

**Revised Planning Commission Agenda
August 20, 2020 - 5:30 p.m.**

**Robert Froehling- Chair
Daniel Grannan - Vice Chair
Randy Martin
Charles Kish
Scott Ebert**



**Doug Smith
Tonia Herring
Alternate 1 - Terry Thompson
Alternate 2 – Vince Morris**

- 1) Call to Order
- 2) Roll Call
- 3) Swear-In New Member – Vince Morris
- 4) Adoption of Agenda
- 5) Approval of Minutes – **March 5, 2020**
- 6) Citizen Input – 3 minutes
- 7) Public Hearings –
 - a) **ORDINANCE NO. 20-O-05 - Request to amend the City of Crystal River’s Land Development Code, Chapter 4, Section 4.08.00. – Crystal River Redevelopment Agency (CRA) Downtown Commercial Waterfront Overlay District, Section 4.08.01. – Purpose Statement, and Section 4.08.02. – Boundaries/Design Criteria.**

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE CITY OF CRYSTAL RIVER LAND DEVELOPMENT CODE, CHAPTER FOUR SECTION 4.08.00. - CRYSTAL RIVER REDEVELOPMENT AGENCY (CRA) DOWNTOWN COMMERCIAL WATERFRONT OVERLAY DISTRICT, SECTION 4.08.01. - PURPOSE STATEMENT, AND SECTION 4.08.02. - BOUNDARIES/DESIGN CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR CODIFICATION, PROVIDING FOR MODIFICATIONS THAT MAY ARISE AT HEARINGS; PROVIDING FOR SCRIVENER’S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

- 8) Unfinished Business – None
- 9) New Business – None
- 10) Citizen Input – 5 minutes
- 11) Staff Comments
- 12) Commissioner’s Comments
- 13) Chairman’s Comments
- 14) Adjournment

ORDINANCE NO. 20-O-05

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE CITY OF CRYSTAL RIVER LAND DEVELOPMENT CODE, CHAPTER FOUR SECTION 4.08.00. - CRYSTAL RIVER REDEVELOPMENT AGENCY (CRA) DOWNTOWN COMMERCIAL WATERFRONT OVERLAY DISTRICT, SECTION 4.08.01. - PURPOSE STATEMENT, AND SECTION 4.08.02. - BOUNDARIES/DESIGN CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR CODIFICATION, PROVIDING FOR MODIFICATIONS THAT MAY ARISE AT HEARINGS; PROVIDING FOR SCRIVENER’S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Florida Statutes (F.S.) the City of Crystal River City Council adopted the City of Crystal River Comprehensive Plan; and

WHEREAS, on May 17, 2005, the City of Crystal River adopted the City of Crystal River Land Development Code (LDC) as ordinance 05-O-08; and

WHEREAS, the City Council of the City of Crystal River, Florida recognizes the need to update and revise the City’s Land Development Code to maintain consistency with the goals, objectives, and polices of the Comprehensive Plan and Community Redevelopment Area (CRA) Plan; and

WHEREAS, the City of Crystal River Planning Commission held a public hearing on August 20, 2020 to consider a request to recommend amending the Land Development Code (LDC) Chapter Four Section 4.08.00. - Crystal River Redevelopment Agency (CRA), Downtown Commercial Waterfront Overlay District, Section 4.08.01. - Purpose Statement, and Section 4.08.02. - Boundaries/Design Criteria; and

WHEREAS, the City of Crystal River Planning Commission voted _____() to recommend _____of all proposed amendments (as shown in exhibit A) to the Land Development Code (LDC); and

WHEREAS, the City Council of the City of Crystal River, Florida, has embarked on its most ambitious public investment effort to date, with projects under development that include a downtown “river-walk”, “town square”, and “linear park”; resulting in a high degree of interest in surrounding properties from the private sector; and

WHEREAS the Crystal River Redevelopment Agency (CRA) Downtown Commercial Waterfront Overlay District(CDWOD) functions as a land development ordinance for the downtown commercial waterfront area. This district addresses a relatively small area of land, primarily comprised of waterfront lots within the heart of downtown. The area is part of a larger “overlay zone”, created as a form-based code, and known as the Community Redevelopment Area (CRA).

WHEREAS, if the proposed changes are adopted, future investment will not only meet the existing expectations of citizen’s regarding the form and intensity of their community, but will continue to add value and the incremental improvements envisioned for the downtown and waterfront; and

WHEREAS, the proposed changes to Chapter Four Section 4.08.00. - Crystal River Redevelopment Agency (CRA), Downtown Commercial Waterfront Overlay District, Section 4.08.01. - Purpose Statement, and Section 4.08.02. - Boundaries/Design Criteria are enacted in order to better promote development patterns envisioned in adopted plans and ensure processes and standards that are user-friendly, based on best practices, and appropriately calibrated to reflect changes in the rural to urban spectrum; and

WHEREAS, the City Council of the City of Crystal River, Florida, has determined that amending the City's Land Development Code (as shown in exhibit A), including the provisions that address the Community Redevelopment Area, is consistent with the goals, objectives and policies of the Comprehensive Plan and CRA Plan; 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 LAND DEVELOPMENT CODE IS AMENDED AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend Appendix A, Land Development Code, Land Development Code, Chapter Four Section 4.08.00. - Crystal River Redevelopment Agency (CRA), Downtown Commercial Waterfront Overlay District, Section 4.08.01. - Purpose Statement, and Section 4.08.02. - Boundaries/Design Criteria for 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 Land Development Code 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 proposed amendments shown in exhibit A, attached.

SECTION 3. REPEAL OF CONFLICTING ORDINANCES.

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

SECTION 4. SEVERABILITY.

The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence or 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 5. MODIFICATION

It is the intent of the City Council that the provisions of this ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the Council and filed by the City Clerk.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES

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

SECTION 7. 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 8. CORRECTION OF SCRIVENER'S ERRORS.

The correction of typographical errors that do not affect the intent, may be authorized by the City Manager, or his or her designee, without need of public hearing, by filing a corrected or re-codified copy with the Clerk of the Circuit Court.

SECTION 10. EFFECTIVE DATE

This Ordinance shall become effective immediately upon passage.

APPROVED on the first reading after due public notice and public hearing the _____ day of _____, 2020.

APPROVED on the second reading after due public notice and public hearing the _____ day of _____, 2020.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

PASSED on First Reading _____, 2020

NOTICE Published on _____, 2020

PASSED on Second & Final Reading _____, 2020

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

VOTE OF COUNCIL:

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

Robert W. Batsell, Jr., City Attorney

EXHIBIT “A”

4.08.00. - Crystal River Redevelopment Agency (CRA) Downtown Commercial Waterfront Overlay District (DCWOD).

(Ord. No. 20-O-01, § 2(Exh. A), 1-13-2020)

4.08.01. - Purpose statement.

The downtown commercial waterfront overlay district is being created with the intention of promoting private development, achieving a high degree of public use with parks, hotels, public assembly areas and river themed retail commercial uses. The character envisioned is an urban district with industrial fishing village design elements, Florida-friendly landscape treatments, and lighting; designed to pedestrian oriented for day and night uses with continuous public access to the water's edge. Flexibility is given to each parcel to allow harmonious development that is compatible with adjacent buildings.

(Ord. No. 16-O-05, § 3, 3-25-2019)

4.08.02.A – Boundaries.

The Downtown Commercial Waterfront Overlay District (DCWOD) is an overlay zoning district whose boundaries are conveyed below and outlined on the official zoning map of the City. The DCWOD is located within the larger Community Redevelopment Area (CRA) and Community Redevelopment Area Overlay District (CRAOD).

4.08.02.B. – Design Criteria.

Permitted Use: The letter “P” indicates that the land use is permissible, subject to compliance with the standards of the zoning district.

Supplemental Use: The letter “S” indicates that the land use is permissible, subject to compliance with the standards of the zoning district, and the supplemental standards specified for the use.

Special Use: The letters “SU” indicate that the land use may be permitted in the zone, subject to compliance with the standards of the zoning district, as well as special consideration of its location, design, methods of operation, and impacts before it can be deemed appropriate and compatible.

Special Use Criteria:

1. **Applicability:** Special Uses are required for uses that may be compatible with other uses permitted in the district, but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and/or the city as a whole, require individual consideration in their location, design, configuration, and/or operation at the proposed location. Such uses shall also be evaluated for their potential adverse impacts on adjacent property and uses. The Special Use process ensures the appropriateness of the use at a particular location within a given District.
2. **Process and Approval:**
 - a. **All applications for a Special Use shall, at a minimum, meet the standards found in:**
 - i. **4.08.00 Crystal River Redevelopment Agency (CRA) Downtown Commercial Waterfront Overlay District (DCWOD).**
 - ii. **4.07.00 CRA Overlay District Regulations.**
 - iii. **The applicable zoning district: CW, CH, PL.**
 - iv. **The Review Criteria found in sub-section 5 below.**
 - b. **Required Application Information:** All applicable forms as determined by the Supervisory Planner, along with such accompanying material as is required to ensure compliance with the criteria listed above in sub-section 2.a.

- c. **Staff Review and Report:** The Supervisory Planner shall prepare a staff report that reviews the proposed development in light of the Comprehensive Plan, 4.07.00 CRA Overlay District Regulations, 4.08.00 CRA Downtown Commercial Waterfront Overlay District, underlying zoning district, and the review criteria listed below in sub-section 5. A copy of the report shall be provided to the Planning Commission and the applicant prior to the scheduled hearing.
3. **Planning Commission Hearing:** The Planning Commission shall hold a public hearing on the Special Use application. Following the public hearing, the Planning Commission shall make a recommendation to the CRA Board (City Council) to recommend approval, approval with conditions, or disapproval of the request.
4. **CRA Hearing (10.03.03):** The CRA Board (City Council) shall hold a public hearing on the Special Use application. They shall make a final recommendation to the City Council to approve, approve with conditions, or disapprove the request.
5. **City Council Hearing:** The City Council shall hold a public hearing on the Special Use application. They shall make a final recommendation to approve, approve with conditions, or disapprove the request.
6. **Planning Commission, CRA Board, City Council Review Criteria:** The following criteria shall be used when reviewing a Special Use:
- a. **The Planning Commission, CRA Board (City Council), and City Council may recommend approval of an application for a Special Use where it reasonably determines that there will be no significant negative impact upon residents of surrounding property or upon the general public. They shall consider (not necessarily require) the following criteria as part of their review. The proposed structures and functions:**
 - i. Are compatible with adopted plans and future plans for the area (i.e. Comprehensive Plan, Civic Master Plan);
 - ii. Depict a form, intensity, and architectural design in keeping with the character of the surrounding area;
 - iii. Are compatible with existing land uses in the surrounding area;
 - iv. Are designed such that drainage problems will not be created on the property or nearby properties;
 - v. Are part of, or help to promote an interconnected network of streets, pathways, and waterways that are safe for vehicles, boats, bicycles, and pedestrians to circulate (cul-de-sacs are only present where natural or physical barriers exist);
 - vi. Are located and oriented such that they contribute to the physical definition of the street, civic space, or waterfront as a public space;
 - vii. Are adequately serviced by public infrastructure such as parking facilities, water and sewer systems, police and fire protection, and solid waste collection without negatively impacting existing uses in the area and in the City;
 - viii. Will not increase noise, lights, fumes, dust, smoke, vibration, fire hazards, or other injurious or obnoxious impacts that can negatively and dramatically impact the public's health and safety;
 - ix. On-site parking shall be located to the rear, the side, or beneath the structure (screened from view);
 - x. Landmark Buildings: a landmark building shall be sited at an highly noticeable, important location such that the site and structure promote a form that reflects its civic stature within the community, and
 - xi. **Additional Conditions:** The Planning Commission and CRA (City Council) may recommend and the City Council may impose such conditions and restrictions upon the application as may be necessary to minimize or mitigate any potential adverse impacts of the proposed use.

Reserved.

<u>Land Use:</u>	<u>Compliance</u>
Multi-family	<u>P</u>
Mixed use	<u>P</u>
Marina	<u>P</u>
Parks, public and private	<u>P</u>
Professional service/office	<u>P</u>
Professional offices, studios, other general offices (no medical or lab; tattoo parlors, pawn shops or flea markets; bail bonds or knife/gun shops)	<u>P</u>

Cultural centers (museums, aquariums, galleries, etc.)	<u>P</u>
Restaurant/bar/lounge	<u>P</u>
Hotels/motels	<u>P</u>
Personal service establishments (beauty, barber, tailor, etc.)	<u>P</u>
Private clubs/lounges	<u>P</u>
Retail stores (except automotive)	<u>P</u>
Fishery, commercial and retail	<u>P</u>
Specialty food store (bakery, deli, etc.)	<u>P</u>
Resort housing units	<u>P</u>
Water-dependent uses	<u>P</u>
Public parking facilities	<u>P</u>
<p><u>Mobile Outdoor Commercial Kitchen</u></p> <p>1. <u>Mobile Outdoor Commercial Kitchen shall adhere to the standards provided for a Special Use, including:</u></p> <ul style="list-style-type: none"> a. <u>The Mobile Outdoor Commercial Kitchen must be located outdoors on the same property and under the same ownership as the primary restaurant within the DWCOD.</u> b. <u>The Mobile Outdoor Commercial Kitchen shall clearly be secondary to the facility's main indoor commercial kitchen.</u> c. <u>Aesthetic alterations are required and shall be in keeping with the underlying CRA District design standards.</u> d. <u>The Mobile Outdoors Commercial Kitchen shall be sited outdoors in a semi-permanent state. Wheels, hitches, and similar apparatus may be removed; however, these must be easily installed should the structure need to be relocated.</u> e. <u>The use must meet all criteria established by both the zoning and building departments and be inspected by the City's zoning and building officials.</u> f. <u>The City shall maintain the right to revoke the Special Use permit at any time should it feel as though the use no longer meets the provisions upon which it was approved.</u> <p>2. <u>Reserved.</u></p>	<u>SU</u>
Height: Fifty-five (55) feet with ten (10) foot allowance for appurtenances (cupolas, decorative rooftops, façade, etc).	
Setbacks: Setbacks can be waived on the front and / or side provided emergency access is available to at least one (1) entrance. <u>Waterfront setbacks for the DCWOD are addressed in Section 4.07.03 (General to All Development) K. Build-to-line Exceptions. Waterfront setbacks may be reduced to allow for flexibility; however, approval must be obtained from the planning board and the community redevelopment agency.</u>	
Impervious Service Ratio (ISR): Eighty-five (85) percent provided stormwater regulations discussed in this chapter are met.	
Commercial floor area ratio (F.A.R.): See underlying zoning district. May be adjusted by supervisory planner.	
Parking standards: An effort will be made to include required parking on-site, with alternative parking options being taken into consideration. It is important to the City of Crystal River CRA to assist with redevelopment efforts by providing site design flexibility, while maintaining a high level of aesthetic quality. The CRA has developed parking throughout the CRA district allowing for more flexibility in building area and open space around King's Bay, therefore allowing a reduction in the amount of required parking spaces.	
<p>Building placement and orientation —The design character of a building's site and the manner in which it functions are some of the most important considerations for properties along the waterfront. The primary objective is to create an environment that is attractive to pedestrians and maintains the character of the waterfront setting.</p> <p>Provide double-fronted buildings with a pedestrian friendly façade and entrance on both the street and waterfront side</p> <p>Where two (2) or more buildings will be located on a site, arrange them to define an outdoor space. Clustering buildings to create active open spaces such as plazas and courtyards are encouraged between structures and along waterfront edges. on both the street and waterfront side. Where two (2) or more</p>	

buildings will be located on a site, arrange them to define an outdoor space. Clustering buildings to create active open spaces such as plazas and courtyards are encouraged between structures and along waterfront edges.

Standards for lot dimensions: a) Lot width and lot depth shall be sufficient and adequate to accommodate a well planned development with connected open space systems, pedestrian ways, and public activity areas, and b) lot width and depth shall be compatible with the predominant configuration of lots in the surrounding properties. All development is done in a way that does not impede on neighboring lots.

Stormwater:

Purpose —To provide updated design standards for stormwater management systems within the waterfront district that more directly focus on the reduction of the nutrients of concern identified in Kings Bay.

Regulation —Within the waterfront district, the requirements of land development code section 6.03.04.C.7 regarding meeting pre-development runoff conditions shall not apply if the applicant can demonstrate to the city's satisfaction that the project site discharges directly to King's Bay and the project's stormwater discharge does not adversely affect any off site properties. Such justification shall be made through engineering drawings and calculations signed and sealed by a professional engineer registered in the State of Florida.

Within the waterfront district, the requirements shall be as follows:

1. All stormwater treatment systems shall meet the permit requirements of the environmental resource permit as issued to the City of Crystal River by the Southwest Florida Water Management District, and subject to the requirements of 62-330.055, F.A.C. This permit requires each applicant to provide a stormwater management system that meets the target pollutant loadings for total nitrogen (TN) and total phosphorous (TP) prior to discharge to Kings Bay.
2. The applicant shall submit plans and calculations prepared by a registered professional engineer that demonstrate the post-development pollutant loadings anticipated for TN and TP. Those pollutant loadings shall meet or exceed the target loadings identified in the conceptual ERP, or an agreed-upon loading if approved by the City of Crystal River.
3. The applicant shall also obtain a general permit for construction for the project site through the Southwest Florida Water Management District pursuant to 62-330.450, F.A.C. and provide it to the city as a precedent for approval of the stormwater management plan.
4. To the greatest extent practicable the applicant shall incorporate the use of best management practices in the stormwater treatment system to provide greater assurance to the City of Crystal River that all systems will eliminate direct discharge of untreated stormwater to Kings Bay and eliminate direct discharge conditions that will result in erosion or sedimentation at the outfall to Kings Bay.

(Ord. No. 16-O-05, § 3, 3-25-2019; Ord. No. 20-O-01, § 2(Exh. A), 1-13-2020)