA, and will need to provide evidence to the city that FEMA has agreed to the amendment prior to receiving Construction Plan approval

- ❑ **Tree survey.** The tree survey submitted at the Preliminary Subdivision shall be overlaid on the Construction Plan to show trees in relation to proposed improvements. All trees proposed for removal shall be indicated on the plan

#### Existing Improvements:

- ❑ Existing vehicle accommodation areas designating surface material and showing the layout of existing parking spaces and direction of travel lanes, aisles, or driveways
- ❑ Existing streets, private roads, sidewalks, and other walkways on the site and in the surrounding area
- ❑ Existing curbs and gutters, curb inlets and curb cuts, and drainage grates
- ❑ Existing other stormwater or drainage facilities, including manholes, pipes, and drainage ditches.
- ❑ Existing underground utility lines including water, sewer, electric power, telephone, gas, and cable television, indicating size where applicable
- ❑ Existing above-ground utility lines, streetlights and other facilities
- ❑ Existing fire hydrants
- ❑ Existing buildings, structures, and signs, with dimensions
- ❑ Existing exterior light fixture locations.
- ❑ Existing dumpster locations
- ❑ Existing land use of the property and surrounding area

#### Proposed Improvements:

- ❑ Existing land use of the property and surrounding area
- ❑ Size of every lot created
- ❑ Lot dimensions, including widths. Front, side and rear yards shall be designated
- ❑ Location and dimensions of all buildings and signs on the property, as well as the setbacks
- ❑ Principal building elevations showing building heights and proposed sign areas
- ❑ Location and dimensions of all recreational areas, with each area designated as to type of use (Detailed description of recreation facility may be required)

- ❑ Areas intended to remain as usable Open Space. The plans shall clearly indicate whether such Open Space areas are intended to be offered for dedication to public use or to remain privately owned
- ❑ Streets labeled by classification and street name, showing where curb and gutters are to be provided and indicating street paving widths.
- ❑ Curbs and gutters, curb inlets and curb cuts, and drainage grates
- ❑ Other stormwater or drainage facilities, including manholes, pipes, drainage, ditches, swales, retention ponds, etc.
- ❑ Drainage calculations
- ❑ Sidewalks and walkways, showing widths and surface material
- ❑ Bridges
- ❑ Water system; demand size, material, and location of mains, valves, and hydrants, with submittal of profile where required
- ❑ Sewer system; demand size, material, and location of lines, with submittal of profile where required
- ❑ Underground and above-ground utility lines, street lights and facilities
- ❑ Dumpsters
- ❑ New contour lines resulting from earth movement (shown as solid lines) with no larger than one-foot intervals, or detailed profiles and cross sections
- ❑ Location, dimensions, and materials of all signs, fences, etc.
- ❑ Vehicle accommodation areas (including parking areas, loading areas and circulation areas, all designated by surface material and showing dimensions and layout of proposed parking spaces and the dimensions and direction of travel lanes, aisles, and driveways. Also include total square feet of off-street parking area, parking landscape area requirement, the number of spaces, including required spaces for persons with disabilities, and calculations for determining parking demand
- ❑ Street signs, traffic signs and markings, e.g., stop signs, stop bars, speed limit signs, etc. (according to the city's Manual of Standards and the Florida Uniform Manual of Traffic Control Devices)
- ❑ Landscape and irrigation plan.
- ❑ Phasing plan. If the development is to be phased, the Construction Plan need to indicate phasing lines and provide documentation to ensure the first phase can stand on its own as well as subsequent phases and their reliance only on the preceding phases
- ❑ The city's Manual of Standards sheets, as applicable
- ❑ Photometric survey



## Section 9 Process

**Table 9.3: Final Plat Checklist**

The following documents are required for submittal of the final plat package for review:

### ✓ Required Documents

- Completed application.
- Owner/agent affidavit (original signatures, all owners).
- Property record card.
- Three paper copies of the final plat with joinder and consents. Three paper copies of as-builts (record drawings) prepared and certified by a professional land surveyor.
- Two Mylars of the final plat.
- Boundary survey (signed and sealed).
- Certificate of ownership.
- Engineer's letter of certification including total infrastructure construction costs.
- Performance bond or other approved surety if infrastructure improvements are not complete.
- Title opinion of an attorney licensed in the state or a certification by an abstractor or a title company dated no earlier than 30 days prior to the submittal showing all persons or entities with an interest of record in the property, including but not limited to the record fee owners, easement holders, mortgage and lien holders, leasehold interest holders, judgment interest holders, and parties with any interest in the land by reason of probate or other legal proceedings. The report shall include the tax identification number for the property and copies of documents such as deed, easements, etc., referenced in the title opinion.
- Certificate of completion (if infrastructure is completed prior to recording). The maintenance bond is required for a certificate of completion.
- Certification of the plat by a professional land surveyor.
- Certification of engineer that the plat agrees with the Construction Plan.
- Dedication of improvements to the city; bill of sale, warranty or special warranty deed.
- Dedication of maintenance responsibility to homeowners'/property owners' association.
- Proposed homeowners'/property owners' association documents.
- A CD , flash drive or other storage device of final version of PDF, DWG files (once approved by the city).
- A CD , flash drive or other storage device of approved as-builts prepared and certified by a professional land surveyor.
- Final platting and recording fees.

### ✓ Required Information

- The final plat shall be 24 inches by 36 inches in size and have an appropriate and uniform scale of not smaller than one inch to 100 feet. A three-quarter-inch margin shall be provided on all sides, except a two-inch margin shall be provided on the left side next to the binding. The sheet number and total sheet numbers shall be clearly indicated on each page. Each sheet shall contain a title block with the name of the site, written and graphic scale, north arrow and date.
- The plat should be tied into the state plane coordinate system.
- The cover sheet shall include a general vicinity map drawn to scale and including significant orientating features, a complete legal description including the section, township, and range, the name, address, and telephone number of the owner or the name and address of the president and secretary if the owner is a corporation, the area of the property in both square footage and acreage, a recent aerial photograph identifying the project area and having a scale no smaller than one inch to 400 feet.
- The final plat shall contain sufficient data to determine readily and locate accurately on the ground the location, bearing, and length of every right-of-way line, lot line, easement boundary line, and block line, including the radii, arcs, and central angles of all curves.
- Certificate of ownership.
- Certification of the plat by a professional land surveyor registered in the state.
- Each permanent reference monument (PRM) shall be shown on the plat by appropriate designation.
- All permanent control points (PCPs) shall be shown on the plat by an appropriate designation. It is the land surveyor's responsibility to furnish the clerk or recording officer of the county his certificate that the permanent control points have been set and the dates they were set, in accordance with a surveyor's certification form established by the county.

Section 10

# Supplemental Regulations

## **a. Limitations on Fill**

- (1) **Limitations on placement of fill.** Subject to the limitations of this section, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour.
- (2) **Use of nonstructural fill in Zone A/AE.** In SFHA Zone A, fill on the outside of the footprint of the foundation of single-family through quadruplex residential structures on lots which are not part of a development with a master grading plan approved by the City is prohibited, except minor fill may be used:
  - a. In front yards when necessary for the construction of a driveway to a garage;
  - b. At the front entrances for access to the principal structures;
  - c. For landscaping and drainage under and around structures; and
  - d. For parking slabs, patios, walkways and similar minor site features.
- (3) **Nonstructural fill requirements.** Where nonstructural fill is permitted, the following shall apply:
  - a. Fill shall not be greater than 6-inches on lots greater than 60-feet in width, or not more than 12-inches of site compatible nonstructural fill, where site compatible fill is similar to natural soils;
  - b. Fill shall be graded to provide adequate drainage and to transition to natural grade before property line;
  - c. Not prevent the free passage of floodwater and waves; and
  - d. Not divert floodwater or deflect waves such that damage is sustained by adjacent or nearby property.
- (4) **Use of nonstructural fill in Zone V.** In SFHA Zone V, fill shall be limited to minor quantities of nonstructural, noncompacted fill around the perimeter of a building for landscaping/aesthetic purposes and for drainage, provided the fill will wash out from storm surge (thereby rendering the building free of obstructions) prior to generating excessive loading forces, ramping effects or wave deflection. Minor quantities of fill are limited to depths of not more than 6-inches of site compatible nonstructural fill on lots greater than 60-feet in width, or not more than 12-inches of site compatible nonstructural fill, where site compatible fill is similar to natural soils.
- (5) When more than minor quantities of nonstructural fill are proposed, the POD shall approve design plans for landscaping/aesthetic fill only after the applicant has provided an analysis by an engineer, architect and/or soil scientist, along with the any supporting data required by the POD, which demonstrates that the following factors have been fully considered:
  - a. Particle composition of fill material does not have a tendency for excessive material compaction;
  - b. Volume and distribution of fill will not cause wave deflection to adjacent properties;
  - c. Slope of fill will not cause wave run up or ramping; and
  - d. The use of fill shall not create any additional stormwater runoff onto abutting property and the fill gradually transitions to natural grade before the property line.
  - e. Limitations on placement of structural fill in Zone A/AE. Structural fill in Zone A/AE shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour.
- (6) If intended to support buildings and structures, structural fill shall comply with the requirements of the Florida Building Code, state and federal laws and this ordinance
- (7) If intended for pool decks and patio decks, structural fill and surrounding perimeter walls shall be within the buildable lot area and perimeter walls must tie into the foundation of the primary structure.

## **b. Docks & Boat Structures**

- (1) **Docks and boat structures.** This section shall provide standards for docks, boat davits, boat lifts, boat covers, and boathouses.
- (2) **Boat Structures as a Principal Structure.** Docks may be permissible as a principal structure on lots apparently platted for such purpose, subject to the following standards:
  - a. The lot is owned by the owner of a development lot in the surrounding subdivision;
  - b. The lot has less than two hundred fifty (250) square feet of land;



## **b. Docks & Boat Structures (cont.)**

- c. The dock shall not extend beyond the property line for the lot; and
- d. The dock shall not be required to comply with the setback standards in this code, but shall not extend beyond the side property lines as extended into the water perpendicular to the shoreline.

### **(3) Boat Structure Approval Requirements.**

Where permitted, the following standards apply to boat structures:

- a. Property owners wishing to build, remodel, or repair these structures shall first obtain a city building permit and undergo the appropriate city building inspection.
- b. The maximum height of a boat davit, boat lift, boat cover or boathouse shall be seventeen (17) feet over the mean high water line to the highest point of the structure, with the elevation certified by the builder. No other structure constructed over the waters of the city shall exceed a height of six (6) feet over the mean high water line.
- c. Covered docks, boathouses, boat covers and other structures constructed over the water shall not be enclosed on any side.
- d. Neither a boat cover nor the roof of a boathouse shall be used as a deck, patio, dive platform, elevated viewing area or any type of use that would permit the occupation of the roof area. Boat covers and boathouses shall not include railings around the roof area or ladders or other devices for access to the roof area.
- e. Nothing in this section shall prohibit the erection or maintenance of any unenclosed boathouse or boat cover on a water shore line provided, however, that any such boathouse or boat cover shall be required to meet the minimum side yard setback if any, specified in this LDC. Such side yard setback shall be measured from the extension of the side lot line into the water,

perpendicular to the shoreline, at the point where it intersects with the mean high water line.

- f. No dock or other structure constructed over water shall include flotation devices that contain non-encapsulated styrofoam-type materials. Any dock or other structure constructed over water with flotation devices that contain non-encapsulated styrofoam-type materials shall be considered a non-conforming structure upon the adoption of this regulation. Flotation devices containing non-encapsulated styrofoam-type materials, which are used in such structures, must be replaced with other flotation devices by January 1, 2006. If a structure with non-encapsulated styrofoam-type material deteriorates to the extent that a substantial number of particles are being released into the waterway, such structure shall be made to conform within ninety (90) days after notice by the city.
- g. In accordance with the Crystal River Comprehensive Plan, residential boat docks and docking and mooring facilities shall be limited so as to include only one (1) boat slip per one hundred (100) feet of shoreline, or part thereof. Previously-platted duplex and multi-family lots may have one (1) boat slip per fifty (50) feet of shoreline, or part thereof. If a permit application for a dock or docking facility appears to include vessel-docking facilities greater in number than the permissible number of boat slips, the applicant shall be required to designate which docking facilities are boat slips, as defined herein, and which docking facilities are not boat slips, as defined herein. The permit for such dock or docking or mooring facility shall include a condition that only the designated boat slips shall be used for the permanent docking or mooring of boats or vessels.
- h. Such structures need not be required to meet rear yard or waterfront setback requirements, but, except as provided hereinafter for joint docks, shall comply with any applicable side yard setback. Such side yard setback shall be measured from the extension of the side lot line into the water,

## **b. Docks & Boat Structures (cont.)**

- perpendicular to the shore line, at the point where the side lot line intersects with the mean high water line.
- i. Residential docks shall meet all FDEP requirements and limitations so as to either not require a permit or written authorization from the FDEP or to obtain a letter of consent from the FDEP.
  - j. Joint docks and boat slips, including attached boat covers, boat lifts, and boat davits, serving more than one (1) lot or parcel of land are permissible, provided the owners of such lots or parcels record an executed and effective agreement providing for the dock's location and joint use, access to the dock for all users, and enforceable joint maintenance obligations. A joint dock or boat slip may be located on a property line or within a side yard setback, as long as it serves the owners of both affected lots or parcels. The owners' agreement shall be recorded on the public records of Citrus County, at the owner's expense, before the permit for the joint structure is issued.
  - k. Boat davits and boat lifts are permissible on seawalls and on permitted boat docks. Such structures shall be constructed pursuant to sound engineering practices sufficient to protect the structural integrity of seawalls. Boats stored on such structures shall not protrude beyond the side yard setback. Such side yard setback shall be measured from the extension of the side lot line into the water,
- perpendicular to the shoreline, at the point where it intersects with the mean high water line.
- l. No fill or dredge activity is authorized by a permit for a dock or other structure issued according to this section. A separate permit is required for fill and dredge activities except such activity that is necessary to install pilings.
  - m. No dock shall extend waterward of the mean high water line more than two hundred (200) feet over sovereign, submerged land or more than twenty-five (25) percent of the width of the waterway at that particular location, whichever is less. No boat shall be docked or anchored at any dock in such a manner that it extends into a waterway more than twenty-five (25) percent of the width of the waterway. The limitations of this subsection shall not apply to docks for lots having frontage on the end of a canal, as long as such docks do not extend beyond any applicable side yard setback. Such side yard setback shall be measured from the extension of the side lot line into the water, perpendicular to the shoreline, at the point where it intersects with the mean high water line.
  - n. When a structure is found by the city manager to be severely dilapidated or deteriorated and presents a navigational or safety hazard, the city manager may direct the property owner to sufficiently repair the structure so as to remove the hazard or to remove the structure. The owner shall have ninety (90) days to repair or remove the structure, which ninety (90) days may be extended for additional thirty-day periods by the city manager for good cause shown, after such period of time,

## **b. Docks & Boat Structures (cont.)**

the city may cause the structure to be removed and shall charge the costs of such removal to the owner.

- a. Boats stored in the water shall not discharge any sewage into the Crystal River or any of its tributaries.

- (4) **Non-conforming docks.** All owners of all nonconforming docks, boat davits, boat lifts, boat covers and boathouses, before receiving a citation of noncompliance, shall receive a prominent warning with general information relating to bringing the noncompliant dock, boat davit, boat lift, boat cover and boathouse in compliance. Such notice shall also have a phone number prominently displayed for the purpose of obtaining more information relating to bringing the noncompliant dock, boat davit, boat lift, boat cover and boathouse in compliance.

- a. Any party who has substantially complied with this section by April 1, 2006, may file for an extension of time with the Planning Commission of the City of Crystal River by remitting a forty-five dollar (\$45.00) filing fee and, in a quasi judicial setting, demonstrate such substantial compliance by showing an executed contract that, when performed, would bring the noncompliant dock, boat davit, boat lift, boat cover and Boathouse in compliance with all the requirements of this section. The deadline for filing for a six-month extension of time shall be May 1, 2006.

- b. Any party affected by this section and whose dock, boat davit, boat lift, boat cover and boathouse is not in compliance with all the requirements of this section, may file for an extension of time with the Planning Commission of the City of Crystal River by remitting a forty-five dollar (\$45.00) filing fee, and in a quasi judicial setting, demonstrate that the immediate enforcement of this section would present an undue financial hardship by documenting one of the following: (a) a death in the owner(s) immediate family, including parents and siblings; (b) Loss of employment by any of the owners of the noncompliant dock, boat davit, boat lift, boat cover and boathouse; (c) a debilitating illness. The deadline for filing for a nine-month extension of time shall be May 1, 2006.
- c. No party shall receive more than one (1) extension of time under any circumstances.

## **c. Portable accessory structures**

Portable accessory structures are those without a permanent foundation and capable of being moved intact. Portable accessory structures shall meet all the requirements for accessory structures and are restricted as follows:

- b. Such structures are limited to one (1) per lot.
- c. Anchoring is required subject to City approval
- d. Such structures are prohibited in the waterfront setback.
- e. Trailers, mobile homes, and tractor trailers shall not be used as accessory structures.
- f. No mechanical equipment shall be operated within or attached to the structure.



## d. Wetlands & Shoreline Protection

- (1) For all property within one hundred fifty (150) feet of King's Bay, Crystal River, and all navigable tributaries the following provisions shall apply:
  - a. Wetlands shall be preserved in their natural state. No fill may be placed in a wetland, and the wetland may not be altered; and
  - b. Storage of hazardous materials as defined by the EPA under Title III of the Superfund Amendments and Reauthorization Act (SARA) shall be prohibited.
- (2) The following wetland protection provisions shall apply:
  - a. For lots or parcels that are cleared adjacent to wetlands, silt screens shall be placed between the construction site and the wetland to prevent erosion and siltation;
  - b. Any wetlands shown on the site plan to remain undisturbed that becomes damaged during construction shall be completely restored. Complete restoration means that the restored area shall function equivalently to the wetland prior to damage; and
  - c. Septic tanks shall be prohibited within wetlands.

## e. Wellfield Protection

- (1) Purpose and intent. The purpose and intent of this section is to protect and safeguard the health, safety, and welfare of the residents and visitors of the city by providing criteria for regulating and prohibiting the use, handling, production and storage of certain substances which may impair present and future public potable water supply wells and wellfields.
- (2) **Applicability.** Regulations in this section for the designated wellfield protection areas are to be applied in addition to regulations found elsewhere in this LDC.
- (3) Wellfield protection area.
  - a. A wellfield protection area is hereby established to include all land within a five hundred-foot radius of:
    - i. A public potable water wellhead; or
    - ii. A site officially designated as a future wellhead by the city council at an advertised public hearing.
  - b. The following uses shall be prohibited within the wellfield protection area:
    - i. Above ground storage of hazardous wastes without secondary containment;
    - ii. Cemeteries;
    - iii. Commercial or industrial uses which handle, use, or store hazardous materials as defined by the EPA under Title III of the Superfund Amendments and Reauthorization Act (SARA);
    - iv. Discharges of industrial wastewater to groundwater;
    - v. Gasoline service stations;
    - vi. Injection wells, including drainage wells or other facilities which provide for the disposal of stormwater directly into the aquifer absent normal percolation;
    - vii. Junkyards or salvage operations;
    - viii. Septic tanks;
    - ix. Solid waste disposal facilities;
    - x. Underground storage tanks; and
    - xi. Wastewater treatment facilities.
- (4) Storage tanks for the operation of a potable water well and storage tanks for substances used for the treatment of potable water are exempt from the provisions of this section.

## **f. Swimming Pools & Enclosures**

(1) **Swimming pools and pool enclosures.**

The following is applicable to all zoning districts. All swimming pools with an overhead enclosure (whether attached to the principal structure or not) shall adhere to the setback requirements of the principal structure. A swimming pool that lacks the above referenced enclosure shall adhere to the following setback requirements:

- a. Side yard: Ten (10) feet.
- b. Rear yard: Ten (10) feet.
- c. Side yard, adjacent to street: Ten (10) feet.
- d. Front yard: not permitted (see exception below).
- e. Waterfront: Ten (10) feet from the mean high water line.

A swimming pool shall not be permitted to be sited in the front yard unless the front façade of the house addresses the bay or river and the rear yard addresses the street. In such a case, waterfront setbacks shall be utilized in the front.

If a swimming pool is located in a side yard or a side yard that fronts the street, the swimming pool shall be set back a minimum of ten (10) feet behind the front plane of the house.

- (2) If the site is designed in such a way that stormwater may flow unimpeded into the abutting waterway the applicant may be required to install a natural berm of eight (8) inches in height or a natural swale of eight (8) inches in depth between the edge of the pool deck and the water.
- (3) All pools shall provide fencing or enclosures in compliance with the requirements of the Florida Building Code.
- (4) A screen enclosure may be installed instead of, or in addition to, a fence or wall, provided that the screen enclosure meets all the requirements of accessory structures.

- (5) No overhead electric power lines shall pass over any pool, nor shall any power line be nearer than ten (10) feet horizontally or vertically from the pool's edge, unless enclosed in conduit and rigidly supported.
- (6) Pool equipment may be located within the side yard setback, but not closer than five (5) feet to side or rear yard lot line.

## **g. Outdoor Lighting**

- (1) **Outdoor Lighting.** Outdoor light fixtures are defined as outdoor artificial illuminating devices, outdoor fixtures, lamps, and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot or flood lights for: Buildings and structures, residences, landscape lighting, sign lighting, parking lot lighting, thoroughfare lighting, and recreational and performance areas.
- (2) **Shielding.** All exterior illuminating devices, except those that are exempt shall be fully or partially shielded.
- (3) "Fully shielded" shall mean that those fixtures so designated shall be shielded in a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point of the fixture where light is emitted.
- (4) "Partially shielded" shall mean that those fixtures so designated shall have a light distribution in which the candlepower per one thousand (1,000) lamp lumens does not numerically exceed twenty-five (25) lumens (two and one-half (2½) percent at an angle of ninety (90) degrees above nadir (horizontal), and one hundred (100) lumens (ten (10) percent) at a vertical angle of eighty (80) degrees above Nadir. This applies to any lateral angle around the luminaire.
- (5) Light spillage. Continuous light spillage onto neighboring properties shall not exceed one (1) foot-candle as measured at the lot line.

## **g. Outdoor Lighting (cont.)**

- (6) **Low Intensity Exemptions.** Low intensity fixtures which have a maximum candle power of less than one thousand (1,000) candelas are exempt.
- (7) **Safety Lighting Exemption.** Required safety lighting for towers (i.e., cellular) is exempt.
- (8) **Illumination types.** Incandescent, noble gas tube, quartz, fluorescent (filtered) and LED illumination types are permitted. All other illumination types require Growth Management Director approval.
- (9) **Wall packs.** Lights shall be fully shielded, limited to ancillary entrances.
- (10) **Sign lighting.** Externally illuminated signs shall use a "fully shielded" light directed solely at the sign.
- (11) **Gooseneck lighting.** Gooseneck lighting fixtures are strongly encouraged.
- (12) **Streets, paths, and parking lots.** New lighting in walkable areas shall be decorative and should range from ten (10) to twenty (20) feet in height.



Reserved.

Section 11

# Definitions

## Section 10 Definitions

### a. Graphics

The graphics, tables, and text utilized throughout this code are regulatory. In case of a conflict, text shall control over tables and graphics. Further tables shall control graphics.

### b. Defined Terms

The following terms shall have the following meanings.

**Alley.** A narrow thoroughfare between and especially behind buildings and further described in Table S2.

**Applicant.** A developer or an authorized agent of a developer.

**Balcony.** An open air cantilevered structure.

**Awning.** Mounted to a building and extends over doors, windows or patios to provide shelter from the sun and rain. Awnings may be of different materials, such as fabric or metal.

**Block.** The aggregate of lots, passages, lanes, and Alleys bounded on all sides by streets.

**Block Depth.** A block measurement that is the horizontal distance between the front property line on a block face and the front property line of the parallel or approximately parallel block face.

**Block Length.** A block measurement that is the horizontal distance along the front and corner property lines of the lots comprising the block.

**Canopy.** A freestanding structure which may be constructed of cloth or of rigid materials, including but not limited to metal, wood, concrete, plastic or glass, which is attached to and supported by columns, poles or braces extended to the ground. Canopies are not affixed to a building.

**Canopy Sign.** A sign which is suspended from, is attached to, is supported from or forms a part of a canopy.

**Change in Use.** A change in use of property occurs whenever the essential character or nature of the activity conducted on a lot changes. This occurs whenever:

1. The change involves a change from one principal use category to another.
2. A land use within a planned unit development is added or amended which increases the overall intensity of development within the PUD.
3. A business or enterprise, different in type and category, intends to operate from the same lot, property and/or space from the previously existing business or enterprise.

4. A change in the status of property from unoccupied to occupied or vice versa does not necessarily constitute a change in use. Whether a change in use occurs shall be determined by comparing the two active uses of property without regard to any intervening period during which the property may have been occupied, unless the property has remained unoccupied for more than 180 consecutive days or has been abandoned.
5. A change in ownership of a business or enterprise or a change in the name shall not be regarded as a change in use.
6. The intent of these provisions is to provide for the elimination of nonconforming structures and uses.

**Complete Street.** A street designed to enable safe mobility for all users, whether traveling in motor vehicles, on bicycles, public transportation, or as a pedestrian.

**Dedication.** The intentional appropriation of land by the owner to the county for public use and/or ownership.

**Density.** The number of dwelling units located in an area of land, usually denoted as units per acre.

**Dwelling Unit.** A building or portion thereof, designed or used exclusively for residential occupancy, but not including hotels, lodging houses, motels, or mobile homes.

**Easement.** A legal interest in land, granted by the owner to another person or entity, which allows for the use of all or a portion of the owner's land for such purposes as access or placement of utilities.

**Expression Line.** An architectural feature. A decorative, three dimensional, linear element, horizontal or vertical, protruding or indented at least two inches from a facade utilized to delineate floors or stories of a building.

**Facade.** The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines. The front facade is any building face adjacent to the front property line.

**Frontage.** The linear footage of property abutting a dedicated street or highway as measured along a lot or parcel of land. The length of the property line of any one parcel along a street on which it borders. For businesses in shopping centers it shall be measured along the front face of that portion of the building occupied by the business.



## Section 10 Definitions

**Grade.** The average level of the finished surface of the ground story adjacent to the exterior walls of a building.

**Greenhouse.** Any building that is constructed of glass, plastic, or other transparent material in which plants are grown under climate-controlled conditions and includes hoop houses and other similar structures.

**Gross Floor Area.** The sum of all areas of a building, including accessory storage areas, working spaces, or living spaces and any basement floor area used for retailing activities, the production or processing of goods, or business offices. It shall not include attic space having headroom of seven feet or less and balconies, off-street parking and loading areas, enclosed porches, roof decks, roof gardens, or basement floor area other than specified above.

**Height.** The height of a building is defined as the vertical distance from the finished floor elevation to the top plate of the wall and the top of the building ridge or parapet. Within the floodplain, height is measured from either the base floodplain elevation or the finished floor elevation, whichever is lower.

**Landscape Area.** Area on a lot not dedicated to a structure, parking or loading facility, frontage buffer, side and rear buffer, or interior parking lot landscaping.

**Live/Work Unit.** A building consisting of a commercial and/or office component with a residential component. Typically, the ground floor is a non-residential use or studio and the residence is on the upper floors.

**Lot.** A parcel of land occupied or intended for occupancy by a use permitted in this article.

**Lot, Corner.** A parcel of land abutting at least two vehicular rights-of-way, excluding an Alley, at their intersection.

**Lot Coverage.** The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, and patios.

**Lot, Flag.** A parcel of land having its only access to the adjacent vehicular right-of-way, excluding an Alley, through a narrow strip of land.

**Lot, Interior.** A parcel of land abutting a vehicular Right-of-way, excluding an Alley, along one (1) Property Line; surrounded by Lots along the remaining Property Lines.

**Lot, Through.** Also referred to as a double frontage lot. An interior lot having frontage on two approximately parallel vehicular rights-of-way, excluding an Alley.

**Lot Area.** The computed area contained within the property lines; it is typically denoted in square feet or acres.

**Lot Depth.** The distance measured from the midpoint of the front line to the midpoint of the opposite rear line of the lot. Refer to Figure (D1) Lots.

**Lot Width.** The horizontal distance between the Side Property Lines, measured at the Front Property Lines.

**Maximum Coverage, Open Space.** The maximum amount of impervious coverage is provided per Open Space Type and includes, but is not limited to, parking facilities, driveways, sidewalks, paths, and structures as permitted.

**Maximum Percentage of Open Water Body.** The maximum amount of area within an Open Space Type that may be covered by an open water body, including, but not limited to, ponds, and lakes.

**Mean high water:** The average height of the high water over a nineteen-year period. For shorter periods of observation, it means the average height of water after corrections are applied to eliminate known variations and to reduce the result to the equivalent of a mean nineteen-year value. The mean high water line along the shores of land immediately bordering on navigable waters is recognized and declared to be the boundary between the foreshore owned by the state in its sovereign capacity and upland subject to private ownership.

**Mean high water line:** The intersection of the tidal plane of mean high water with the shore.

**Memorial Park.** A park designed for contemplation or recreation, commemorating the death of an individual or of many people through a natural or other disaster, or through military action.

**Mew.** See passageway definition.

**Multiple Occupancy Complex.** A commercial use, i.e. any use other than residential or agricultural, consisting of a parcel of property, or parcel of contiguous properties, existing as a unified or coordinated project, with a building or buildings housing more than one occupant.

**Nonconformance.** A structure, use, lot, or site characteristic that was legally constructed, platted or operated prior to the effective date of or Amendment to this code, but which Amendment to this code would prohibit.

**Occupancy.** The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

**Open Space Type.** The permitted and regulated types of Open Spaces in this code.

**Open Water.** A pond, lake, reservoir, or other water feature with the water surface fully exposed.

## Section 10 Definitions

**Outbuilding.** Roofed accessory structure(s) located within the designated portion of the yard.

**Outdoor Light Fixture.** An outdoor illuminating device, outdoor lighting or reflective surface, lamp or similar device, permanently installed or portable, used for illumination, decoration, or advertisement. Such devices shall include, but are not limited to, lights used for: (a) Buildings and structures; (b) Recreational areas; (c) Parking lot lighting; (d) Landscape lighting; (e) Architectural lighting; (f) Signs (advertising or other); (g) Street lighting; (h) Product display area lighting; (i) Building overhangs and open canopies; and (j) Security lighting.

**Owner.** The owner of property, the tenant, agent, or person having the beneficial use of the building, structure, or property upon which a sign may be located.

**Parking.** An open area intended for the parking of vehicles.

**Parcel or Parcel of Land.** A contiguous quantity of land in possession of, owned by, or recorded as property of the same claimant person in the public records of Citrus County, Florida, as of the effective date of this chapter.

**Passageway, Pedestrian.** A pathway designed for use by pedestrians; it can be located mid-block allowing pedestrian movement from one street to another without traveling along the block's perimeter.

**Permanent.** Designed, constructed and intended for more than short-term use.

**Pervious Surface.** Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material, such as permeable pavers or a vegetated roof.

**Plat.** A map, drawing, or delineated representation of the division or subdivision of lands, being a complete and exact representation of the division or subdivision and other information in compliance with the requirements of all applicable provisions of any applicable ordinance and Part I, article 177, Florida Statutes.

**Porch.** An open air roofed structure.

**Primary Street.** A street designated on the Regulating Plan that receives priority over other streets in terms of setting front property lines and locating building entrances.

**Principal Use or Structure.** Also referred to as the principal building. A building that contains the dominant use of the lot. It is typically located toward the front of the lot.

**Property Line.** Also referred to as lot line. A boundary line of a parcel of land or lot.

**Property Line, Rear.** The boundary of a lot that is approximately parallel to the front property line; this line separates lots from one another or separates a lot from an Alley.

**Property Line, Side.** The boundary of a lot that is approximately perpendicular to the front and rear property lines; it is not adjacent to the public right-of-way.

**Right-of-way (ROW).** A strip of land acquired by the state, county or any municipality by reservation, dedication, forced dedication, prescription, or condemnation, and intended to be occupied or occupied by a road, crosswalk, sidewalk, bike path, electric transmission lines, oil or gas pipeline, water pipeline, sanitary sewer, stormwater, or other similar uses.

**Roof Line.** A horizontal line intersecting the highest point or points of a roof.

**Scale.** The relative size of a building, street, sign, or other element of the built environment.

**Setback.** The horizontal distance from a property line inward, beyond which a structure may be placed. Structures or other impervious surfaces are not permitted within a setback, unless specifically permitted in this code (e.g. sidewalks).

**Sign.** Any writing, pictorial presentation, number, illustration, or decoration, flag, banner or pennant, or other device which is used to announce, direct attention to, identify advertise or otherwise make anything known. The term sign shall not be deemed to include the terms "building" or "landscaping" or any architectural embellishment of a building not intended to communicate information, nor any holiday lights or decorations.

**Size, Open Space.** The minimum and maximum acreage of the Open Space Type is measured within the parcel lines of the property.

**Story.** A habitable level within a building measured from finished floor to finished floor.

**Story, Ground.** Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the frontage, excluding basements or cellars.

**Story, Half.** A story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.

## Section 10 Definitions

**Story, Upper.** Also referred to as upper floor. The floors located above the ground story of a building.

**Street.** A strip of land or way subject to vehicular traffic (as well as pedestrian traffic) which provides direct or indirect access to property, including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails or other thoroughfares.

**Street Face.** The facade of a building that faces a right-of-way.

**Street Frontage.** Minimum percentage of vehicular right-of-way frontage required. The minimum percentage of the Open Space perimeter, as measured along the outer parcel line, that shall be located directly adjacent to a vehicular right-of-way, excluding alley frontage. This requirement provides access and visibility to the Open Space. Buildings oriented toward open spaces with qualified frontage types and sidewalks may serve as frontage in lieu of streets. For example, a new open space.

**Structure, Principal.** Also referred to as the principal building. A building that contains the dominant use of the Lot. It is typically located toward the front of the Lot in the front Build-to Zone or behind the Front Yard Setback.

**Swale.** A low lying, naturally planted area with gradual slopes that facilitate the transport, absorption, and/or filtration of stormwater.

**Title Opinion.** The written opinion of an attorney licensed in the State of Florida or a certification by an abstractor or a title company dated no earlier than 30 days prior to the submittal showing all persons or entities with an interest of record in the property, including but not limited to the record fee owners, easement holders, mortgage and lien holders, leasehold interest holders, judgment interest holders, and parties with any interest in the land by reason of probate or other legal proceedings. The report shall include the tax identification number for the property and copies of documents such as deed, easements, etc., referenced in the title opinion.

**Thoroughfare Type.** The permitted and regulated types of streets in this code. Refer to the Thoroughfare Types section for more information and a list of the permitted Thoroughfare Types.

**Transect.** A cross-section or cutaway showing a continuum of human habitats ranging from conservation lands to a comparatively intense city core.

**Transect Zone.** A description of the existing or intended characteristics of a zone within the transect so that land uses and thoroughfares are consistent and contribute to the context.

**Tree Canopy.** The uppermost area of spreading branches and leaves of a tree.

**Use.** Also referred to as land use. A purpose or activity that may occur within a building or a lot.

**Wall Sign.** A sign affixed to or painted on the wall facade of any building, including walls, windows, doors, parapets, marquees and roof slopes of 45 degrees or steeper, that projects less than 18 inches, and where the exposed face of the sign is in a plane parallel to the planes of the wall. Wall signs may not extend above the roofline or facade. All wall signs shall relate to the business conducted on the premises or in the building on which such sign is located. May be illuminated.

**Water Body.** A body of water, such as a river, pond, or lake that may be man-made or naturally occurring.

**Zoning District.** A designation given to each lot within the jurisdiction that dictates the standards for development on that lot.



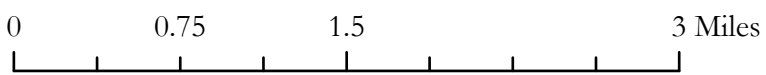
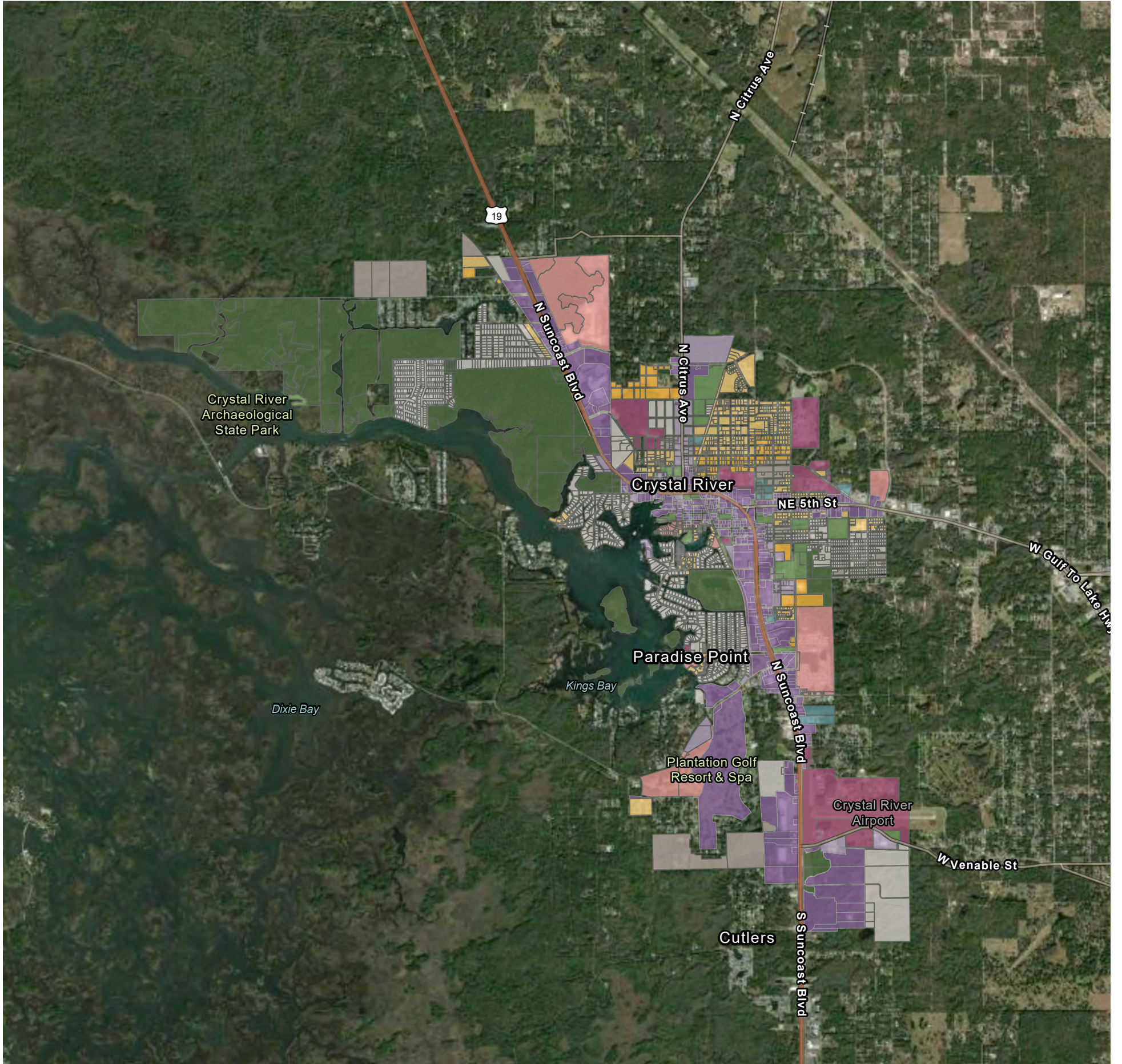


STRINGFELLOW  
PLANNING & DESIGN



# Crystal River Zoning Map

Draft 12.19.2023



- UC-1
- UC-2
- UN-1
- UN-2
- SN-1
- SN-2
- CIV
- CON
- IND
- IU
- PUD

Future Land Use	Applicable Zones	Density*	Intensity*
Urban Centers	Urban Center High (UC-1)	16 DU/AC	3.0 FAR
	Urban Center Low (UC-2)		
Urban Neighborhoods	Urban Neighborhood High (UN-1)	12 DU/AC	1.0 FAR
	Urban Neighborhood Low (UN-2)		
Suburban Neighborhoods	Suburban Neighborhood High (SN-1)	4 DU/AC	N/A
	Suburban Neighborhood Low (SN-2)		
Civic	Civic (CIV)	N/A	0.25 FAR**
Conservation	Conservation (CON)		
Special Districts	Light Industrial (IND)	N/A	1.5 FAR
	Institutional/Utility		

\* Existing PUDs have a density and intensity that are defined in their approved land use plans.

\*\* Intensity is limited to structures that are ancillary and serve a park, public amenity, open space or similar. Examples include restrooms, visitor centers or educational buildings.





# CITY OF CRYSTAL RIVER PLANNING COMMISSION

## STAFF REPORT

Growth Management Department

<b>MEETING DATE:</b>	January 4, 2024	
<b>JOINT APPLICATION NO. PCA23-0004/PZMA23-0004 – Highlander Development Inc o/b/o Mary Street, LLC - Land Use/Zoning Amendment</b>		
<b>PROPOSED AMENDMENTS:</b>	<b>COMPREHENSIVE PLAN</b>	Small-Scale Comprehensive Plan Amendment to the Future Land Use Map to change 39 acres +/- <b>from</b> O/SC, Office/Services Commercial and LDR, Low Density Residential <b>to</b> HC, Highway Commercial (3.71 acres), MDR, Medium Density Residential (5.58 acres), and HDR, High Density Residential (29.77 acres).
	<b>ZONING MAP</b>	Amendment to the Official Zoning Map to change 39 acres +/- <b>from</b> CG, General Commercial and R-1, Low Density Residential <b>to</b> CH, High Intensity Commercial (3.71 acres), R-2, Medium Density Residential (5.58 acres), and R-3, High Density Residential (29.77 acres).
<b>SUBJECT PROPERTY:</b>	Section 16, Township 18 S, Range 17 E; specifically, Parcel 12300, which address is known as 3607 N Citrus Avenue, Crystal River. A complete legal description of the property is on file with the Planning & Development Services Department.	
<b>PROPERTY OWNER:</b>	Mary Street, LLC	
<b>LAST OCCUPANT:</b>	vacant	
<b>ACREAGE</b>	Approximately 1,698,840 square feet or 39 acres+/-	
<b>FLOOD ZONE:</b>	According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with a Base Flood Elevation (BFE) of 10.00 feet, and Flood Zone AE with a BFE of 11.00, as found on FIRM Panel Number 12017C0187E. (Effective date: January 15, 2021).	
<b>SURROUNDING AREA:</b>	<p><b>North</b> – Abutting is an unimproved commercial parcel that is wooded, and vacant (wooded) and improved residentially committed parcels, all located in the county's jurisdiction.</p> <p><b>South</b> – Across N Turkey Oak Drive is an unimproved commercial parcel that is wooded, and a public institutional parcel (Yeoman's Park entrance).</p> <p><b>East</b> – Abutting is vacant (wooded) residentially committed parcels, partially in the city and the county's jurisdiction.</p> <p><b>West</b> – Across N Citrus Avenue is improved commercial (retail, service and office uses), partially in the city and the county's jurisdiction.</p>	
<b>PREPARED BY:</b>	Jenette Collins, AICP, Director, Growth Management Department	

### BACKGROUND INFORMATION:

These applications are brought forward by Highlander Development, Inc. to amend the land use category and zoning district on a 39.17 acre +/- vacant parcel located on the northeast corner of N Citrus Avenue and N Turkey Oak Drive. The requests follow a voluntary annexation petition that was filed by the property owner and approved by the City Council on January 9, 2023. At that time, the subject property's future land use and



zoning were amended as currently shown to be comparable to the former County’s land use and zoning designations.

The applicant, who is under contract for purchase of the property, wishes to redesignate the land use and zoning to allow for mixed use development. No development plan is proposed as part of this request.

**ANALYSIS:** The proposed Comprehensive Plan amendment provides for the legal status of the comprehensive plan and future land use map, and that the land development regulations and proposed zoning map amendment are consistent with and implement the adopted comprehensive plan.

**Comprehensive Plan – Future Land Use Map Amendment** – The proposed FLUM amendment will change the future land use designation from Office/Service Commercial (O/SC) category and Low Density Residential (LDR) category to Highway Commercial (HC), Medium Density Residential (MDR), and High Density Residential (HDR). The following comparison table is provided:

Comprehensive Plan FLUM Category:	FROM EXISTING O/SC (9.21 +/- acres) & LDR (29.79 +/- acres)		TO PROPOSED HC (3.71 acres), MDR (5.58 acres), & HDR (29.77 acres)		
<b>Category Description:</b>	O/SC, Office/Service Commercial: Provides for professional offices, personal services, and limited retail uses.	LDR, Low Density Residential: Provides for single-family residential.	HC, Highway Commercial: Provides for retail, vehicle sales and repair, service stations, restaurants, convenience stores, lodging, financial institutions, theaters, and entertainment uses.	MDR, Medium Density Residential: Provides for single- and multi-family.	HDR, High Density Residential: Provides for Multi-family residential.
<b>Maximum Density:</b>	None; 8.0-20.0 in CRA Overlay (CG)	4.0 units per acre. Up to 6.0 units/acre with a PUD.	75% max. lot coverage outside the CRA/85% inside the CRA	8 units per acre. 3-12 units/acre with a PUD.	12 units per acre. 8-12 units /acre with a PUD.
<b>Maximum FAR*</b>	1.0	n/a	0.7	n/a	n/a

\*FAR – Floor to Area Ratio; \*\*CRA – Community Redevelopment Area (Note: The subject property is not in the CRA.)

Source: Crystal River Comprehensive Plan, Future Land Use Element.

The proposed future land use amendment would result in an allowed increase of density for the total number of residential units allowed and provide diverse housing types, including multi-family residential. Likewise, for the commercial component, the HC would allow higher intensity is use types.

The proposed Community Development Code (draft form-based code currently under review by the city) recommends that this property should be considered for Urban Commercial zoning. The proposed amendment supports the recommendation of the proposed form-based code and is consistent with the Civic Master Plan, adopted by the City Council in 2022.

**Zoning Map Amendment** – The proposed zoning map amendment will change the zoning from General Commercial (CG) district, and Low Density Residential (R-1) district to High Intensity Commercial (CH), Medium Density Residential (R-2), and High Density Residential (R-3). The following comparison table is provided:

Zoning District:	From Existing: CG (9.21 +/- acres) & R-1 (29.79 +/- acres)		To Proposed: CH (3.71 acres), R-2 (5.58 acres), & R-3 (29.77 acres)		
Allowed Use:	<b>CG, General Commercial:</b> Established for business, commercial, and institutional uses.	<b>R-1, Low Density Residential:</b> established for single-family residential use	<b>CH, High Intensity Commercial:</b> established for large-scale business, commercial, light assembly and institutional uses.	<b>R-2, Medium Density Residential:</b> established for single-family and multi-family residential uses.	<b>R-3, High Density Residential:</b> established for all types of residential uses, except for resort housing units.
Max Density:	None	3.0 units per acre	none	8 units per acre	12 units per acre
Max ISR*:	65% waterfront/ 85% non-waterfront	35% waterfront/ 45% non-waterfront	65% waterfront/ 75% non-waterfront	45% waterfront/ 55% waterfront	45% waterfront/ 65% waterfront
Max FAR**:	1.0	n/a	0.7	n/a	n/a

\*ISR – Impervious Surface Ratio

\*\* FAR – Floor to Area Ratio

Source: Crystal River Land Development Code (Ord. No. 05-O-08)

The proposed CH Zoning District shall be used to implement the proposed HC FLUM land use category, and the proposed R-2 and R-3 residential Zoning Districts shall be used to implement the proposed MDR and HDR FLUM land use categories, respectively. The proposed zoning districts will allow an increase in impervious lot coverage, and maximum density.

**INFRASTRUCTURE:**

**Transportation (Ingress/Egress)** – The subject property is located on the corner of N Citrus Avenue, a county maintained, a 2-lane major collector; and N Turkey Oak Drive, a county maintained, 2-lane major collector. Future driveway connections and auxiliary lanes (as may be warranted by the county) will require right-of-way utilization permits from Citrus County Government. Citrus Avenue is a designated evacuation route on the Citrus County Hurricane Evacuation Map.

**Water** – The City currently has adequate water supply to serve future development. Extension of utility lines constructed within the public roadway will require right-of-way utilization permits from Citrus County Government.

**Sewer** – The City currently has adequate sewer capacity to serve future development. Extension of utility lines constructed within the public roadway will require right-of-way utilization permits from Citrus County Government.

**Stormwater Management** – Stormwater management requirements must be approved as established by the Southwest Florida Water Management District (SWFWMD) for any intended commercial project or residential subdivision plat. All stormwater treatment systems shall meet the latest SWFWMD and State

standards for water quality and peak discharge. This requires that the rate of post-development runoff conditions shall not exceed pre-development runoff conditions.

**Other Items:**

Evacuation Criteria – It is noted that Citrus Avenue is identified in the Comprehensive Plan, Multi-Modal Transportation Element, as being part of the Crystal River Evacuation Route system. The city is required to maintain a Level of Service (LOS) for out-of-county hurricane evacuation to be no greater than 16 hours for a category 5 storm event. The subject property is located in the Coastal High Hazard Area (CHHA)<sup>1</sup> as defined in the City's Coastal Management Element of the Comprehensive Plan and could contribute to degrading hurricane evacuation times. The CHHA also defines the Evacuation Level A. According to the Multi-Modal Transportation Element<sup>2</sup>, the out-of-county clearance time for 2020 projections ranged from 18.5 to 54.0 hours based on the Evacuation Level. This is due largely as a result of southern counties evacuating north. While out-of-county evacuation clearance times are of concern, the city may experience some relief with the extension of the Suncoast Parkway, as well as other planned state road widening projects (e.g. US 19 and US 41).

Environmental Factors – According to the FEMA FIRM Map, elevation contours occur and vary from 1- to 6-foot above mean sea level (MSL). Development will be required to meet FEMA FIRM BFE as summarized in the introduction table above.

A review of the existing elevation contours indicates that a shallow depression indicative of wetlands runs north and south on the east side of the subject property which extends to a culvert under N Turkey Oak Drive. This is further supported by the soil type found on the east side of the property (see below).

According to the USDA Soil Survey, the soil types found on the subject property are as follows:

- Approximately 84% of the site is classified as (28) Red level fine sand (parent material: sandy marine deposits over limestone), having a drainage class defined as somewhat poorly drains, and having a depth to water table of about 18 to 42 inches.
- Approximately 16% of the site (on the east side) is classified as (59) Cypress Lake fine sand, frequently ponded, 0 to 1 percent slopes (parent material: sandy and loamy marine deposits over limestone), having a drainage class defined as very poorly drained, and having a depth to water table of about 0 inches.

The subject property is vacant and heavily wooded. The LDC requires the submittal of a professionally prepared biological survey when there is presence of endangered, threatened, or of special concern of the development of environmentally sensitive lands (protected wetlands delineation). A Biological survey will be required at time of development permit in accordance with LDC standards. A tree survey to determine the presence of protected and/or heritage trees will be required at time to development permit as well.

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<sup>1</sup> CHHA is the area below the elevation of the category one storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model [Section 163.3178 (2)(H), Florida Statutes].

<sup>2</sup> The out-of-county evacuation time is defined as the time it takes for county residents to evacuate the county. Five evacuation levels were evaluated in the Statewide Regional Evacuation Study Program; Level A, Level B, Level C, Level D, and Level E. For Citrus County, the out-of-county clearance time for 2017 projections ranged from 17.0 to 53.5 hours based on the Evacuation Level. For Citrus County, the out-of-county clearance time for 2020 projections ranged from 18.5 to 54.0 hours based on the Evacuation Level



**CONSISTENCY WITH THE COMPREHENSIVE PLAN:** The request for FLUM amendment and rezoning must be found consistent with the Goals, Objectives, and Policies of the Crystal River Comprehensive Plan, including the following:

**Future Land Use Element:**

**GOAL 1:** *Ensure coordination and compatibility of existing and future land use patterns with topography, soil conditions, and the timing and availability of public facilities and services.*

**OBJECTIVE 1.1:** *City of Crystal River shall discourage the proliferation of urban sprawl through coordination of future land use with the availability of services as adopted levels of service and with the topography and soil conditions of the area.*

**POLICIES:**

**A)** *All public facilities and service must meet the level of service (LOS) standards adopted in this plan concurrent with the impacts of development.*

**B)** *Building permits or development orders will not be issued for new development where public facilities and services are not available at the level of service standards established in this plan. C) Zoning designations and other land development regulations shall direct development to areas where public facilities are available.*

Staff Comment: The proposed amendments are compatible with the existing land use patterns for the area. The subject property is located on the crosshairs of two major collector roadways. Adequate public facilities are currently available to service the subject area.

**Coastal Management Element:**

**OBJECTIVE 4.1:** *The City shall maintain or reduce hurricane evacuation times by requiring that new developments not degrade the existing evacuation Level of Service (LOS).*

**POLICIES:**

**A)** *The Level of Service (LOS) for out-of-county hurricane evacuation shall be no greater than 16 hours for a category 5 storm event*

Staff Response: Evacuation response time is a concern given that the additional evacuation trips from the site will create additional clearance times for the county along Citrus Avenue, and the remainder of the evacuation route through the county. An analysis determining potential impacts to evacuation clearance times has not been provided by the applicant. It is noted that the city’s Coastal Management Element of the Comprehensive Plan requires that new residential developments of 25 units or more in the Hurricane Vulnerability Zone shall be required to formulate an emergency hurricane preparedness plan for that development. Prior to the issuance of the first Site Development Permit, the plan shall be reviewed by the Citrus County Director of Emergency Operations for Consistency with the County Emergency Plan.

**SUMMARY OF PUBLIC COMMENTS:** Public comments have not been received as of this writing of the Staff Report.

**FINDINGS:** As conveyed in Subsections (A.) and (B.) of section 8.02.03 of the Crystal River Zoning Ordinance, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding amendment of its adopted Comprehensive Plan, and amendments of the official zoning map (rezoning).

The following findings of fact are presented:

1. The request is a Small-Scale Amendment of the Comprehensive Plan for 39.0 acres +/- parcel to change the future land use designation from O/SC, Office/Service Commercial category, and LDR, Low Density Residential category to HC, Highway Commercial (3.71 acres), MDR, Medium Density Residential (5.58 acres), and HDR, High Density Residential (29.77 acres).
2. The request is to re-zone 39.0 acres +/- on the Official Zoning Map by changing the zoning from CG, General Commercial district, and R-1, Low Density Residential district to CH, High Intensity Commercial (3.71 acres), R-2, Medium Density Residential (5.58 acres), and R-3, High Density Residential (29.77 acres).
3. Adequate City public facilities are currently available to service the subject area.
4. Access to the subject property is supported by two major collector roadways.
5. All other standards of the Crystal River Land Development Code, or as amended, will be applicable at time of development order for development.

**STAFF RECOMMENDATION:** Approval of the Small-Scale Comprehensive Plan Amendment and the amendment to the Official Zoning Map as presented herein. The proposed amendment supports the recommendation of the proposed form-based code and is consistent with the Civic Master Plan, adopted by the City Council in 2022.

**SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES:**


Please see Staff’s PowerPoint presentation.

**PLANNING COMMISSION ACTION:** As conveyed in Subsections (A.) and (B.) of section 8.02.03 of the Crystal River Zoning Ordinance, the Planning Commission shall recommend to the City Council that the application(s) be approved or denied.

1. PCA23-0004 Future Land Use Map Amendment
2. PZMA23-0004 Zoning Amendment

**ATTACHMENTS:**

1. Staff PowerPoint Presentation
2. Draft Ordinances
3. Application



PCA23-0004 Future Land Use Amendment  
PZMA23-0004 Zoning Map Amendment  
Highlander Development on  
behalf of Mary Street LLC

Crystal River Planning Commission Meeting of January 4, 2024

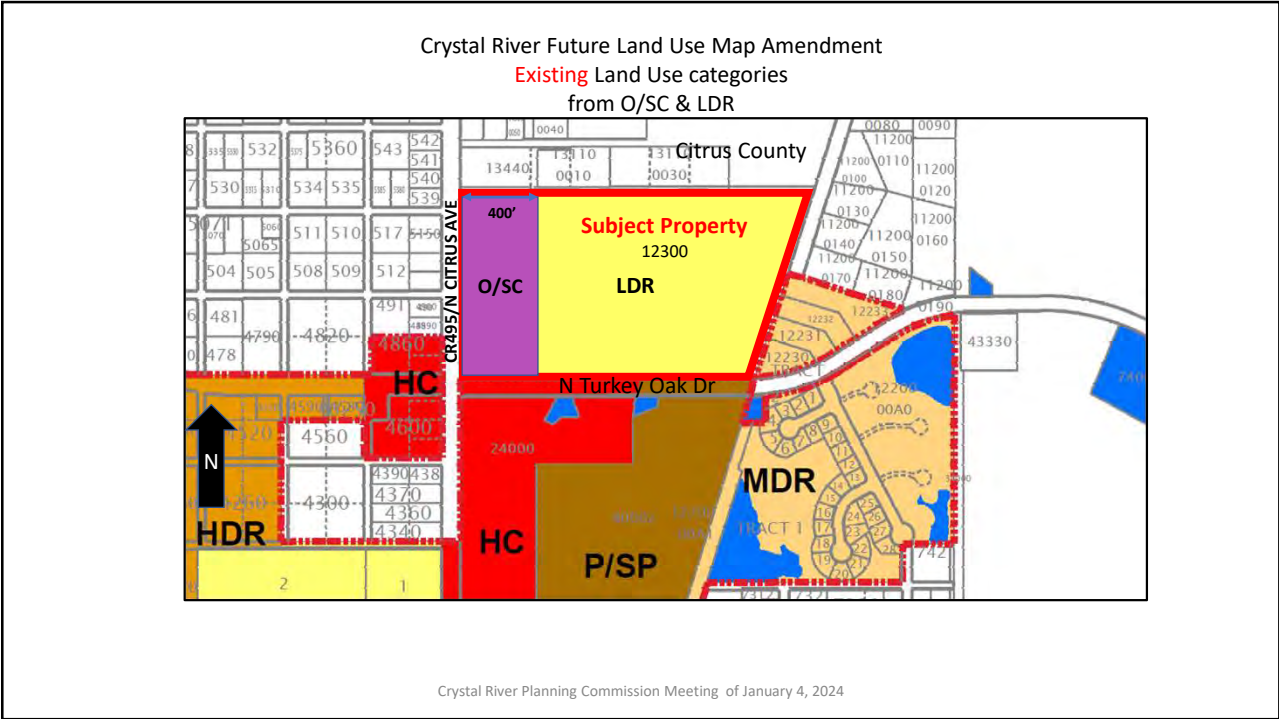
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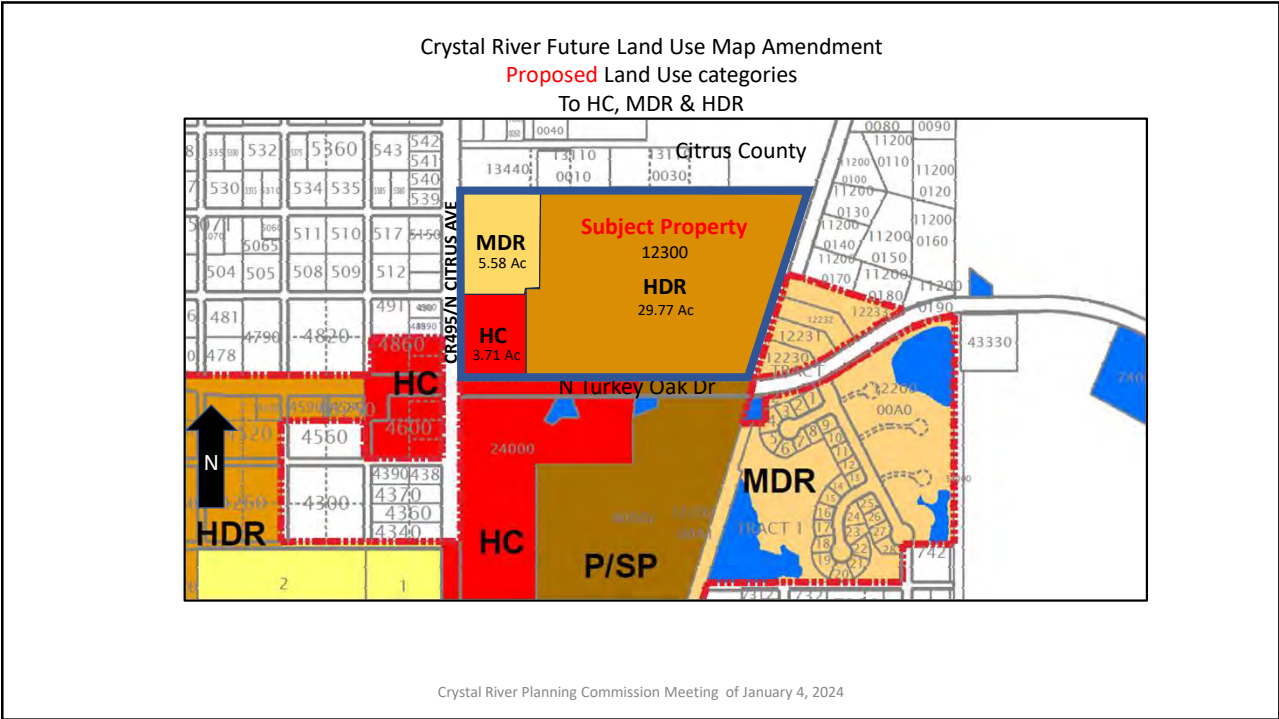


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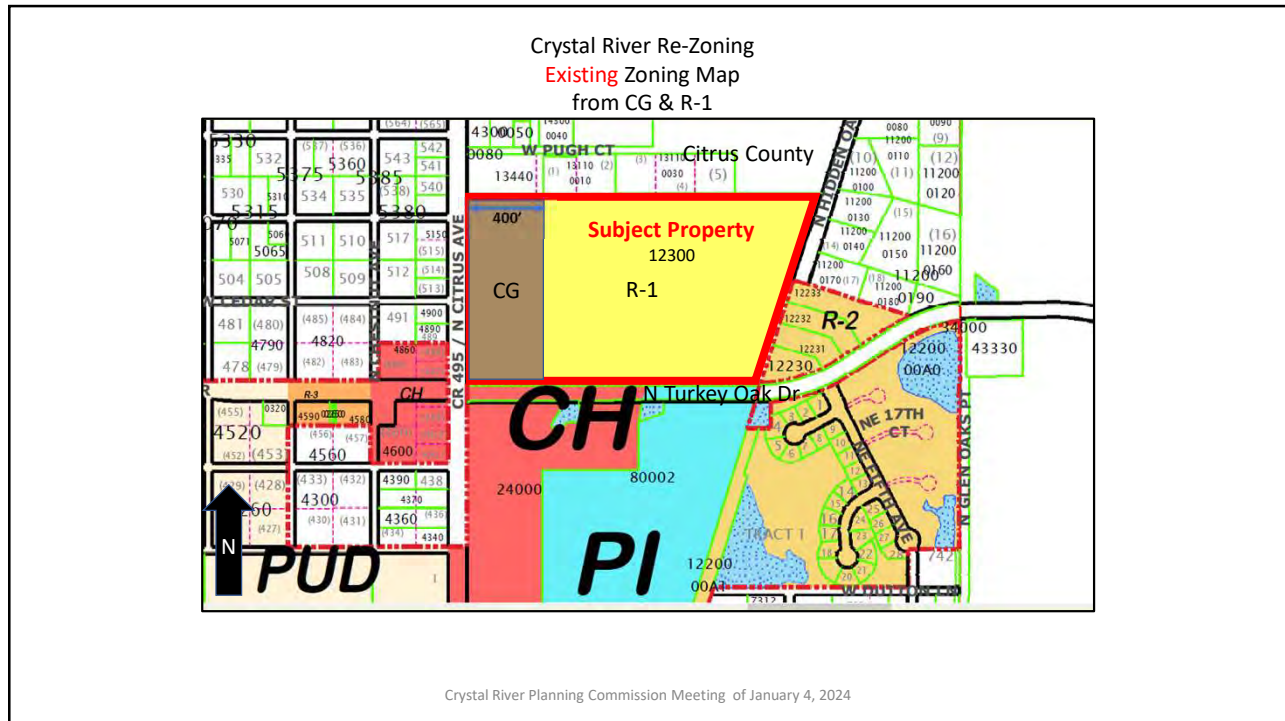




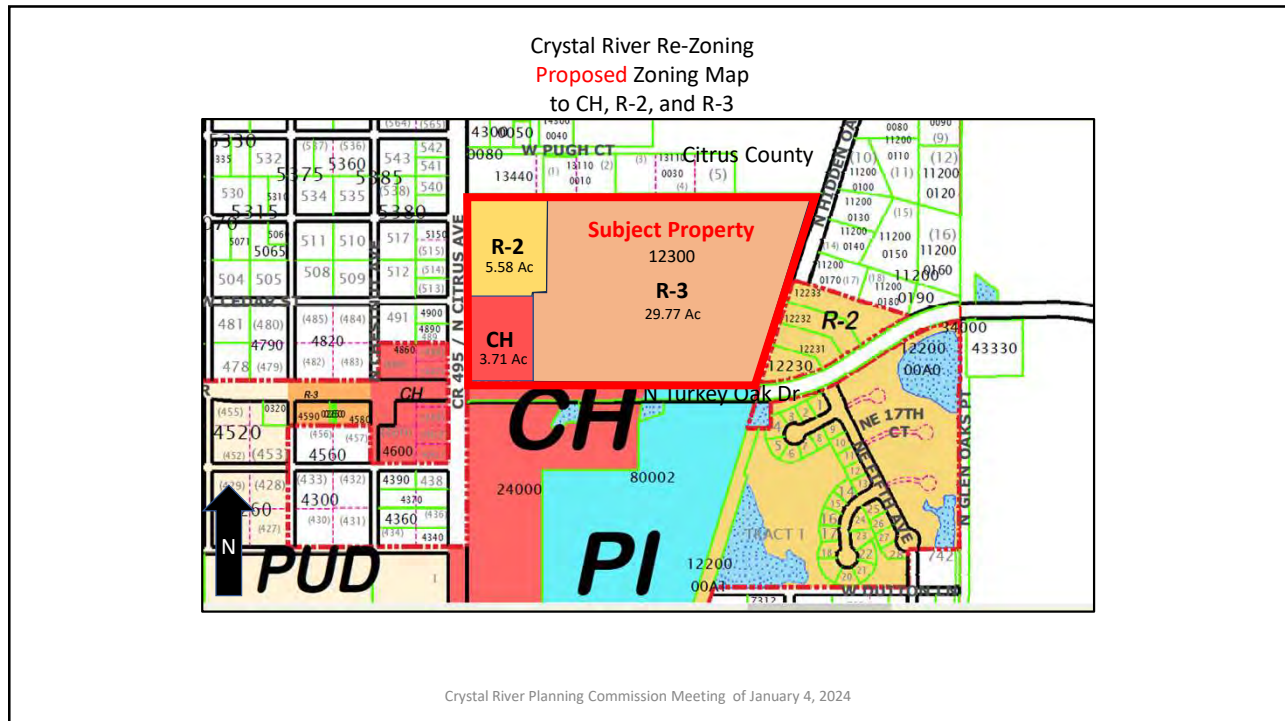
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6

Subject property – posted 12-15-2023



Crystal River Planning Commission Meeting of January 4, 2024

2

7

Looking north and west at subject property on N Turkey Oak Drive



Crystal River Planning Commission Meeting of January 4, 2024

2

8





Shallow wet depression on east side of subject property viewed on N Turkey Oak Drive

Crystal River Planning Commission Meeting of January 4, 2024

2

9

Looking at southwest and across N Turkey Oak Drive from the subject property



Crystal River Planning Commission Meeting of January 4, 2024

2

10




11



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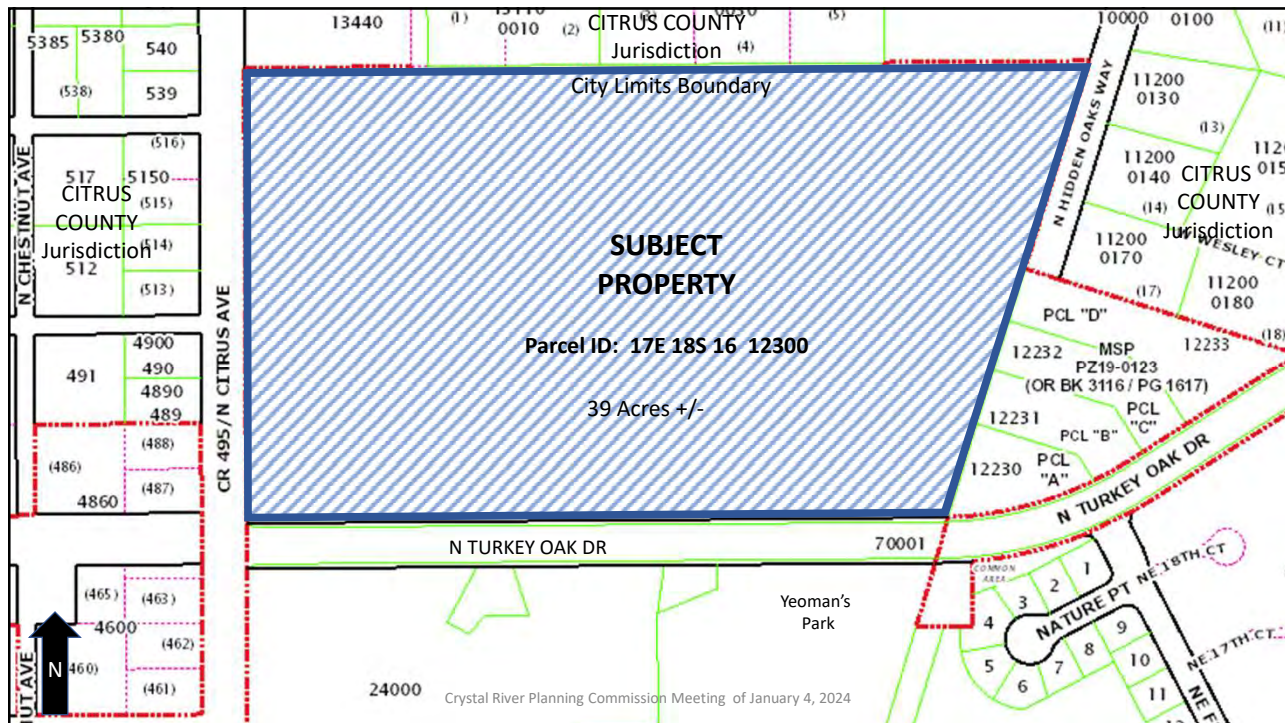


# QUESTIONS?

**PCA23-0004 Future Land Use Amendment**  
**PZMA23-0004 Zoning Map Amendment**  
**Highlander Development on behalf of Mary Street LLC**

Crystal River Planning Commission Meeting of January 4, 2023

13



14



## ORDINANCE NO. 24-O-02

**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 BY RECLASSIFYING PROPERTY (39 ACRES MOL) LYING IN SECTION 16, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY PARCEL ID: 17E18S16 12300 (ALT KEY 1058350) AS IDENTIFIED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY MARY STREET, LLC, FROM O/SC, OFFICE/SERVICE COMMERCIAL AND LDR, LOW DENSITY RESIDENTIAL TO HC, HIGHWAY COMMERCIAL (3.71 ACRES), MDR, MEDIUM DENSITY RESIDENTIAL (5.58 ACRES) AND HDR, HIGH DENSITY RESIDENTIAL (29.77 ACRES) LAND USE CATEGORIES; 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** the City Council of the City of Crystal River, Florida adopted the Crystal River Comprehensive Plan, Ordinance No. 11-O-06 on September 12, 2011, and subsequent amendments, 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** 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 **<date>**, 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 Future Land Use Map of the Comprehensive Plan of the City of Crystal River, Florida, for 39 acres (MOL) owned by Mary Street, LLC by redesignating the Future Land Use from O/SC, Office/Service Commercial and LDR, Low Density Residential Land Use to HC, Highway Commercial, MDR, Medium Density Residential, and

HDR, High Density Residential, 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**

### APPLICATION NO. PCA23-0004 HIGHLANDER DEVELOPMENT INC ON BEHALF OF MARY STREET LLC

The Future Land Use Map of the Comprehensive Plan of the City of Crystal River is hereby amended to change the future land use designations as follows.

- a) That the property legally described as shown in **EXHIBIT "A"** attached hereto and incorporated herein by reference, for 3.71 acres, is amended to HC, Highway Commercial; and
- b) That the property legally described as shown in **EXHIBIT "B"** attached hereto and incorporated herein by reference, for 5.58 acres, is amended to MDR, Medium Density Residential, and
- c) That the property legally described as shown in **EXHIBIT "C"** attached hereto and incorporated herein by reference, for 29.77 acres, is amended to HDR, High Density Residential.

## **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** after due public notice and public hearing on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**ATTEST:**

**CITY OF CRYSTAL RIVER**

\_\_\_\_\_  
**MIA FINK, CITY CLERK**

\_\_\_\_\_  
**JOE MEEK, MAYOR**

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

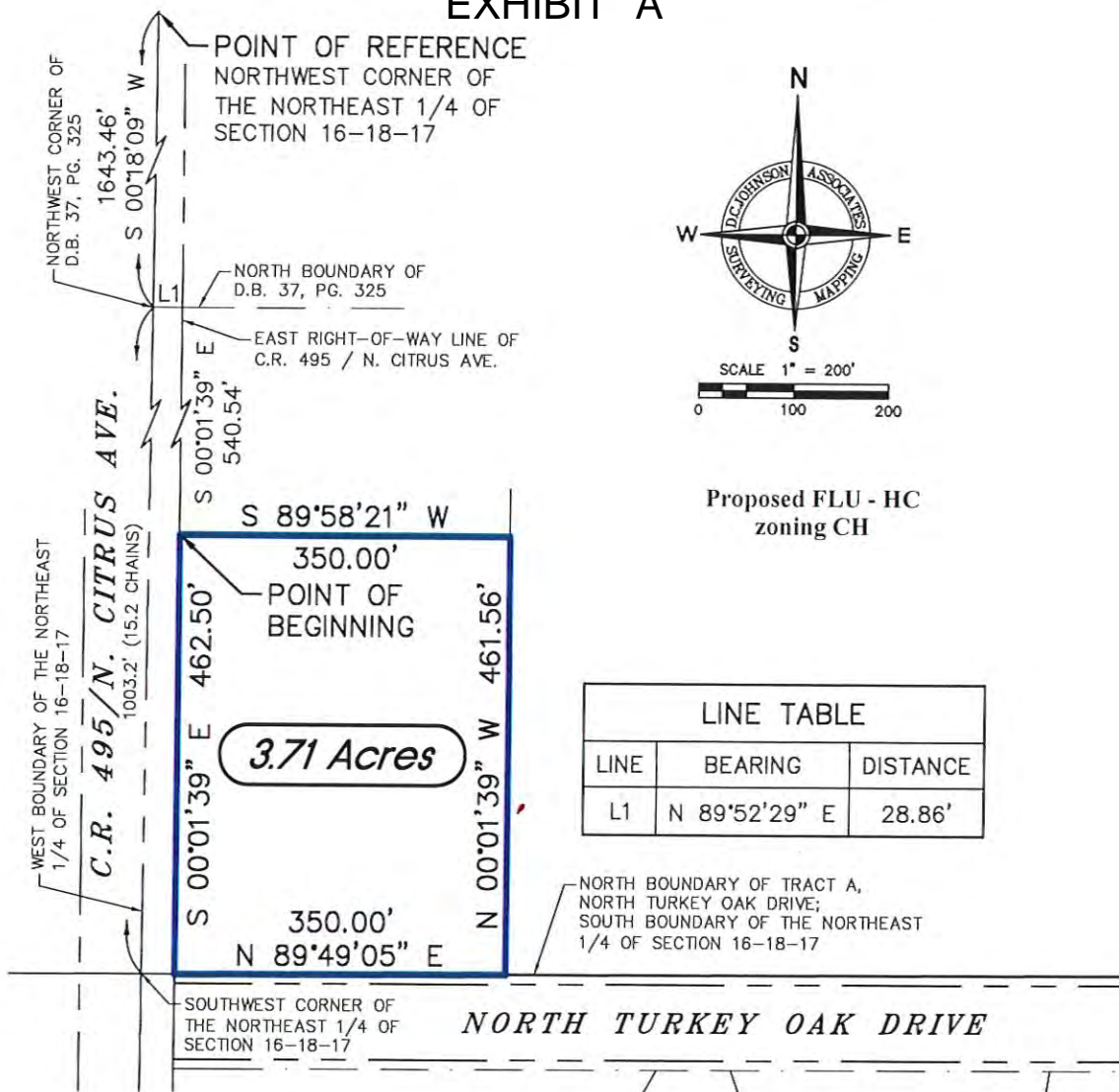
**VOTE OF COUNCIL:**

Joe Meek \_\_\_\_\_  
Ken Brown \_\_\_\_\_  
Cindi Frink \_\_\_\_\_  
Ken Frink \_\_\_\_\_  
Robert Holmes \_\_\_\_\_

\_\_\_\_\_  
Robert W. Batsel, Jr., City Attorney



# EXHIBIT "A"



## DESCRIPTION:

A parcel of land lying within Section 16, Township 18 South, Range 17 East, Citrus County, Florida, being more particularly described as follows:  
 For a POINT OF REFERENCE commence at the Northwest corner of the Northeast 1/4 of said Section 16; thence S.00°18'09"W. along the West boundary thereof, a distance of 1,643.46 feet to a point lying 1003.2 feet (15.2 chains) North of the Southwest corner of the Northeast 1/4 of said Section 16, said point being the Northwest of corner of those lands described in Deed Book 37, Page 325 of the Public Records of Citrus County, Florida; thence N.89°52'29"E. along the North boundary thereof, a distance of 28.86 feet to a point on the East right-of-way line of County Road 495/North Citrus Avenue; thence S.00°01'39"E. along said East right-of-way, a distance of 540.54 feet for a POINT OF BEGINNING; thence continue S.00°01'39"E., a distance of 462.50 feet to the North boundary of Tract A as shown on the map or Plat of NORTH TURKEY OAK DRIVE as recorded in Plat Book 15, Page 127 of the Public Records of Citrus County, Florida, the same being the South boundary of the Northeast 1/4 of said Section 16; thence N.89°49'05"E. along said common boundary, a distance of 350.00 feet; thence N.00°01'39"W., a distance of 461.56 feet; thence S.89°58'21"W., a distance of 350.00 feet to the POINT OF BEGINNING.  
 Containing 3.71 acres, more or less.

## DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

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3607 N. CITRUS AVENUE  
COMMERCIAL PARCEL

PREPARED FOR  
HIGHLANDER DEVELOPMENT

JOB NO: 2023-298A01.BG00001 | DRAWN BY: LDJ

This sketch and description as set forth by the Florida Chapter 5J-17, Florida Act 472.027, Florida Statutes.



Not valid without the original and Mapper

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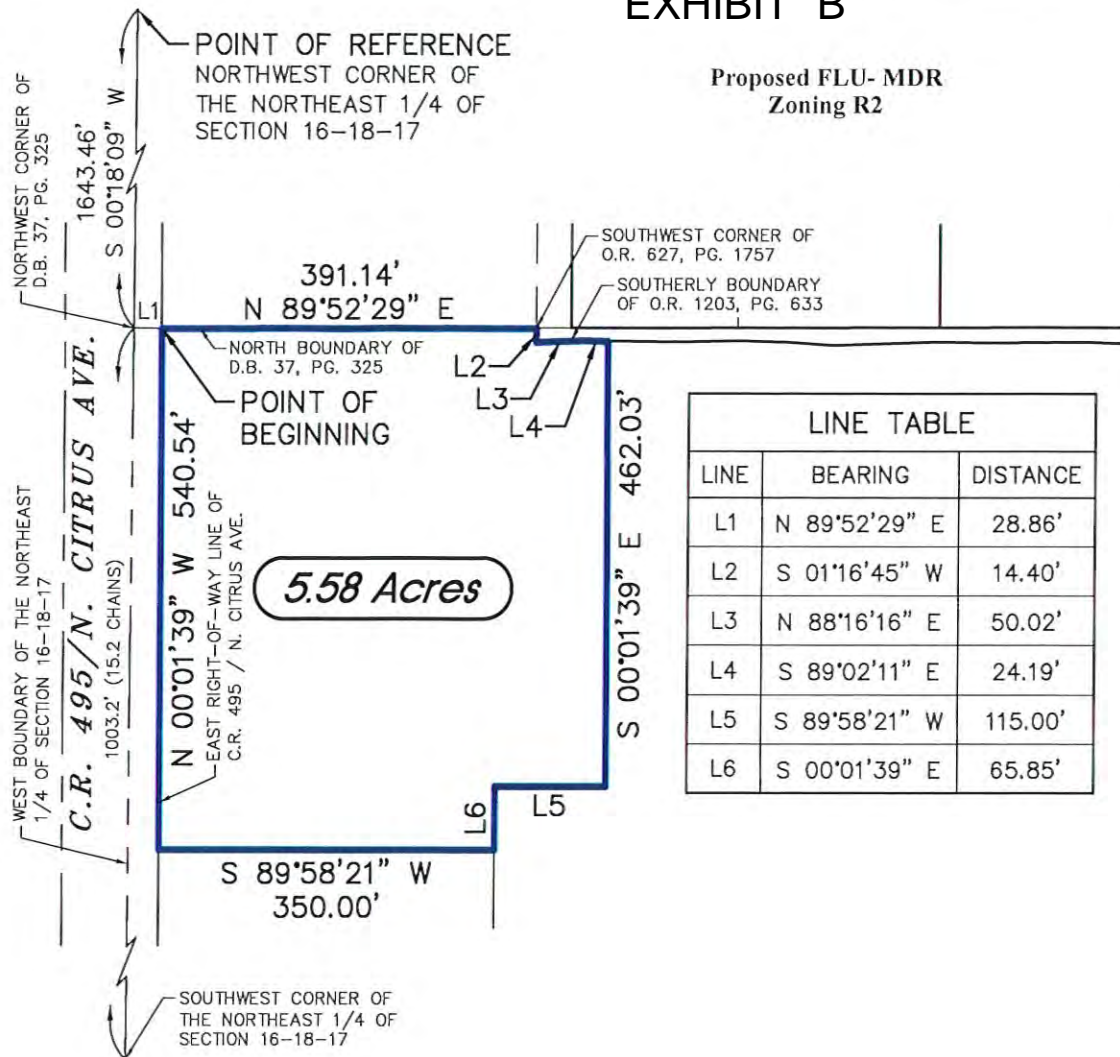
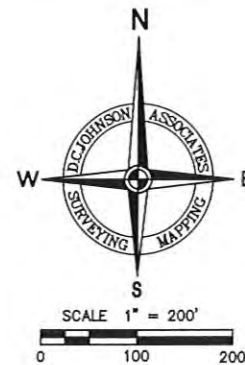


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www.dcjohnson.com



EXHIBIT "B"

Proposed FLU- MDR  
Zoning R2



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°52'29" E	28.86'
L2	S 01°16'45" W	14.40'
L3	N 88°16'16" E	50.02'
L4	S 89°02'11" E	24.19'
L5	S 89°58'21" W	115.00'
L6	S 00°01'39" E	65.85'

DESCRIPTION:

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 Containing 5.58 acres, more or less.

DESCRIPTION AND SKETCH - NOT A BOUNDARY SURVEY

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3607 N. CITRUS AVENUE  
SINGLE FAMILY PARCEL

PREPARED FOR  
HIGHLANDER DEVELOPMENT

JOB NO: 2023-298A01.BG00001 | DRAWN BY: LDJ

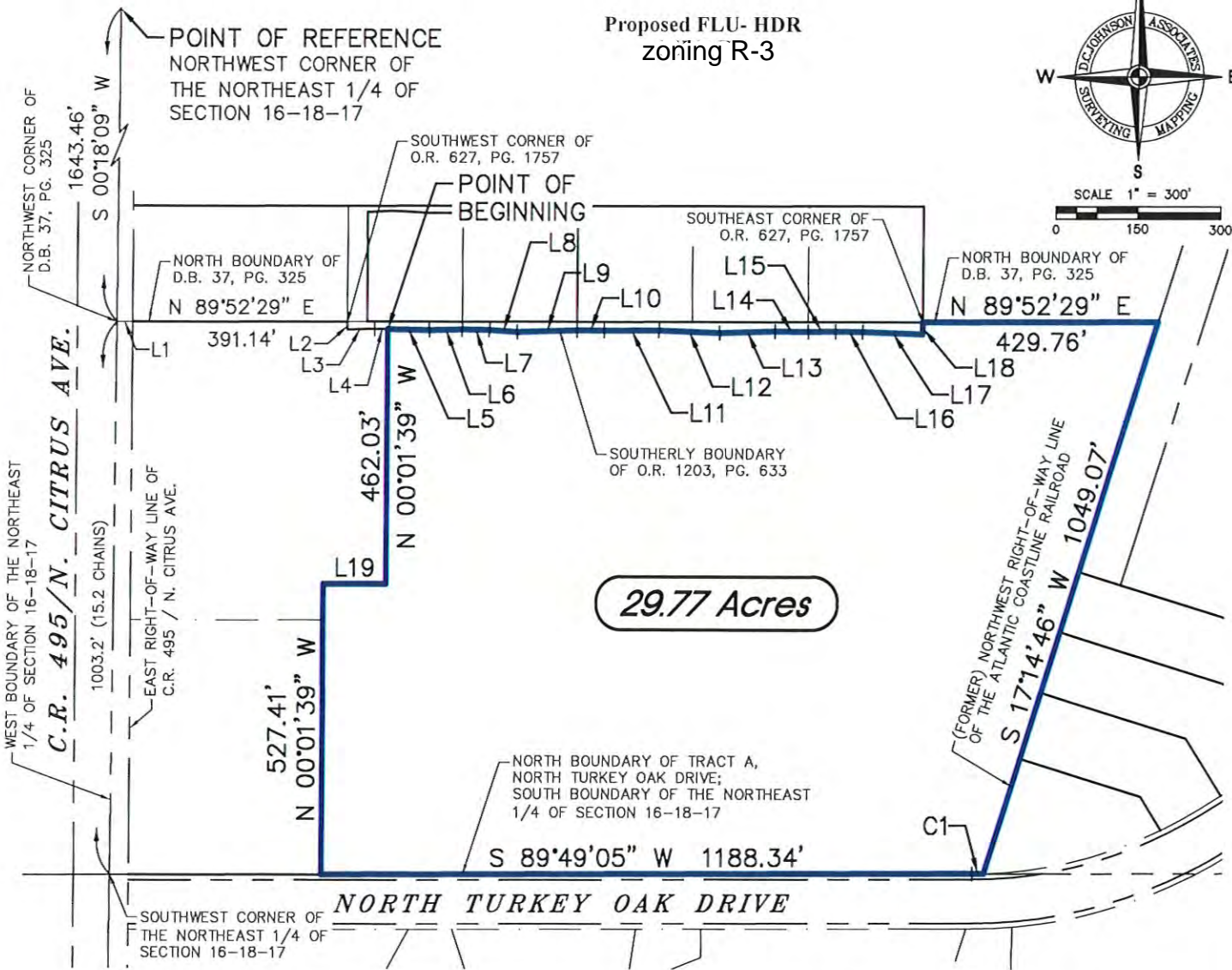
This sketch and description conform to the Standards of Practice as set forth by the Florida Board of Professional Surveyors in Chapter 5J-17, Florida Statutes, and the Florida Board of Professional Surveyors, 472.027, Florida Statutes.

Surveyor  
00-05'00"  
28/2023  
Not valid without the original signature of the Licensed Surveyor and Mapper



# EXHIBIT "C"

Proposed FLU- HDR zoning R-3



LINE TABLE		
LINE	BEARING	DIST.
L1	N 89°52'29" E	28.86'
L2	S 01°16'45" W	14.40'
L3	N 88°16'16" E	50.02'
L4	S 89°02'11" E	24.19'
L5	S 89°02'11" E	75.83'

LINE TABLE		
LINE	BEARING	DIST.
L6	N 88°32'18" E	60.02'
L7	S 88°24'24" E	50.02'
L8	S 86°14'06" E	50.12'
L9	N 88°06'17" E	110.05'
L10	S 88°58'45" E	50.01'

LINE TABLE		
LINE	BEARING	DIST.
L11	N 89°28'26" E	100.00'
L12	S 87°53'11" E	110.08'
L13	N 88°23'08" E	100.03'
L14	S 89°21'48" E	60.19'
L15	N 88°57'30" E	50.01'

LINE TABLE		
LINE	BEARING	DIST.
L16	S 88°58'44" E	50.01'
L17	S 88°02'48" E	110.29'
L18	N 00°15'01" W	22.00'
L19	N 89°58'21" E	115.00'

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	CHORD BEARING	DISTANCE
C1	21.05'	791.96'	1°31'23"	S 89°03'23" W	21.05'

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**3607 N. CITRUS AVENUE**  
**MULTI FAMILY PARCEL**

PREPARED FOR  
**HIGHLANDER DEVELOPMENT**

JOB NO: 2023-298A01.BG00001 | DRAWN BY: LDJ

**SKETCH ONLY**  
**NOT A BOUNDARY SURVEY**

SHEET 2 OF 2  
 SEE SHEET 1 FOR DESCRIPTION

**DC JOHNSON ASSOCIATES**  
 SURVEYING AND MAPPING

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 www.dccjohnson.com



EXHIBIT "C"  
CONTINUED

DESCRIPTION:

A parcel of land lying within Section 16, Township 18 South, Range 17 East, Citrus County, Florida, being more particularly described as follows:  
 For a POINT OF REFERENCE commence at the Northwest corner of the Northeast 1/4 of said Section 16; thence S.00°18'09"W. along the West boundary thereof, a distance of 1,643.46 feet to a point lying 1003.2 feet (15.2 chains) North of the Southwest corner of the Northeast 1/4 of said Section 16, said point being the Northwest of corner of those lands described in Deed Book 37, Page 325 of the Public Records of Citrus County, Florida; thence N.89°52'29"E. along the North boundary thereof, a distance of 28.86 feet to a point on the East right-of-way line of County Road 495/North Citrus Avenue; thence continue N.89°52'29"E., a distance of 391.14 feet to the Southwest corner of those lands described in Official Records Book 627, Page 1757 of the Public Records of Citrus County, Florida; thence along the Southerly boundary of those lands described in Official Records Book 1203, Page 633 of the Public Records of Citrus County, Florida the following seventeen (17) courses: (1) S.01°16'45"W., a distance of 14.40 feet; (2) N.88°18'18"E., a distance of 50.02 feet; (3) S.89°02'11"E., a distance of 24.19 feet for a POINT OF BEGINNING; (4) continue S.89°02'11"E., a distance of 75.83 feet; (5) N.88°32'18"E., a distance of 60.02 feet; (6) S.88°24'24"E., a distance of 50.02 feet; (7) S.86°14'06"E., a distance of 50.12 feet; (8) N.88°06'17"E., a distance of 110.05 feet; (9) S.88°58'45"E., a distance of 50.01 feet; (10) N.89°28'26"E., a distance of 100.00 feet; (11) S.87°53'11"E., a distance of 110.08 feet; (12) N.88°23'08"E., a distance of 100.03 feet; (13) S.89°21'48"E., a distance of 80.19 feet; (14) N.88°57'30"E., a distance of 50.01 feet; (15) S.88°58'44"E., a distance of 50.01 feet; (16) S.88°02'48"E., a distance of 110.29 feet; (17) N.00°15'01"W., a distance of 22.00 feet to the Southeast corner of the aforementioned lands described in Official Records Book 627, Page 1757; thence N.89°52'29"E. along the aforementioned North boundary of those lands described in Deed Book 37, Page 325, a distance of 429.78 feet to a point on the Northwest right-of-way line of the former Atlantic Coastline Railroad; thence S.17°14'46"W. along said Northwest right-of-way line, a distance of 1,049.07 feet to a point on the North boundary of Tract A as shown on the map of plat of NORTH TURKEY OAK DRIVE as recorded in Plat Book 15, Page 127 of the Public Records of Citrus County, Florida and a non-tangent point of curvature; thence along said North boundary the following two (2) courses: (1) Westerly 21.05 feet along the arc of a curve to the right, said curve having a radius of 791.96 feet, a central angle of 01°31'23", and a chord bearing and distance of S.89°03'23"W., 21.05 feet to a point on the South boundary of the Northeast 1/4 of said Section 16; (2) S.89°49'05"W. along said South boundary, a distance of 1,188.34 feet; thence N.00°01'39"W., a distance of 527.41 feet; thence N.89°58'21"E., a distance of 115.00 feet; thence N.00°01'39"W., a distance of 462.03 feet to the POINT OF BEGINNING.  
 Containing 29.77 acres, more or less.

DESCRIPTION AND SKETCH  
NOT A BOUNDARY SURVEY

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH

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3607 N. CITRUS AVENUE  
MULTI FAMILY PARCEL

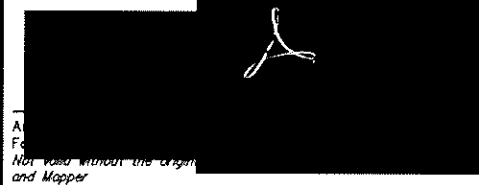
PREPARED FOR

HIGHLANDER DEVELOPMENT

JOB NO: 2023-298A01.BG00001

DRAWN BY: LDJ

This sketch and description as set forth by the Florida Statutes, Chapter 5J-17, Florida Statutes, 472.027, Florida Statutes.



Not valid without the original and Mapper

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## **ORDINANCE 24-O-03**

**AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA BY REZONING PROPERTY (39 ACRES MOL) LYING IN SECTION 16, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY PARCEL ID: 17E18S16 12300 (ALT KEY 1058350) AS IDENTIFIED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY MARY STREET, LLC, FROM CG, GENERAL COMMERCIAL AND R-1, LOW DENSITY RESIDENTIAL TO CH, HIGH INTENSITY COMMERCIAL (3.71 ACRES), R-2, MEDIUM DENSITY RESIDENTIAL (5.58 ACRES), AND R-3, HIGH DENSITY RESIDENTIAL (29.77 ACRES) ZONING DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on May 17, 2005, the City Council of the City of Crystal River, Florida, adopted the Crystal River Zoning Ordinance No. 05-O-08, and subsequent amendments, and

**WHEREAS**, certain rezonings are necessary to maintain consistency with the Crystal River Comprehensive Plan; and

**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 on <date>, voted \_\_\_-\_\_\_ to recommend to the City Council that the request to amend the official zoning map be \_\_\_\_\_; 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, by rezoning 39 acres (MOL) owned by Mary Street, LLC by redesignating the zoning from GC, General Commercial and R-1, Low Density Residential to CH, High Intensity Commercial, R-2, Medium Density Residential, and R-3, High Density Residential Districts 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**

APPLICATION NO. PZMA23-0004 HIGHLANDER DEVELOPMENT INC ON BEHALF OF MARY STREET, LLC

The official zoning map of the City of Crystal River is hereby amended to change the zoning designations as follows:

- a. That the property legally described as shown in **EXHIBIT "A"** attached hereto and incorporated herein by reference, for 3.71 acres, is amended to CH, High Intensity Commercial; and
- b. That the property legally described as shown in **EXHIBIT "B"** attached hereto and incorporated herein by reference, for 5.58 acres, is amended to R-2, Medium Density Residential, and
- c. That the property legally described as shown in **EXHIBIT "C"** attached hereto and incorporated herein by reference, for 29.77 acres, is amended to R-3, High Density Residential.

**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 \_\_\_\_\_, 2024.

**THIS ORDINANCE** was introduced and placed on a second reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2024, and upon motion duly made and seconded was passed on second reading.

**ATTEST:**

**CITY OF CRYSTAL RIVER**

\_\_\_\_\_  
**MIA FINK, CITY CLERK**

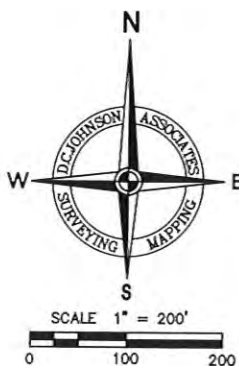
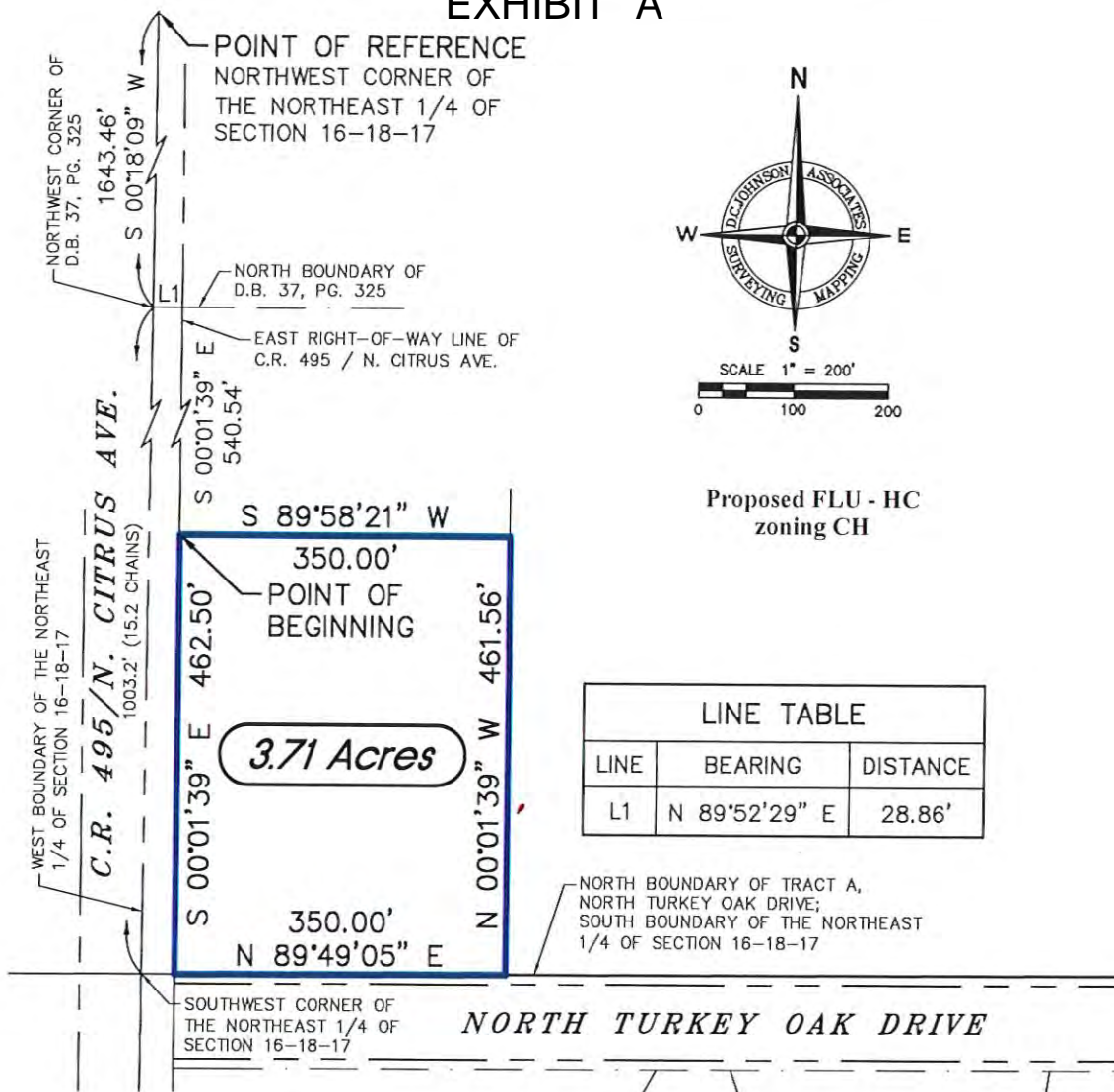
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**JOE MEEK, MAYOR**

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

**VOTE OF COUNCIL:**

Joe Meek \_\_\_\_\_  
Ken Brown \_\_\_\_\_  
Cindi Frink \_\_\_\_\_  
Ken Frink \_\_\_\_\_  
Robert Holmes \_\_\_\_\_

\_\_\_\_\_  
Robert W. Batsel, Jr., City Attorney



Proposed FLU - HC zoning CH

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°52'29" E	28.86'

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 COMMERCIAL PARCEL**

PREPARED FOR  
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JOB NO: 2023-298A01.BG00001 | DRAWN BY: LDJ

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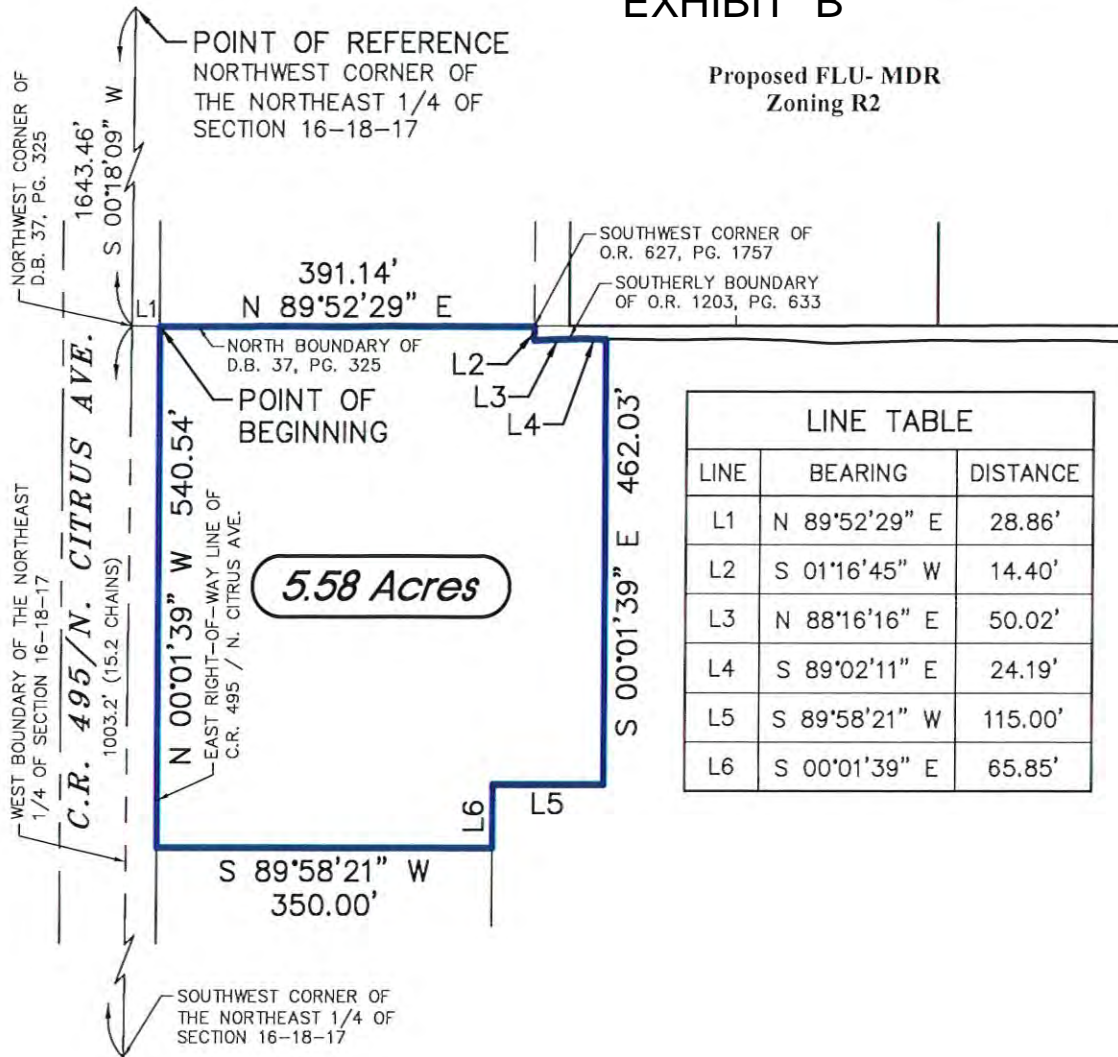
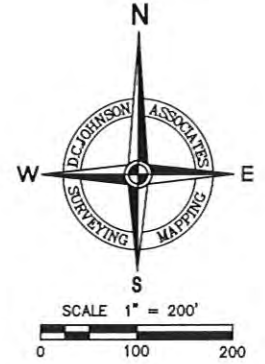
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Proposed FLU- MDR  
Zoning R2



LINE TABLE		
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5.58 Acres

**DESCRIPTION:**

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3607 N. CITRUS AVENUE  
SINGLE FAMILY PARCEL

PREPARED FOR  
HIGHLANDER DEVELOPMENT

JOB NO: 2023-298A01.BG00001 | DRAWN BY: LDJ

This sketch and description conform to the "Standards of Practice" as set forth by the Florida Board of Professional Surveyors in Chapter 5J-17, Florida Statutes, effective July 1, 2023, and Florida Statute 472.027, Florida Statutes.

Drawn by: [Redacted]  
 Date: 00-05'00'  
 28/2023  
 Not valid without the original signature of the Licensed Surveyor and Mapper

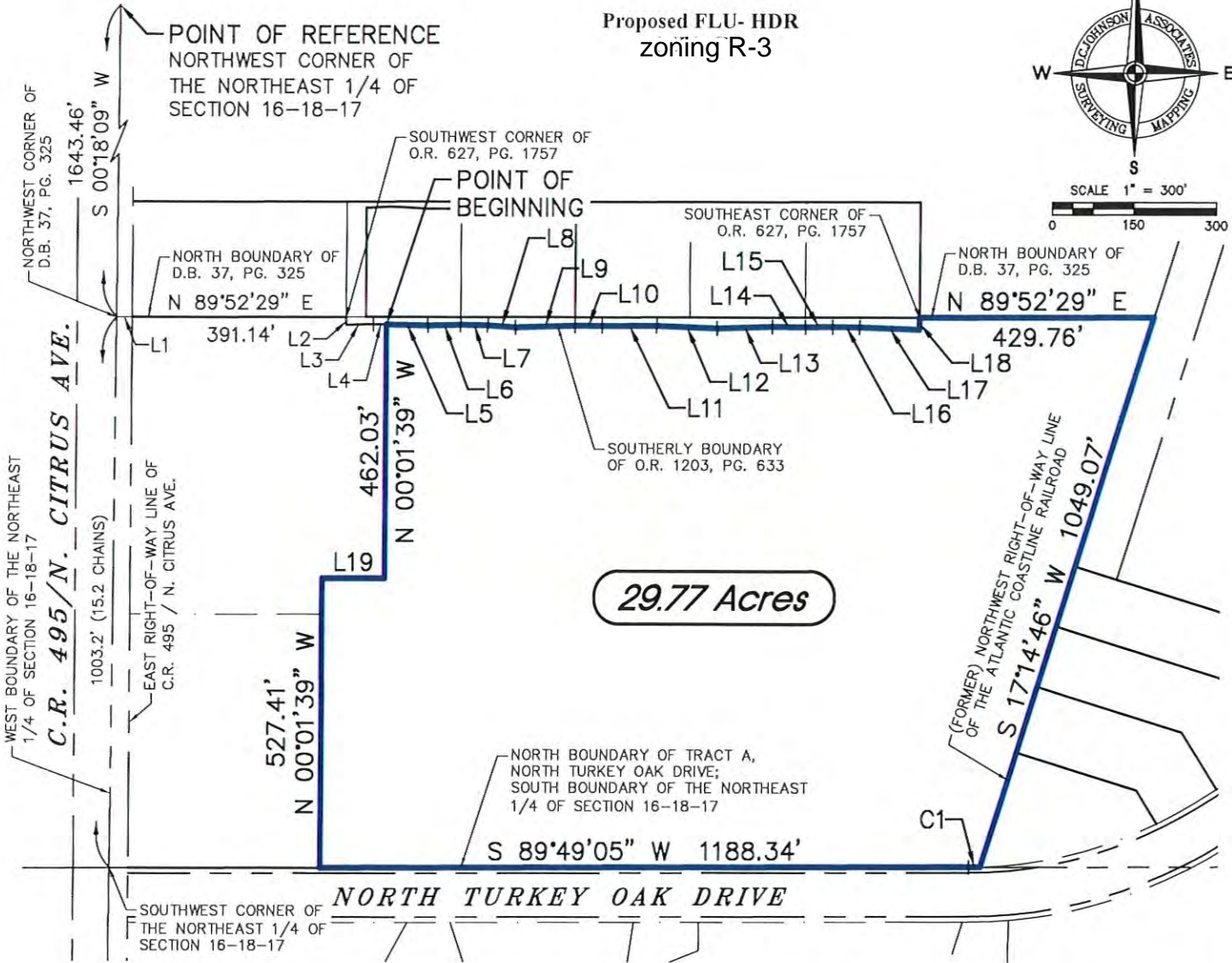
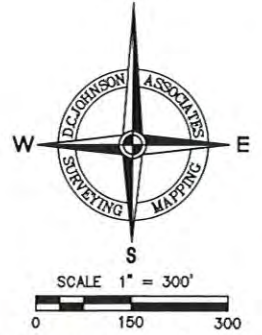


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# EXHIBIT "C"

Proposed FLU- HDR zoning R-3



LINE TABLE		
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LINE	BEARING	DIST.
L16	S 88°58'44" E	50.01'
L17	S 88°02'48" E	110.29'
L18	N 00°15'01" W	22.00'
L19	N 89°58'21" E	115.00'

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	CHORD BEARING	DISTANCE
C1	21.05'	791.96'	1°31'23"	S 89°03'23" W	21.05'

Corner Monuments were not set in conjunction with the preparation of this sketch. Improvements, if any, have not been located in conjunction with the preparation of this sketch. This sketch is for graphic illustration only, and does not represent a field survey. Descriptions created per this sketch.

**3607 N. CITRUS AVENUE**  
**MULTI FAMILY PARCEL**

PREPARED FOR  
**HIGHLANDER DEVELOPMENT**

JOB NO: 2023-298A01.BG00001 | DRAWN BY: LDJ

**SKETCH ONLY**  
**NOT A BOUNDARY SURVEY**

SHEET 2 OF 2  
 SEE SHEET 1 FOR DESCRIPTION

**DC JOHNSON ASSOCIATES**  
 SURVEYING AND MAPPING

Florida Licensed Business No. LB 4514  
 11911 S. Curley St. San Antonio, FL 33576  
 (352) 588-2768 survey@dcjohnson.com  
 www.dccjohnson.com

**DESCRIPTION:**

A parcel of land lying within Section 16, Township 18 South, Range 17 East, Citrus County, Florida, being more particularly described as follows:  
 For a POINT OF REFERENCE commence at the Northwest corner of the Northeast 1/4 of said Section 16; thence S.00°18'09"W. along the West boundary thereof, a distance of 1,643.46 feet to a point lying 1003.2 feet (15.2 chains) North of the Southwest corner of the Northeast 1/4 of said Section 16, said point being the Northwest of corner of those lands described in Deed Book 37, Page 325 of the Public Records of Citrus County, Florida; thence N.89°52'29"E. along the North boundary thereof, a distance of 28.86 feet to a point on the East right-of-way line of County Road 495/North Citrus Avenue; thence continue N.89°52'29"E., a distance of 391.14 feet to the Southwest corner of those lands described in Official Records Book 627, Page 1757 of the Public Records of Citrus County, Florida; thence along the Southerly boundary of those lands described in Official Records Book 1203, Page 633 of the Public Records of Citrus County, Florida the following seventeen (17) courses: (1) S.01°16'45"W., a distance of 14.40 feet; (2) N.88°18'18"E., a distance of 50.02 feet; (3) S.89°02'11"E., a distance of 24.19 feet for a POINT OF BEGINNING; (4) continue S.89°02'11"E., a distance of 75.83 feet; (5) N.88°32'18"E., a distance of 60.02 feet; (6) S.88°24'24"E., a distance of 50.02 feet; (7) S.86°14'06"E., a distance of 50.12 feet; (8) N.88°06'17"E., a distance of 110.05 feet; (9) S.88°58'45"E., a distance of 50.01 feet; (10) N.89°28'26"E., a distance of 100.00 feet; (11) S.87°53'11"E., a distance of 110.08 feet; (12) N.88°23'08"E., a distance of 100.03 feet; (13) S.89°21'48"E., a distance of 80.19 feet; (14) N.88°57'30"E., a distance of 50.01 feet; (15) S.88°58'44"E., a distance of 50.01 feet; (16) S.88°02'48"E., a distance of 110.29 feet; (17) N.00°15'01"W., a distance of 22.00 feet to the Southeast corner of the aforementioned lands described in Official Records Book 627, Page 1757; thence N.89°52'29"E. along the aforementioned North boundary of those lands described in Deed Book 37, Page 325, a distance of 429.78 feet to a point on the Northwest right-of-way line of the former Atlantic Coastline Railroad; thence S.17°14'46"W. along said Northwest right-of-way line, a distance of 1,049.07 feet to a point on the North boundary of Tract A as shown on the map of plat of NORTH TURKEY OAK DRIVE as recorded in Plat Book 15, Page 127 of the Public Records of Citrus County, Florida and a non-tangent point of curvature; thence along said North boundary the following two (2) courses: (1) Westerly 21.05 feet along the arc of a curve to the right, said curve having a radius of 791.96 feet, a central angle of 01°31'23", and a chord bearing and distance of S.89°03'23"W., 21.05 feet to a point on the South boundary of the Northeast 1/4 of said Section 16; (2) S.89°49'05"W. along said South boundary, a distance of 1,188.34 feet; thence N.00°01'39"W., a distance of 527.41 feet; thence N.89°58'21"E., a distance of 115.00 feet; thence N.00°01'39"W., a distance of 462.03 feet to the POINT OF BEGINNING.  
 Containing 29.77 acres, more or less.

**DESCRIPTION AND SKETCH  
NOT A BOUNDARY SURVEY**

SHEET 1 OF 2  
SEE SHEET 2 FOR SKETCH

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**3607 N. CITRUS AVENUE  
MULTI FAMILY PARCEL**

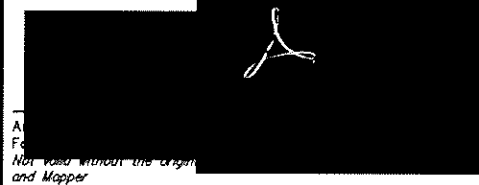
PREPARED FOR

**HIGHLANDER DEVELOPMENT**

JOB NO: 2023-298A01.BG00001

DRAWN BY: LDJ

This sketch and description as set forth by the Florida Statutes, Chapter 5J-17, Florida Statutes, 472.027, Florida Statutes.



Not valid without the original and Mapper

**JOHNSON ASSOCIATES**  
 SURVEYING AND MAPPING  
 Florida Licensed Business No. LB 4514  
 11911 S. Curley St. San Antonio, FL 33576  
 (352) 588-2768 survey@dcjohnson.com  
 www.djohnson.com

# Highlander Development, Inc

815-263-6563 JackFugett@comcast.net 21432 Prestancia Dr. Mokena IL 60448



November 29, 2023

Jenette Collins  
City of Crystal River  
123 NW Highway 19  
Crystal River, FL 34428

Dear Jenette,

Please find enclosed

1. Notarized signature of Comprehensive Plan Application
2. Map of Area
3. Deed
4. Metes and Bounds description
5. Check for fees - \$500
6. Authorization from Owner, Kevin Cunningham delivered to your office on November 28, 2023

Please let me know if package is complete as needed.

Sincerely yours,

A handwritten signature in black ink, appearing to be "Jack Fugett", written over a blue line.

Jack Fugett, Pres.

Highlander Development, Inc





# 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  
development@crystalriverfl.org

## APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

**Fee: Small Scale - \$500 for 50 ac or fewer      Large Scale - \$1,000 for > 50 ac  
TO BE PAID AT TIME OF APPLICATION**

Check One: Small Scale  # Acres 39      AltKey: 1058350  
Large Scale  # Acres \_\_\_\_\_      Parcel #: 17E18S16

Name of Petitioner(s): Highlander Development, Inc

Address of Petitioner(s): 21432 Prestancia Dr.

City Mokena State IL Zip Code 60448

Phone # \_\_\_\_\_ Fax # \_\_\_\_\_ Cell # 815-263-6563

Email Address: JackFugett@comcast.net

Legal Description attached: Yes  No       Survey attached: Yes  No

Street address of property (if applicable): 3607 Citrus Ave

Existing Land Use: CG & R1      Proposed Land Use: FLU-MDR Zoning R2, FLU-HDR- Zoning R3, FLU- HC Zoning CH

Reason for Request: Our rezoning request from CG and LDR to mixed-use designed to enhance the functionality and appeal of the area. By integrating residential, retail, and recreational components, we strive to create a balanced, mixed-use development that aligns with the city's goals.

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". (Provide a complete legal description of area under consideration.)
- Paid application fee

RECEIVED  
DEC 01 REC'D  
April 2023  
By \_\_\_\_\_

# AUTHORIZATION

## APPLICATION REQUEST: (check one)

Variance     Conditional Use     Minor Subdivision     Lot Reconfiguration  
 Plat Vacation     Street Vacation     Comprehensive Plan Amendment  
 Atlas Amendment     Other (specify): Small Scale

## LEGAL DESCRIPTION OF PROPERTY:

Section 16 Township 18S Range 17E Alternate Key # 1058350

Lot/Parcel \_\_\_\_\_ Block \_\_\_\_\_

Subdivision \_\_\_\_\_

I, **Kevin D. Cunningham, of Mary Street, LLC**, owner of the above-described property, authorize **Jack Fugett of Highlander Development, Inc.** to serve as agent on my behalf for the purpose of making application for the proposed request. No further authorization is expressed or implied, than that which is described herein.

SIGNATURE: \_\_\_\_\_

Kevin D. Cunningham of Mary Street, LLC

STATE OF FLORIDA

COUNTY OF CITRUS

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgements, personally appeared KEVIN CUNNINGHAM, who is personally known to me or provided FLDL as identification and who did not take an oath.

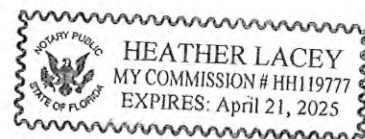
WITNESS my hand and official seal this 28 day of NOVEMBER, 2023

HEATHER LACEY

Printed Name

Seal

Notary Public - State of Florida





# Highlander Development, Inc

815-263-6563 JackFugett@comcast.net 21432 Prestancia Dr. Mokena IL 60448



November 29, 2023

Jenette Collins  
123 NW Highway 19  
Crystal River, FL 34428

Dear Jenette,

Please find enclosed

1. Rezoning Application
2. Map of Area
3. Deed
4. Metes and Bounds description

Please let me know if package is complete as needed

Sincerely yours,

A handwritten signature in black ink, appearing to be "Jack Fugett".

Jack Fugett, Pres.

Highlander Development, Inc





# REZONING APPLICATION

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

## Applicant Information:

Name: Highlander Development, Inc  
Address: 21432 Prestancia Dr. Mokena IL 60448  
Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ Cell #: 815-263-6563  
Email Address: JackFugett@comcast.net

## Property Description:

Parcel Account #: 17E18S16 Alt. Key # 1058350  
Street Address (or street & avenue location): 3607 N Citrus Ave

Legal Description: \_\_\_\_\_

(or attachment)

Property Acreage: 39 +/- Sq. ft.: 1,698,840 +/-

Present F.L.U.M. Designation: \_\_\_\_\_

Present Zoning Designation: The current zoning designation encompasses both Commercial (CG) and Low-Density Residential (LDR- R1) zones

Requested Zoning Designation: The proposed zoning designation seeks a land uses, encompassing FLU- MDR, R2, FLU- HDR- R3 and FLU- HC, zoning HC.

Reason for the Request: \_\_\_\_\_

Our rezoning request from commercial (CG) and LDR (R-1) to mixed-use designed to enhance the functionality and appeal of the area. By integrating MDR-R2, HDR-R3 and FLU-HC, recreational components (Fitness & club house), we strive to create a balanced, mixed-use development that aligns with the city's goals. Proposed MDR- R2 density 30 units, and HDR-R3 density 205 units

Explain Consistency with the Future Land Use Plan: \_\_\_\_\_

We purpose to amend the Future Land Use Map and the Zoning Map from the existing general commercial to the more intense commercial, and from the low density residential to the medium density residential.

## Additional Contact Information (other than Owner or Agent)

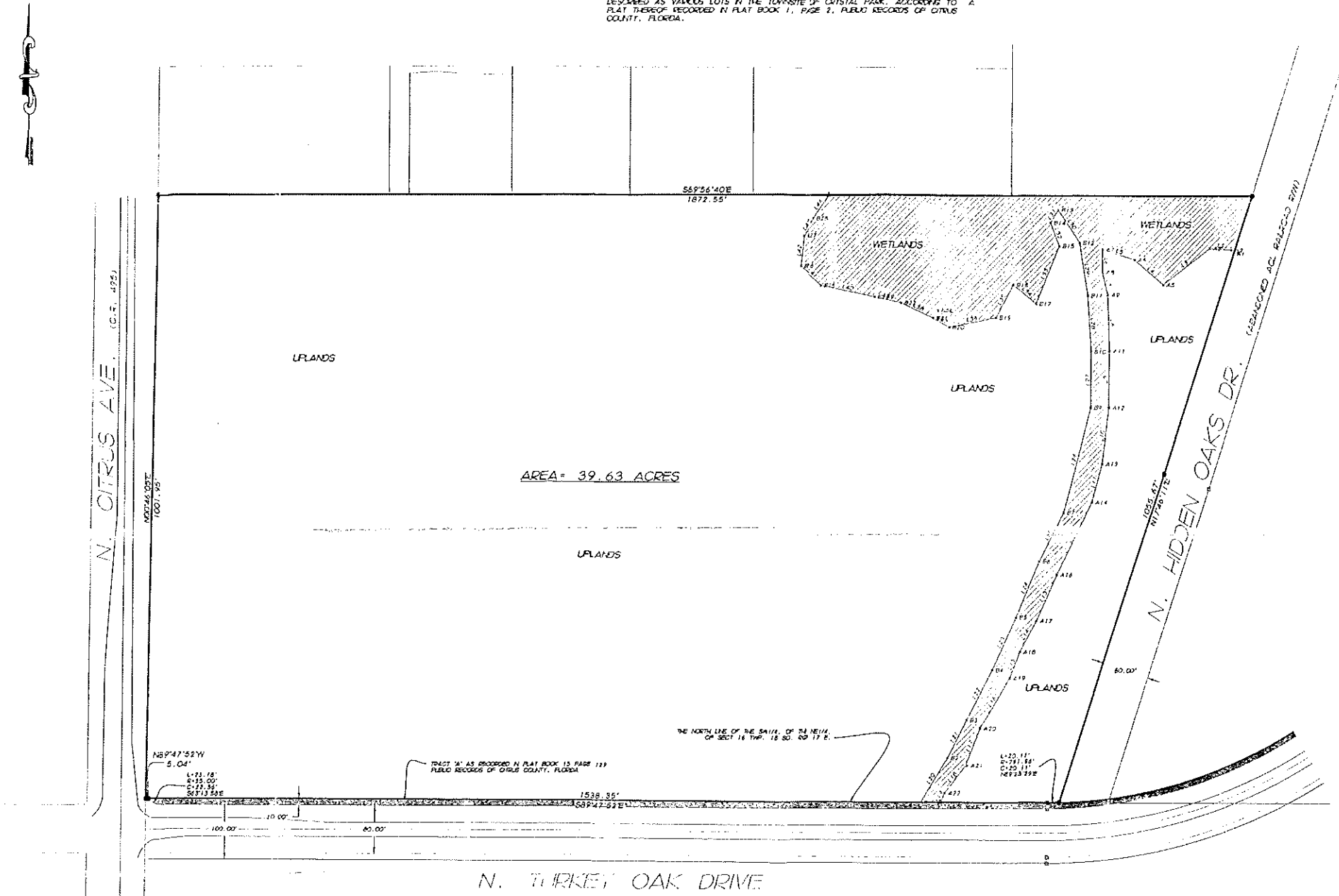
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ Cell #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

**Fee: \$500 – To be paid at time of application**

**RECEIVED**  
DEC 01 2023  
By: \_\_\_\_\_

BOUNDARY SURVEY WITH WETLAND LOCATION

DESCRIPTION:  
 A TRACT OF LAND IN THE SOUTH 1/2 OF THE NE 1/4 OF SECTION 16, TOWNSHIP 18 SOUTH, RANGE 17 EAST, DESCRIBED AS FOLLOWS:  
 COMMENCING AT THE SW CORNER OF THE SW 1/4 OF THE NE 1/4 OF SAID SECTION, RUN THENCE NORTH 15.2 CHAINS, THENCE EAST 28.18 CHAINS, THENCE SW ALONG THE WESTERLY BOUNDARY OF THE ATLANTIC COAST LINE RAILROAD RIGHT-OF-WAY 15.9 CHAINS TO THE 1/2 SECTION LINE, THENCE WEST ALONG SAID LINE 23.94 CHAINS, MORE OR LESS TO THE POINT OF BEGINNING, SAID LAND ALSO BEING KNOWN AND DESCRIBED AS VARIOUS LOTS IN THE TOWNSITE OF CRYSTAL PARK, ACCORDING TO A PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 2, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.



LINE	BEARING	LENGTH
1	S 89° 42' E	1872.55
2	S 71° 14' E	2818.18
3	S 72° 11' E	159.9
4	S 85° 27' E	23.94
5	S 72° 44' E	23.94
6	S 37° 33' E	23.94
7	S 86° 00' E	23.94
8	S 75° 20' E	23.94
9	S 83° 20' E	23.94
10	S 72° 11' E	23.94
11	S 66° 34' E	23.94
12	S 74° 04' E	23.94
13	S 73° 23' E	23.94
14	S 59° 17' E	23.94
15	S 45° 01' E	23.94
16	S 28° 00' E	23.94
17	S 15° 21' E	23.94
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100	S 1° 13' E	23.94

1. THE PROFESSIONAL SURVEYOR HAS MADE NO INVESTIGATION OR RESEARCH SEARCH FOR EASEMENTS OF RECORD, EASEMENTS, EJECTMENT COORDINATES, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY REVEAL.

2. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT SURVEYED OR EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. NO FORCE OR STAKEWORK IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONDITIONS, CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THE PROPERTY.

3. COPYRIGHT © CLARK SURVEYING. ALL RIGHTS RESERVED. NO PART OF THIS DRAWING MAY BE REPRODUCED BY PHOTOGRAPHY, RECORDING OR BY ANY OTHER MEANS, OR STORED, PROCESSED OR TRANSMITTED IN OR BY ANY INFORMATION OR COMMUNICATIONS SYSTEMS WITHOUT THE PRIOR WRITTEN PERMISSION OF THE SURVEYOR. COPIES OF THIS PLAN WITHOUT AN ORIGINAL SIGNATURE AND SEAL ARE NOT VALID.

4. UNLESS OTHERWISE SHOWN, THE NECESSARY RIGHT OF WAY OF TURKEY OAK DRIVE AS SHOWN ON PLAT 15 AND 137 PROOF OF BEING 50 FEET WIDE.

5. ACCORDING TO FEMA PANEL NO. 130063 0115B AND FEMA PANEL NO. 130063 0120B THIS PROPERTY APPEARS TO BE IN FLOOD ZONE A19, SEE, 6.

6. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SURVEY PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SURVEY PARTY OR PARTIES.

7. THE WETLAND AND BOUND TO PART OF THE 100 FEET WIDE WASH THE RIGHT OF WAY OF TURKEY OAK DRIVE IS LOCATED AND REFERRED TO THE LOCATION OF SAID RIGHT OF WAY FOR THE PURPOSES OF A BUFFER, SLUICING, LANDSCAPING, SIGNAGE AND SUCH OTHER DEMAND ELEMENTS AS MAINTAINED TO SERVE THE SAID WASH DEVELOPMENT.

LEGEND  
 B PLAT 15 & 137 COORDINATE LOCATION (AREA UNDER CHAINERS BOUND)  
 S NOT SURVEYED FOR RECORD  
 P PLAT 15  
 F PLAT 137  
 C PLAT 15 & 137 COORDINATE LOCATION  
 H RECORD INFORMATION  
 P PROFESSIONAL LAND SURVEYOR  
 R PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA

CLARK SURVEYING, INC.  
 256 N.E. CRYSTAL STREET  
 CRYSTAL RIVER, FLORIDA 34428  
 (352) 563-2729 FAX (352) 563-0037  
 DATE: 4-11-07 SCALE: 1" = 100' JOB NO.: 9207

CERTIFIED TO:  
 RENE S. DELLA PENNA  
 A PORTION OF THE SW 1/4 OF THE NE 1/4  
 SECT. 16 TWP. 18 S. R. 17 E  
 CITRUS COUNTY, FLORIDA  
 CLARK SURVEYING, INC.  
 256 N.E. CRYSTAL STREET  
 CRYSTAL RIVER, FLORIDA 34428  
 (352) 563-2729 FAX (352) 563-0037  
 DATE: 4-11-07 SCALE: 1" = 100' JOB NO.: 9207







# CITY OF CRYSTAL RIVER PLANNING COMMISSION

## STAFF REPORT Growth Management Department

<b>MEETING DATE:</b>	January 4, 2024
<b>APPLICATION NO:</b>	PZT23-0005 – Text Amendment to Land Development Code – Medical Marijuana Dispensaries
<b>PROPOSED LAND DEVELOPMENT CODE TEXT AMENDMENT:</b>	Text Amendment to Appendix A – Land Development Code of Crystal River, Florida, Code of Ordinances by adding a new Section 2.03.04 <i>Prohibition on medical marijuana dispensing facilities.</i>
<b>APPLICANT:</b>	City of Crystal River
<b>PROJECT MANAGER:</b>	Jenette Collins, AICP, Director Growth Management Department

**BACKGROUND INFORMATION:** The staff brings forward an amendment to the text of the City of Crystal River’s Land Development Code (LDC) to include standards to prohibit medical marijuana dispensing facilities from establishing or locating within the boundaries of the city. The text amendment is added to Chapter 2 as a sub-section of Section 2.03.00 *Land uses permitted in each zoning district.*, of the LDC. In 2017, section 381.986, Florida Statutes, was amended which provides in relevant part that “A county or municipality may, by ordinance, ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that county or municipality.” (Reference Attachment Exhibit “A”)

On December 11, 2023, the City Council passed and adopted a Resolution 24-R-14 which imposes a temporary moratorium on the operation of new medical marijuana treatment dispensing facilities within the corporate limits of the City of Crystal River from December 11, 2023 to July 11, 2024. While the temporary moratorium is in effect, the City shall not accept, process or approve any application relating to the operation of any new medical marijuana treatment dispensing facilities.

**ANALYSIS:** Section 381.986(11), Florida Statutes, states that ...” A county of municipality that does not ban dispensing facilities under this subparagraph may not place specific limits, by ordinance, on the number of dispensing facilities that may locate within the county or municipality.” Unless otherwise banned, the law requires that medical marijuana dispensing facilities are allowed in any zoning district that allows pharmacies, except that they may not be located within 500 feet of real property that comprises a public or private elementary school, middle school, or secondary school unless the city approves the location by a formal public hearing.

The proposed text amendment to the LDC is presented as follows (underlined is proposed language):

<p><b>TEXT AMENDMENT – THAT A NEW SECTION 2.03.04 PROHIBITION ON MEDICAL MARIJUANA DISPENSING FACILITIES, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY ADDED AS FOLLOWS:</b></p> <p><b><u>2.03.04. Prohibition on medical marijuana dispensing facilities.</u></b></p> <p>A. <u>Prohibition. Medical marijuana treatment center dispensing facilities are prohibited and shall not be located within the boundaries of the city. The city shall not accept, process or approve any request or application for a development order, building permit or other approval associated with a proposed medical marijuana treatment center dispensing facility.</u></p>
---

- B. Definition. For the purposes of this section, the term "medical marijuana treatment center dispensing facility" means any facility where medical marijuana or any product derived therefrom is dispensed at retail.
- C. Interpretation/intent. This section and the terms used herein shall be interpreted in accordance with F.S. § 381.986 and F.A.C. ch. 64-4. The intent of this section is to ban medical marijuana treatment center dispensing facilities from being located within the boundaries of the city as authorized by F.S. § 381.986(11).

It is noted that approved medical marijuana dispensing facilities existing prior to the enactment of this proposed LDC amendment shall be allowed to continue pursuant to section 9.01.00 *Nonconforming situations*, et seq., of the LDC, and may otherwise obtain relief through recognition of vested rights pursuant to section 9.06.00 *Vested Rights*, et seq., of the LDC. A list of known medical marijuana dispensing facilities and those selling cannabidiol (CBD) products located in the city is included in this application’s backup packet.

**CONSISTENCY WITH THE COMPREHENSIVE PLAN:** The proposed change to the text of the City’s Land Development Code is consistent with the **GOALS, OBJECTIVES, and POLICIES** found in the City of Crystal River Comprehensive Plan. The Comprehensive Plan is silent to medical marijuana treatment center dispensing facilities.

**SUMMARY OF PUBLIC COMMENTS:** Public comments have not been received as of this writing of the Staff Report.

**PLANNING COMMISSION RESPONSIBILITIES:** As conveyed in Subsection 8.02.03(B.)(2.) of the Crystal River LDC, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding applications to amend the text of the LDC.

**STAFF RECOMMENDATION:** Section 381.986(11), Florida Statutes, authorizes local governments to ban the establishment or location of medical marijuana treatment center dispensing facilities by ordinance. Staff recommends approval.

**SUPPORTING DIAGRAMS, ILLUSTRATIONS & TABLES:** Please see the PowerPoint presentation provided by Staff.

**PLANNING COMMISSION ACTION:** As conveyed in Subsection (C.) (4.) of 10.03.04 *Procedures for action by the Planning Commission*, of the LDC, the Planning Commission shall recommend to the City Council that the application for an amendment of the LDC be approved, approved with modifications, or denied.

- PZT23-0005 - Text Amendment to Land Development Code – Medical Marijuana Dispensaries

**ATTACHMENT(S):**

1. Exhibit “A” Excerpt of S.381.986 Medical use of marijuana, Florida Statutes, Sub-item (11) Preemption)
2. List of medical marijuana dispensaries
3. List of CBD merchants
4. Staff PowerPoint Presentation
5. Application

EXHIBIT "A"

Excerpt of S.381.986 *Medical use of marijuana*, Florida Statutes, Subitem (11) PREEMPTION.

(11) PREEMPTION.—Regulation of cultivation, processing, and delivery of marijuana by medical marijuana treatment centers is preempted to the state except as provided in this subsection.

(a) A medical marijuana treatment center cultivating or processing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school.

→ (b)1. A county or municipality may, by ordinance, ban medical marijuana treatment center dispensing facilities from being located within the boundaries of that county or municipality. A county or municipality that does not ban dispensing facilities under this subparagraph may not place specific limits, by ordinance, on the number of dispensing facilities that may locate within that county or municipality.

2. A municipality may determine by ordinance the criteria for the location of, and other permitting requirements that do not conflict with state law or department rule for, medical marijuana treatment center dispensing facilities located within the boundaries of that municipality. A county may determine by ordinance the criteria for the location of, and other permitting requirements that do not conflict with state law or department rule for, all such dispensing facilities located within the unincorporated areas of that county. Except as provided in paragraph (c), a county or municipality may not enact ordinances for permitting or for determining the location of dispensing facilities which are more restrictive than its ordinances permitting or determining the locations for pharmacies licensed under chapter 465. A municipality or county may not charge a medical marijuana treatment center a license or permit fee in an amount greater than the fee charged by such municipality or county to pharmacies. A dispensing facility location approved by a municipality or county pursuant to former s. 381.986(8)(b), Florida Statutes 2016, is not subject to the location requirements of this subsection.

(c) A medical marijuana treatment center dispensing facility may not be located within 500 feet of the real property that comprises a public or private elementary school, middle school, or secondary school unless the county or municipality approves the location through a formal proceeding open to the public at which the county or municipality determines that the location promotes the public health, safety, and general welfare of the community.

(d) This subsection does not prohibit any local jurisdiction from ensuring medical marijuana treatment center facilities comply with the Florida Building Code, the Florida Fire Prevention Code, or any local amendments to the Florida Building Code or the Florida Fire Prevention Code.



## CITY OF CRYSTAL RIVER

### OPERATING MEDICAL MARIJUANA DISPENSARIES

The following medical marijuana dispensaries are established and operating in the city limits pursuant to state statutes.

1.       **Trulieve Crystal River Dispensary**  
275 NE US Highway 19  
Crystal River, Florida 34429  
  
Phone: 352-496-8422
  
2.       **Green Dragon Cannabis Dispensary**  
91 NE US Highway 19  
Crystal River, Florida 34429  
  
Phone: 352-645-2688
  
3.       **Rise Medical Cannabis Dispensary**  
1208 NE 5<sup>th</sup> Street  
Crystal River, Florida 34429  
  
Phone: 352-477-8249

### Non-Operating Medical Marijuana Dispensaries

4.       **CR Outparcel LLC (Proposed location Building Official Denied)**  
941 NE US Highway 19  
Crystal River, Florida 34428  
  
Phone: Unknown  
  
Contact: Red Bell Partners  
2469 N John Young Parkway Suite C  
Orlando, Florida 32804  
  
Phone: 407-487-4839

## CITY OF CRYSTAL RIVER

### OPERATING SMOKE SHOPS

The following shops are currently operating in the city pursuant to DBPR and Department of Agriculture licensing requirements.

1.       **Beyond Smoke Shop**  
1611 SE US Highway 19  
Crystal River, Florida 34429  
  
Phone: 352-699-1393
  
2.       **King Cloud Smoke Shop**  
1321 SE US Highway 19  
Crystal River, Florida 34429  
  
Phone: 352-651-5181
  
3.       **Pandora's Box Smoke Shop**  
157 SE US Highway 19  
Crystal River, Florida 34429  
  
Phone: 352-794-3389
  
4.       **Velvet Smoke Shop**  
785 NE 5<sup>th</sup> Street  
Crystal River, Florida 34428  
  
Phone: 352-228-4383
  
5.       **Vapor Spot and Smoke Shop**  
51 NW US Highway 19  
Crystal River, Florida 34428  
  
352-228-4551


Pharmacies operating in the city selling CBD products

- |    |                     |                      |                              |
|----|---------------------|----------------------|------------------------------|
| 1. | <b>CVS Pharmacy</b> | 327 NE US Highway 19 | Crystal River, Florida 34429 |
| 2. | <b>Walgreens</b>    | 310 NE US Highway 19 | Crystal River, Florida 34429 |

Convenience Stores operating in the city selling CBD Products

1.       **Super Discount**  
1943 NW US Highway 19  
Crystal River, Florida 34428  
  
Phone: 352-795-3500
  
2.       **Kwik Stop | Chevron**  
118 NW US Highway 19  
Crystal River, Florida 34428  
  
Phone: 352-564-9623
  
3.       **BP Gas**  
662 NE US Highway 19  
Crystal River, Florida 34428  
  
352-564-8844





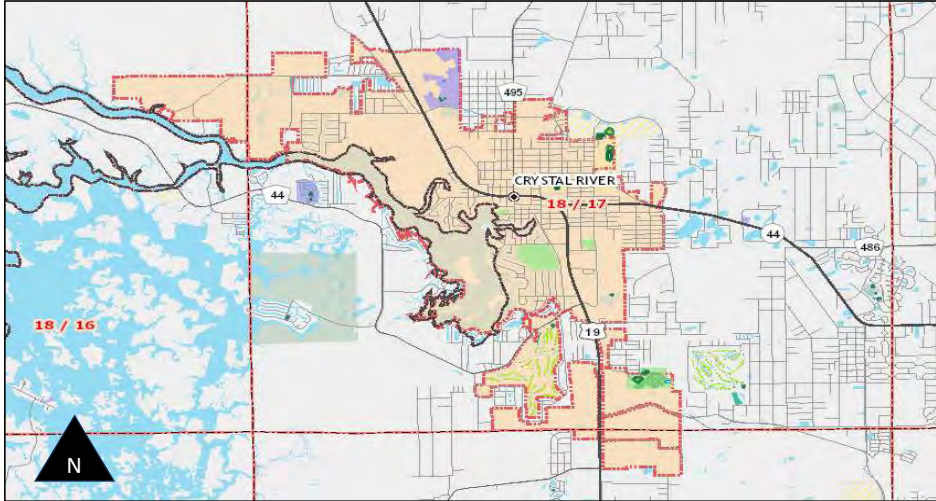
**PZT23-0005**  
**LAND DEVELOPMENT CODE TEXT AMENDMENT -**  
**MEDICAL MARIJUANA DISPENSARIES**  
**City of Crystal**

Crystal River Planning Commission Meeting of January 4, 2024

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Text Amendment to Appendix A – Land Development Code of Crystal River, Florida, Code of Ordinances by adding a new Section 2.03.04 *Prohibition on medical marijuana dispensing facilities.*



Crystal River Planning Commission Meeting of January 4, 2024

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## Florida Statutes Section 381.986 Medical use of Marijuana

Section 381.986(11) Preemption, Florida Statutes states that a county of municipality may....

- either ban medical marijuana treatment center dispensing facilities by ordinance,

or

- are preempted so that such facilities are allowed where zoning allows pharmacies (except must be 500' from real property of elementary, middle school or secondary school).


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**TEXT AMENDMENT – THAT A NEW SECTION 2.03.04 PROHIBITION ON MEDICAL MARIJUANA DISPENSING FACILITIES, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY ADDED AS FOLLOWS:**

**2.03.04. Prohibition on medical marijuana dispensing facilities.**

- A. Prohibition. Medical marijuana treatment center dispensing facilities are prohibited and shall not be located within the boundaries of the city. The city shall not accept, process or approve any request or application for a development order, building permit or other approval associated with a proposed medical marijuana treatment center dispensing facility.
- B. Definition. For the purposes of this section, the term "medical marijuana treatment center dispensing facility" means any facility where medical marijuana or any product derived therefrom is dispensed at retail.
- C. Interpretation/intent. This section and the terms used herein shall be interpreted in accordance with F.S. § 381.986 and F.A.C. ch. 64-4. The intent of this section is to ban medical marijuana treatment center dispensing facilities from being located within the boundaries of the city as authorized by F.S. § 381.986(11).

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# QUESTIONS?

**PZT23-0005**  
**LAND DEVELOPMENT CODE TEXT AMENDMENT -**  
**MEDICAL MARIJUANA DISPENSARIES**  
**City of Crystal**

Crystal River Planning Commission Meeting of January 4, 2024

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PERMIT NO: \_\_\_\_\_ ORDINANCE NO. \_\_\_\_\_

# City of Crystal River

Planning & Community  
Development  
123 Northwest Highway 19  
Crystal River, FL 34432  
Telephone: (352) 795-4216  
[development@crystalriverfl.org](mailto:development@crystalriverfl.org)

## APPLICATION FOR LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT

Fee: \$500 DUE AT TIME OF APPLICATION

Name of Petitioner(s): City of Crystal River, Growth Management Department  
Contact Person: Jenette Collins, AICP, Director

Address of Petitioner(s): 123 NW Hwy 19  
Crystal River, FL 34428  
City State Zip Code

Phone # 352-795-4216, Ext 340 Cell # 352-795-8226

Email Address: jcollins@crystalriverfl.org

State the LDC Code Section(s) that you wish to Amend: Sec. 1.07.00 Acronyms and Definition by adding a definition for Medical Marijuana Treatment Center Dispensing Facilities, and prohibiting such use in the city.

Reason for Proposed Amendment: Sec. 381.986 (11), Florida Statutes provides that a municipality may, by Ord. ban medical marijuana dispensing facilities from being located within its boundaries.

State evidence of consistency of the Proposed Amendment with the Comprehensive Plan.  
The Land Development Code Ordinance is adopted to identify land uses permissible in each zoning district to foster and preserve public health, welfare and safety for approval of development based on the comprehensive plan; no inconsistencies are found with this amendment request.

I Jenette Collins, being first duly sworn, affirm and say that I am the:  
(check one) \_\_\_\_\_ owner, or  the legal representative authorized to speak on behalf of the subject matter, of the property described in this application.

Jenette Collins  
Signature

December 1, 2023  
Date

Jenette Collins  
Print Name

State of Florida  
County of Citrus

The foregoing instrument was acknowledged before me by (  ) physical presence or ( ) remote audio-visual means this 1 day of December, 2023, by Jenette Collins, who is personally known to me or has produced \_\_\_\_\_ as identification and who did not take an oath.

Morgan Layne Morris  
Notary Public



**MORGAN LAYNE MORRIS**  
Notary Public  
State of Florida  
Comm# HH353731  
Expires 1/24/2027