

Planning Commission Agenda

January 5th, 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 –
Alternate 2 –
Chuck Dixon – School Board*

- 1) Call to Order
- 2) Roll Call
- 3) Moment of Silence
- 4) Pledge of Allegiance
- 5) Administration to Oath of Office for Planning Commissioner Richard Laxton.
- 6) Chairman Comments
- 7) Adoption of Agenda
- 8) Approval of Minutes: **November 3rd, 2022**
- 9) Citizen Input: 3 minutes
- 10) Public Hearings:

- 1. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ21-0041 brought by CRYSTAL RIVER PLANTATION CORPORATION** – An amendment of the Official Zoning Map by changing the zoning on 7.21 acres from High Intensity Commercial (CH) to Planned Unit Development (PUD), and by adding the 7.21 acres to, and renewing and amending the Planned Unit Development (PUD) Master Plan known as “Plantation Outpost Club and Resort,” having a total 68.84 acres, and which property address is 9520 W Fort Island Trail, Crystal River, Florida.
- 2. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0089 brought by EASTROB, LLC** – An Amendment to the Official Zoning Map of the City of Crystal River, Florida, to change the zoning on 14.04 acres +/-, and which property address is 9372 W Fort Island Trail, Crystal River, Florida, from Commercial Waterfront (CW) to Planned Unit Development (PUD), and to establish a Master Plan of Development known as “Eastrob, LLC RV Resort” for a planned recreational vehicle (“RV”) park.

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. a.) Conduct a Public Hearing for APPLICATION NO. PZ22-0110 brought by JJGIPE AUTO BODY, LLC** – A Small-Scale Amendment of the Comprehensive Plan’s Future Land Use Map (FLUM) to change the subject property, located at 837 NE 5th Terrace, Crystal River Florida, from Medium Density Residential (MDR) to Highway Commercial (HC).
- b.) Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0111 brought by JJGIPE AUTO BODY, LLC** – An Amendment of the Official Zoning Map to change the subject property, located at 837 NE 5th Terrace, Crystal River Florida, from Medium Density Residential (R-2) to High Intensity Commercial (CH).
- 4. Conduct a Public Hearing for APPLICATION NO. PZ22-0108 brought by CHRISTOPHER LUETGERT** – A text amendment to Section 5.01.13. Swimming pools and pool enclosures, of the City of Crystal River’s Land Development Code, to modify setback standards for swimming pools

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

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

NOTICE TO PUBLIC

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Planning Commission Minutes November 3rd, 2022 - 5:30 p.m.

Daniel Grannan – Chair
Tonia Herring – Vice Chair
Billy Gause
Deborah MacArthur Anderson
Karen Cunningham



Terry Thompson
Larry Schenavar
Alternate 1 –
Alternate 2 –
Chuck Dixon – School Board*

1) Call to Order by Chairman Grannan at 5:30pm.

2) Roll Call

Commissioners Present: Dan Grannan, Tonia Herring, Terry Thompson, Larry Schenavar, Deborah MacArthur Anderson, Karen Cunningham.

Commissioners Absent: Billy Gause.

Staff Present: Planning Director Brian Herrmann, Urban Planner Jenette Collins, Zoning Coordinator Zach Ciciera.

3) Moment of Silence was led by Chairman Grannan.

4) Pledge of Allegiance was led by Chairman Grannan.

5) Chairman Comments: None.

6) Motion to adopt the agenda was made by Commissioner Thompson, seconded by Commissioner Schenavar.

Motion carried 6-0.

7) Motion to approve minutes of the Planning Commission meeting held October 6th, 2022, was made by Commissioner Thompson, seconded by Commissioner Schenavar. **Motion carried 6-0.**

8) Citizen Input: None

9) Public Hearings:

1. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0089 brought by

EASTROB, LLC - An Amendment to the Official Zoning Map of the City of Crystal River, Florida, to change the zoning on 14.04 acres +/- from Commercial Waterfront (CW) to Planned Unit Development (PUD), and to establish a Master Plan of Development known as Eastrob, LLC RV Resort” for a planned recreational vehicle (“RV”) park.

Chairman Grannan announced **APPLICATION NO. PZ22-0089 brought by EASTROB, LLC**, will be continued to the January 5th, 2023 Planning Commission meeting.

2. Conduct a Public Hearing for APPLICATION NO. PZ22-0092 brought by Sarah and Jason Arena –

A Text Amendment to the Crystal River Land Development Code – 1.) Add new supplemental use to Section 2.03.02 – Table of Permitted uses in the CG District; and 2.) Add Miniature Golf supplemental standards as new Section 5.05.18.

Staff Presentation:

Planning Director Brian Herrmann presented the proposed text amendment to the commission. He stated that the proposed supplemental use (Miniature Golf) will only be permitted in zoning district CG, outside of the CRA overlay district.

Applicant Presentation:

Sarah & Jason Arena, Lecanto, stated they plan to redevelop the parcel located at 1076 N Citrus Avenue into a miniature golf course. Mrs. Arena mentioned they will be happy to meet any and all requirements set forth by the city during the permitting process, including parking and site development.

Commissioner Comments:

Commissioner Herring raised concern regarding land clearing and tree preservation, if the use is allowed. She stated all heritage trees on applicable lots must be identified and protected prior to site development.

Commissioner Thompson questioned if the applicant would be able to provide the required parking within their parcel if the proposed use becomes permitted. The applicant stated they would do so.

Public Comment:

Rhonda Distel, Crystal River, raised concern regarding the applicant's proposed site barring the use is allowed. She stated that the existing local road NW 10th Street would not be able to support the increase in traffic flow during peak hours. Planning Director Brian Herrmann responded by stating that the applicant would be required to create one parking space per hole, as a miniature golf course, plus one parking space per 300 square feet of structure.

Commissioner Discussion:

A motion to recommend City Council **approval** of *APPLICATION NO. PZ22-0092 brought by Sarah and Jason Arena*, was made by Commissioner Thompson, seconded by Commissioner Cunningham. **Motion carried 6-0.**

3. **Conduct a Public Hearing for APPLICATION NO. PZ22-0091 brought by Ensing Properties, LLC and James M. Byers** – A Text Amendment to the Crystal River Land Development Code – 1.) Add new supplemental use to Table 2.03.02. Permitted Uses: Retails and Restaurants in CW and CG Districts and; 2.) Add supplemental use standards as new Section 5.05.19. Mobile Food Court.

Staff Presentation:

Planning Director Brian Herrmann presented the proposed text amendment to the commission. He stated that, if approved, any proposed food truck court must adhere to strict supplemental standards. Also, food truck court applications must be heard before the Planning Commission and City Council for final approval.

Applicant Presentation: None.

Commissioner Comments:

Commissioner Herring raised concern about the walkability of the downtown district. She stated that the lack of existing sidewalks makes walkability difficult for pedestrians, including handicap accessibility.

Commissioner Thompson questioned how restrictive the parking standards are within this provision. Planning Director Brian Herrmann responded to Commissioner Thompson, stating that the parking standards set forth in this provision have minimal standards/requirements.

Commissioner Schenavar questioned if it was possible for a food truck court application to be approved without City Council Approval. Planning Director Brian Herrmann stated no, all applications will be heard by the Planning Commission and City Council.

Public Comment:

Dave Perry, Crystal River, stated the differences between a Class I and Class II mobile vendor pursuant to the city's Land Development Code. He reiterated that Class I mobile vendors (push carts) are the only mobile vending unit permitted within the CRA district, and that this application will not alter this provision.

Bill Hudson, Crystal River, raised concern regarding an increase in traffic flow with limited existing parking.

Commissioner Discussion:

A motion to recommend City Council **approval** of *APPLICATION NO. PZ22-0091 brought by Ensing Properties, LLC and James M. Byers*, was made by Commissioner Herring, seconded by Commissioner Schenavar. ***Motion carried 6-0.***

- 4. Conduct a Quasi-Judicial Public Hearing for SUPPLEMENTAL USE APPLICATION NO. PZSU22-0001 brought by Ensing Properties, LLC and James M. Byers** – A supplemental use application to establish a mobile food court on the parcel located at 406 NE 1st Avenue, Crystal River, Florida, in compliance with the standards set forth in (pending text amendment to establish) Section 5.05.19 Mobile Food Court, of the Crystal River Land Development Code.

Chair opened the quasi-judicial hearing.

Conflict of Interest: None.

Ex-Parte Communications: None by Commissioners.

Staff Presentation:

Planning Director Brian Herrmann presented the supplemental use application for a food truck court to the commission. He stated the applicant has met all supplemental standards applicable to this application set forth by the city's Land Development Code, aside from the required 5-foot setback. Mr. Herrmann mentioned the applicant is proposing a 2-foot setback based on the submitted site plan, however, the applicant is willing to conform if stated by the commission.

Commissioner Comments:

Commissioner Thompson questioned whether the mobile vending units would be temporary in an event of a storm or similar. He also questioned if each mobile vending unit would require city water and sewer.

Commissioner Cunningham questioned if approved mobile vending units within the proposed site would require similar city licensing compared to brick and mortar restaurants.

Applicant Presentation:

Chris Ensing & James Byers, Citrus Springs, presented their proposed food truck court to the commission. Mr. Ensing stated that each mobile vending unit will be utilizing city water but not city sewer. Also Mr. Ensing mentioned that based on the city's history of flooding, the mobile vending units will be able to be moved off the property in the event of a storm. The current proposal provides no on-site parking spaces.

Public Comment: None.

Intervening Parties: None.

Commissioner Discussion:

A motion to recommend City Council **approval** of *SUPPLEMENTAL USE APPLICATION NO. PZSU22-0001 brought by Ensing Properties, LLC and James M. Byers*, barring all conditions required by city staff are met, was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried 6-0.**

5. a.) **Conduct a Public Hearing for APPLICATION NO. PZ22-0087 brought by Mary Street, LLC** – Small-Scale Comprehensive Plan Amendment to change 39.17 acres +/- from Citrus County's Professional

Services/Office (PSO) and Low Density Residential (LDR) to the City's Office/Services Commercial (O/SC) and Low Density Residential (LDR) on the Future Land Use Map.

b.) Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0088 brought by Mary Street, LLC – Amendment to the Official Zoning Map to change 39.17 acres +/- from Citrus County's Professional Services/Office (PSO) and Low Density Residential (LDR) to the City's General Commercial (CG) and Low Density Residential (R-1).

Chair opened the quasi-judicial hearing.

Conflict of Interest: Commissioner Cunningham recused herself and filed form 8B.

Ex-Parte Communications: None by Commissioners.

Staff Presentation:

Jenette Collins, Urban Planner, presented the rezoning application and comprehensive plan amendment application to the commission. Mrs. Collins stated the proposed zoning and land use districts are similar to the existing zoning under Citrus County jurisdiction.

Commissioner Comments:

Commissioner Herring questioned if the proposed zoning and land use districts will increase density. Urban Planner Jenette Collins responded stating the density will not increase.

Public Comment: None.

Commissioner Discussion:

A motion to recommend City Council **denial** of *APPLICATION NO. PZ22-0087 brought by Mary Street, LLC*, was made by Commissioner Herring, not seconded. **Motion died for lack of a second.**

A motion to recommend City Council **approval** of *APPLICATION NO. PZ22-0087 brought by Mary Street, LLC*, was made by Commissioner Thompson, seconded by Commissioner Schenavar. **Motion carried 4-1 with Commissioner Herring in opposition.**

A motion to recommend City Council **approval** of *APPLICATION NO. PZ22-0088 brought by Mary Street, LLC* was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried 4-1 with Commissioner Herring in opposition.**

6. a.) **Conduct a Public Hearing for APPLICATION NO. PZ22-0093 brought by the City of Crystal River** – Large-Scale Amendment to change 47.02 acres (MOL) from Citrus County, Conservation (CON), Low Intensity Coastal and Lakes (CL) to City of Crystal River, Conservation (CON) on the Future Land Use Map; and the re-adoption of the Future Land Use Map to include the annexed area of 339.55 acres (MOL) comprising a portion of Kings Bay (headwaters of the Crystal River) together with certain upland islands.

b.) **Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0094 brought by the City of Crystal River** – Amendment to change 47.02 acres (MOL) on the Official Zoning Map from Citrus County, Low Intensity Coastal and Lakes (CL), and Low Intensity Coastal and Lakes (CL-MH) (Manufactured Home Allowed) to City of Crystal River, Conservation (CON).

Chair opened the quasi-judicial hearing.

Conflict of Interest: None.

Ex-Parte Communications: None by Commissioners.

Staff Presentation:

Jenette Collins, Urban Planner, presented the rezoning application and comprehensive plan amendment application to the Commission. Mrs. Collins stated the applications are in association with the annexation that was approved by City Council on August 8th, 2022.

Commissioner Comments:

Commissioner Herring questioned the permitted uses within the proposed zoning and land use districts. Mrs. Collins stated the permitted uses within the Conservation district are limited with low density.

Public Comment: None.

Commissioner Discussion:

A motion to recommend City Council **approval** of *APPLICATION NO. PZ22-0093 brought by the City of Crystal River*, was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried 6-0.**

A motion to recommend City Council **approval** of *APPLICATION NO. PZ22-0094 brought by the City of Crystal River*, was made by Commissioner Thompson, seconded by Commissioner Herring. **Motion carried 6-0.**

- 10) Unfinished Business: None.
- 11) New Business: None.
- 12) Citizen Input: None.
- 13) Staff Comments: None.
- 14) Commissioner's Comments: None.
- 15) Chairman's Comments: A motion to recommend City Council to remove Planning Commissioner Billy Gause from the City of Crystal River's Planning Commission was made by Chairman Grannan, seconded by Commissioner Herring. **Motion carried 6-0.**
- 16) Motion to adjourn was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried 6-0.**
Meeting adjourned at 7:41pm.

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

ATTEST:

Zoning Coordinator Zach Ciciera

Chairman Dan Grannan



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	January 5, 2023
APPLICATION NO. PZ21-0041 – CRYSTAL RIVER PLANTATION CORPORATION – PLANTATION OUTPOST CLUB AND RESORT PUD	
PROPOSED AMENDMENT:	An amendment of the Official Zoning Map by changing the zoning on 7.21 acres from High Intensity Commercial (CH) to Planned Unit Development (PUD), and by adding the 7.21 acres to, and renewing and amending the Planned Unit Development (PUD) Master Plan known as “Plantation Outpost Club and Resort,” having a total 68.84 acres.
SUBJECT PROPERTY:	Section 33, Township 18 S, Range 17 E; specifically, Parcel 41300 (AK #2333537), Parcel 42000 0060 (AK #3522576), Part of Parcel 14000 0050 (AK#3522575), and Part of Parcel 22000 0010 (AK#3522573), as identified in the records of the Citrus County Property Appraiser, and which address is known as 9520 W Fort Island Trail, Crystal River, Florida. A complete legal description of the property is on file with the Planning & Development Services Department.
PROPERTY OWNER:	Crystal River Plantation Corporation
LAST OCCUPANT:	Plantation Golf Course (existing)
EXISTING FUTURE LAND USE:	HC, Highway Commercial (67.94 acres) and MDR, Medium Density Residential (0.90 acre) – No Change proposed.
EXISTING ZONING:	PUD, Planned Unit Development (61.63 acres) and CH, High Intensity Commercial (7.21 acres)
FLOOD ZONE:	According to the Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with a Base Flood Elevation (BFE) of 12 feet, as found on FIRM Panels Numbered 12017C0301E and 12017C0302E. (Effective date: January 15, 2021)
SURROUNDING AREA:	North: County zoned GNC, General Commercial (retail store with gas pumps, storage units/apartments and vacant), CLR, Coastal and Lakes Residential (single-family residential) located across W Fort Island Trail; and City zoned CW, Waterfront Commercial (vacant) abutting the subject property. South: County zoned CLR, Coastal and Lakes Residential (single-family residential). East: City zoned CH, Highway Commercial (golf course) West: County zoned GNC, General Commercial (house of worship). The area comprises a mix of residential and commercial uses.
PREPARED BY:	Jenette Collins, AICP, Urban Planner, Planning and Community Development Services Department

This is a resubmittal of the application last heard by the City Council at a public hearing on August 9, 2021, at which time the applicant requested a continuance to allow for an opportunity to gather additional data and

evidence and to modify the request to address concerns raised at the public hearing. The applicant has also provided a draft ordinance with proposed conditions of approval.

BACKGROUND INFORMATION: This is a request to amend the Official Zoning Map of the City of Crystal River by rezoning 7.21 acres from CH, High Intensity Commercial (part of the existing golf course) to PUD, and to add the 7.21 acres to, and renew and amend a former Master Plan of Development for the Plantation Outpost Club and Resort. Part of the subject property (61.63 acres) was rezoned to PUD subject to an approved master plan on August 13, 2018 (Ordinance No. 18-O-07). The 2018 PUD master plan for 294-RV lots has expired pursuant to section 10.00.04 of the Crystal River Land Development Code (LDC), which provides that such a rezoning to PUD and PUD master plan expires after twelve months unless certain criteria are met, which have not been met in this case.

The proposed PUD master plan provides for a platted subdivision allowing for the sale of individual spaces under unified control consisting of a maximum 308 spaces (up to 165 lodging unit spaces and 143 recreational vehicles), a guard house and sales center, clubhouse and pool, a canoe house and storage, gazebos, recreation area (tennis courts, volleyball courts), bath house, laundry building, and associated parking areas.

ANALYSIS: In order to consider the PUD amendment, the proposal must be found consistent with the intent of the Comprehensive Plan and should meet the general intent of the Land Development Code. The following items have been analyzed by staff to make its findings for recommendation to the Planning Commission.

Comprehensive Plan Considerations – The Comprehensive Plan’s Future Land Use Map (FLUM) designations are HC, Highway Commercial and MDR, Medium Density Residential, which are land use categories that allow “PUD” as an implementing zoning district on the Zoning Map.

The HC land use category is described as allowing for retail, vehicle sales and repair, service stations, restaurants, convenience stores, lodging, financial institutions, theaters, and entertainment uses.

The MDR land use category is primarily described as allowing for multi-family residential. Recreation (Tract F) and a secondary exit are proposed on a 0.9 acre, MDR designated area (Parcel 41300 located on the northern perimeter of the proposed plan abutting W Fort Island Trail). These proposed uses are found consistent with the intent of the MDR land use category.

Since the PUD zoning district may be used to implement the CH and MDR FLUM designations, an amendment to the Comprehensive Plan (FLUM) is not required. The uses as presented on the PUD master plan are found consistent with the land use categories of the FLUM, provided all other goals, objectives and policies of the Comprehensive Plan are satisfied.

Zoning Considerations – The application proposes a rezoning for 7.2 acres from HC District to PUD District as described in the *Background Information* of this report. The following table provides a summarized comparison of the existing HC district and the proposed PUD district as specified in Chapter 2 of the Land Development Code (LDC) .

Zoning District:	From: HC, High Intensity Commercial	To: PUD, Planned Unit Development
Allowed Use:	Large-scale business, commercial, light assembly and institutional uses,	Established for creative and responsible development projects that may include compatible residential use and related public facilities that shall be unified by a master

Zoning District:	From: HC, High Intensity Commercial	To: PUD, Planned Unit Development
	associated accessory structures, and essential public services	development plan, as further described in Section 4.04.00. <u>Standards for Planned Unit Developments</u>
Max ISR*:	65% (waterfront); 75% (non-waterfront)	Per approved master plan (shall not exceed 50% per Future Land Use)
Max FAR**:	0.7	Per approved master plan (shall not exceed 0.5 per Future Land Use)

*ISR – Impervious Surface Area, **FAR – Floor to Area Ratio

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

On May 9, 2022, the City of Crystal River amended its Land Development Code (LDC) by adopting Section 4.04.05 Recreational vehicle parks in a PUD district. Subsequently, an RV Park shall only be allowed in a PUD District where the FLUM category is HC or CW (reference s. 4.04.03, LDC). This PUD application submittal precedes the adoption of this LDC amendment; therefore, Section 4.04.03 may be considered, but would not be applicable.

Park Models - In his submittal letter dated September 2, 2022, the applicant has advised that park models have been removed from the project plan. The City Council raised an objection to the previous proposal specific to the placement of park models in the Coastal High Hazard Area (CHHA)¹ and flood hazard area and the incapability of immediate removal of these units during a storm event calling for evacuation. The applicant has defined the RV’s allowed as being ready for highway use at all times, but there is no proposed condition in the draft ordinance that specifically states that park models (park trailers) will not be placed on the property. As a consideration of this PUD application, staff recommends a condition that park models are specifically prohibited.

Lodging Units - The City’s code limits short term rentals to the CW zoning district. Outside of that district, the minimum duration of a stay is 3 consecutive months. This application may jeopardize the City’s current short term rental ordinance as follows. The revised application varies from a traditional RV park and the previous plan in that the submitted master plan now includes a “resort” component by proposing 165 lodging unit spaces for permanent built structures such as cabins, cottages, or manufactured buildings for individual ownership. Whereas an RV (“recreational vehicle”) is distinctly defined in section 320.01(1)(b), Florida Statutes, for recreational vehicle-type units, the applicant proposes cabins, cottages, or manufactured buildings that will be permanently built to meet applicable building codes and floodplain criteria. The applicant has not defined the type of “manufactured building” that it is proposing. (It is noted that the Coastal Management Element of the Comprehensive Plan specifically prohibits the siting of new or expansion of mobile homes within the CHHA except in lawfully existing mobile home parks.)

The applicant has advised that the designated lodging unit spaces for permanent built units will be sold to individual owners. This is further expressed in the submitted draft Declarations of Covenants, Conditions, and Restrictions (DCCRs, section 7.2 *Review of Proposed Construction*, pp. 50-53 in packet backup), which provides that the declarant shall provide a list of Featured Builders to all owners. Individual owners may then lease their lodging unit as a vacation rental.

¹ 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].

In section 2.03.02, *Table of permitted uses*, of the LDC, as enacted in 2005 (Ord. No. 05-O-08), resort housing units are permitted as a supplemental use only in the City’s Commercial Waterfront (CW) zoning district. (The CW zoning may only be used to implement the CW land use category.)

Chapter 1 of the LDC’s list of defined terms identifies “resort housing units” as follows:

Resort housing units: Dwelling units, other than hotels and motels, made available to persons for temporary occupancy. "Made available for temporary occupancy" means rented or occupied for time periods of less than three (3) consecutive months in duration. Where resort housing units are a permitted use, there is no limit to the frequency of change or length of stay of occupants or tenants, except that rentals of less than a one-week period are not permitted. Where resort housing units are not a permitted use, dwelling units may not be made available for rental or occupancy for periods of less than three (3) consecutive months, provided that such restriction shall not apply to temporary, non-paying guests of lawful occupants. The following shall be *prima facie* evidence that a dwelling unit is being used as a resort housing unit:

- A. Advertising a unit as being available for rental for periods of less than three (3) consecutive months; or
- B. Recording or filing land use covenants, condominium declarations, cooperative documents, public offering statements, or other legal documents which sanction, authorize or approve rental or occupancy of a unit for periods of less than four (4) consecutive weeks; or
- C. Creation of timeshare estates or periods of less than three (3) consecutive months.

In addition, section 5.05.12 Resort housing units, of the LDC, regulates the permitted use as follows:

5.05.12 Resort housing units

- A. Resort housing units are permissible in the CW zoning district, subject to the district standards and the supplemental standards set forth below.
- B. Nightly rentals or rentals of less than a one-week period are not permitted.
- C. Density for resort housing units shall not exceed twelve (12) units per acre.
- D. Resort housing units may be managed by the individual unit owner or by a property management company. An occupational license is required for the manager, whether an individual owner with a single unit, or a property management company.

Aside from the allowance for “resort housing units” in the CW zoning district, there is no other provision in the LDC to permit individually owned lodging units. As such, the proposed lodging units appear to be a request to have “resort housing units” in a PUD zoning district. To that extent, the request raises the question as to whether the proposal would be deemed as a circumvention of the current requirements for resort housing as restricted by the LDC.

On August 16, 2019, the Florida Attorney General issued an Advisory Legal Opinion (letter attached) addressed to Jennifer C. Rey, Esquire, The Hogan Law Firm, as City Attorney for the City of Crystal River regarding “Vacation Rentals – Municipalities – Local government – preserving grandfathered status under preemption provision when changing zoning district. §509.032(7)(b), Fla. Stat.” This was made in response to the Crystal River City Council requesting a legal opinion regarding the effect of an amendment to the City’s zoning laws in the area of vacation rentals and preserving the “grandfather” status of the City’s pre-2011 ordinance. The specific question asked was whether enactment of a less restrictive ordinance that would permit vacation rentals where they are now prohibited, by allowing resort units in other zoning districts, would eliminate the grandfathered protection of remaining ordinances that deal with vacation rentals.

Section 509.032(7)(b), Florida Statutes, provides:

A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

In response to the question posed by the City Council, the Attorney General Ashley Moody concluded the letter with the following advisory legal opinion:

Provisions in your amended ordinances that are essentially unchanged from the prior ordinances are deemed to have been in operation since 2005 and, thus, continue to be exempt from the preemption provision of section 509.032(7)(b), Florida Statutes. New provisions that act to prohibit vacation rentals that were not previously prohibited, or that “regulate”[7] the duration and frequency of vacation rentals, even if such provisions are less restrictive than the earlier provisions, are preempted by the statute. Changing the table of permitted uses to reflect that “resort housing units” would also be permitted in other zoning districts would conceivably expand the areas in which vacation rentals could be operated. But the duration and frequency restrictions in section 5.05.13(B), which would then apply to those zoning districts, would “regulate” resort housing units operated as vacation rentals.[8] Because the “resort housing unit” land use classification expressly regulates, and restricts, the duration or frequency of rentals of residential property that could be considered “vacation rentals,” amending the City’s table of permitted uses to permit resort housing units in other zoning districts would violate section 509.032(7)(b).

In retrospect of the attorney general’s legal opinion, staff finds that the proposal to introduce individually owned lodging units to be used as vacation rentals in a PUD zoning district could place the City in violation of section 509.032 (7)(b), Florida Statutes, invalidating the frequency and duration portion of the City’s short term rental ordinance, and therefore, is unable to support the proposed plan.

Density/Intensity – The City’s Comprehensive Plan’s Future Land Use Map (FLUM) designation is HC, Highway Commercial land use category that allows a PUD as an implementing zoning district on the Zoning Map. The HC Category allows for a maximum density of 8 dwelling units per acre. Section 4.04.05 *Recreational vehicle parks in a PUD district*, of the LDC, allows for 8 RV spaces per gross acreage. Using that ratio, the conversion for maximum number of units allowed when considering 67.94 HC designated acres (excluding the 0.9 acre that is MDR on the FLUM) is 543 units. The request for a maximum of 308 spaces does not exceed the maximum density allowance per the Comprehensive Plan.

Lot Dimensions/Setbacks/Heights: Proposed RV, lodging and amenity spaces’ dimensional standards will need to accommodate the required setbacks. This resubmittal has not made any changes to the proposed setbacks for spaces as previously presented (shown in the following table) and is found consistent with current LDC standards for RV parks.

Use	Front (from edge of driveway line)	Side Line	Rear Line	Waterways/JD Wetlands
Lodging Unit and RV Unit	15 feet	5 feet	5 feet	25 feet
All Amenities	15 feet	5 feet	5 feet	25 feet

Maximum building heights must meet current LDC requirements not to exceed 50 feet, except as may be otherwise limited within the airport height limitation zone (reference *Proximity to Crystal River Airport* section below).

Impervious Surface Ratio (ISR) – The project is not planned to exceed the maximum 75 percent ISR that would be allowed for a commercial project in the HC FLUM category, and is not planned to exceed the maximum 65 percent ISR in the MDR FLUM category, which is found consistent with the Comprehensive Plan.

Internal Circulation/Parking – Per the proposed conditions of approval, the internal driveways shall be 30-foot wide with 24-foot paved aisles (exclusive of curb and gutter). The 24-foot paved aisle is 4 feet wider than the maximum allowed 20-foot paved aisle for commercial driveways (Sec. 6.04.07 Parking and Parking Lots, of the LDC), but will assist in facilitating movement and parking of the RV units. The applicant has advised that these private drives are planned to be maintained by the property owner’s association for the platted project. The cul-de-sacs were adapted from the original submittal that predates the current section 4.04.05 for RV Park standards of the LDC. A copy of the draft Declaration of Covenants, Conditions, and Restrictions (DCCR) for the Outpost as included in the submittal names the association as the maintenance entity for the platted driveways.

Parking shall be provided at one space per unit or a recreational vehicle for transient occupancy. In addition, several designated parking areas (as shown on the conceptual master plan) are planned to serve the various private amenities within the park proposing an overall calculation of 1 space per 300 gross square feet of enclosed and conditioned building area and 1 space per 1,000 gross square feet for covered unconditioned area designated for assembly or gathering. There is an assumption that RV occupants will walk or bike from their RV Unit space, and therefore the total number of spaces may be reduced when considering multiple use parking. A parking space calculation (parking study) may be submitted at time of development permit that demonstrates multiple use parking demand in lieu of traditional parking space requirements of the LDC (section 6.04.07). All required parking spaces and associated aisles shall be paved. Bicycle parking facilities shall be provided at amenity parking areas in accordance with the LDC (section 6.04.06) minimum standard of 0.5 space per required vehicle parking space and one space for every ten RV spaces, whichever is higher.

Refuse Collection – The LDC requires dumpsters or garbage containers for commercial development. All such facilities shall be screened with plantings or fencing and shall not be located within any required buffer area, including parking lot landscaping or stormwater management area. The LDC (section 5.01.10) requirements for dumpster location and screening requirements will be applied at the time of development permit. A condition of approval has been added which states that trash receptacles shall be located to ensure easy accessibility for all users. Dumpsters and trash receptacles shall be properly maintained in a sanitary and nuisance-free manner.

Landscaping and Tree Protection – Proposed landscape buffers for the PUD are based on the buffer requirement of the adjacent zoning district or type of street, also taking into consideration the intensity of the proposed development project. The applicant has requested the following perimeter Buffering standards as compared to the City’s LDC requirements² (section 4.05.03):

Side to Adjacent Zoning Districts	Adjacent Land Use	Applicant Requested Perimeter Buffering	LDC (§4.05.03) Required Perimeter Buffering (per 100 linear feet prop. Line)
North abutting collector road Ft Island Trail and (County) CLR, Coastal Lakes	SF Residential/ Commercial Strip Center	<u>Average 30-foot/minimum 10-foot with type D Buffer as specified by the LDC (4 canopy trees, 4 understory trees, and a continuous</u>	Type C – 15 feet having 4 canopy trees, 4 understory trees, & continuous hedge, in a double-staggered row.

² The PUD application submittal predates current LDC requirements for landscape and buffering in RV Parks, which requires 30-foot buffers along all property boundary lines and for the maintenance of existing trees having a 4-inch DBH or more within the buffers.

Side to Adjacent Zoning Districts	Adjacent Land Use	Applicant Requested Perimeter Buffering	LDC (§4.05.03) Required Perimeter Buffering (per 100 linear feet prop. Line)
Residential/GNC, General Commercial		<u>hedge in a double-staggered row per 100 linear feet of property line).</u>	
North Abutting CW, Commercial Waterfront	Parcel 14400 - Vacant	<u>No buffer required except along the property line adjacent to the secondary access which shall be a minimum 10-foot buffer with a Type B Buffer as specified by the LDC (4 canopy trees and 4 understory trees per 100 linear feet of property line).</u>	No buffer where wetlands are maintained, and where Phase 5 abuts shall require a Type B – 15 feet having 4 canopy trees and 4 understory trees
South abutting local street W Plantation Ln and (County) CLR	Single-family residential	<u>Average 30-foot/minimum 10-foot with a Type D Buffer as specified by the LDC.</u>	Type C – 15 feet (see above)
East abutting CH	Golf Course (same owner)	<u>No buffer required.</u>	Type A – 10 feet having 2 canopy trees and two understory trees
West abutting (County) GNC	Parcel 43200 – House of Worship	<u>Average 30-foot/minimum 10 foot with a Type D Buffer as specified by the LDC.</u>	Type B – 15 feet (see above)

The applicant has advised that due to the curved interior design of the rows of spaces, there is a desire to maintain an average 30-foot landscape buffer width with no less than a 10-foot width at any required buffer location. The minimum 10-foot buffer width request would allow the placement of RV units on spaces that are located within ten feet of the property line, and would mostly tend to impact the southern perimeter of the project (Phase 6) where it abuts W Plantation Lane, a 50-foot, local road. Staff has expressed to the applicant that maintaining a continuous 30-foot landscape buffer along W Plantation Lane would assist in screening and mitigating incompatibilities between the project and the adjacent residential community. There are the 10 single family residences that front W Plantation Lane that will be mostly impacted by the placement of 31 RV spaces across the street and noise associated with a commercial resort. There is an existing stand of trees and indigenous vegetation on the property where it faces W Plantation Lane, that the developer would be encouraged to retain. The applicant has added a condition that where the buffers are less than 15 feet, required understory trees shall be increased by 50 percent or that fencing, walls or other vertical hardscaping may be located to create a comparable opacity.

The applicant has not specified any interior buffering. The LDC requires that parking areas be landscaped having a requirement of one tree island for every eight parking spaces, which shall be planted with one overstory (canopy) tree and groundcover. A general condition of approval has been provided that states where standards are not specified in the conditions of approval, that the LDC standards (or current code standards) will apply. As such, interior buffering would be reviewed for compliance with the LDC at time of development permit.

The LDC (section 4.05.05) also calls for a Tree Protection Survey to identify all non-prohibited trees that are 12 inches DBH or more in size. This shall be required to be submitted at the time of the development permit. It is noted that the retention of trees is encouraged within the required buffer areas (which may be counted toward the total tree requirement).

Platting – As a PUD, the project is required to remain under unified ownership and control. The applicant proposes to sell the RV and lodging unit spaces as fee simple. As such, the project will be required to be

platted and include the necessary covenants to provide for the perpetual maintenance of its common areas and ancillary facilities. A property owner association will be necessary to meet the PUD requirement for unified ownership and control. The subdivision plat and related covenants shall be recorded in the record of the Citrus County Clerk of Court. A condition of approval has been included in this respect.

Phasing Plan – The applicant has proposed a phasing schedule comprising six phases over a ten-year period. Phase I contains the necessary infrastructure and amenity locations to support the proposed resort. The term of the PUD is proposed for ten years from the final date of approval. Commencement of the project must take place within three years of the date of the PUD approval. The term of the PUD may be extended upon request to the City Council prior to the end of the ten-year term as may be warranted. The proposed phasing schedule would not prevent the applicant from developing the project at an accelerated rate. A Phasing Schedule has been included in the proposed conditions of approval.

Flood Plain Management – The subject property lies in an AE Flood Hazard Zone, having a required base flood elevation of 12 feet above mean sea level (MSL). The City also has an adopted 1-foot freeboard requirement. According to the Digital Federal Emergency Management Agency (FEMA) FIRM Map, elevation contours for the property vary from 1 to 7 feet above MSL, dropping to 2 feet around the existing ponds and with the elevation grade increasing to 7 feet central to the site. Significant fill and/or flood proofing of permanent structures will be required to meet the flood elevation requirement.

As transient uses, the RVs must be road ready in event of a declared storm requiring evacuation and the lodging unit structures (identified by the applicant as cabins, cottages or manufactured buildings) are proposed to be permanently affixed, all in accordance with the City Code Article XV section 6-190 or 6-193, as applicable, of Chapter 6 – *Buildings* (Building Code) and FEMA requirements for installation in flood hazard areas. The applicant has advised that all the recreational designed vehicles will remain fully licensed and ready for highway use at all times in case of storm event and that an emergency evacuation plan will be submitted for the City’s approval at time of development permit. All other permanent/habitable structures must meet FEMA elevation requirements or flood proofing standards for non-residential buildings.

Environmental factors - With this resubmittal, the applicant has provided several memorandums prepared by professional scientists that summarize the ecological conditions of the subject property. The most recent memorandum prepared by Power Engineers addressed to Daniel Baker (representing applicant) and dated September 2, 2022, provides the soil conditions as identified in the National Wetland Inventory and National Resources Conservation Service databases, as well as the status of existing wetlands, surface waters, and protected species (one abandoned gopher tortoise burrow was flagged in the right of way of W Plantation Lane) found on the subject property. In summary of the data, the memorandum advises that the proposed development will comply with applicable federal and state regulatory requirements, and applicable permits will be obtained prior to initiation of construction.

Soil Types and Indications – According to the soil survey prepared for the subject property, the site contains the following soil types:

Map Unit Symbol	Acres	%	Map Unit Name	Parent Material	Typical Profile	Drainage Class	Depth to Water Table
2	16.0	18.3%	Adamsville fine sand, 0 to 2 percent slopes	Sandy marine deposits	0-80" ; Fine Sand	Somewhat poorly drained	About 18" to 42"
11	2.7	3.1%	Tavares fine sand, 0 to 5 percent slopes	Eolian or sandy marine deposits	0-80": Fine Sand	Moderately well drained	42" to 72"

Map Unit Symbol	Acres	%	Map Unit Name	Parent Material	Typical Profile	Drainage Class	Depth to Water Table
13	3.8	4.4%	Okeelanta Muck	Herbaceous organic material over sandy marine deposits	0-38": Muck; 38-80": Fine sand	Very poorly drained	Surface (about 0 inches)
22	10.3	11.8%	Quartzipsamments, 0 to 5 percent slopes	Sandy marine deposits	0-80": Fine Sand	Well drained	More than 80"
58	51.8	59.5%	Myakka, limestone substratum-EauGallie, limestone substratum complex	Sandy marine deposits	0-62": fine sand; 62-66" unweathered bedrock	Poorly drained	6" to 18"
99	2.6	2.9%	Water	-	-	-	-
Totals	87.2	100.0%					

Source: United States Department of Agriculture, Natural Resources Conservation Service, (USDA Custom Soil Resource Report for Citrus County, Florida – Plantation Outpost, April 12, 2019)

Based on the information provided by the USDA soil survey, approximately 59.5 percent of the site (51.8 acres) contains soil that indicates the depth of water table is 6" to 18" below the soil surface. In response to concerns expressed at the City Council public hearing regarding aquifer protection, the applicant has submitted a report prepared by Devo Engineering, dated March 2022, and titled "Stormwater Management Pond Design Considerations for Aquifer Protection – Plantation Outpost." This report is further addressed in this report in the **Stormwater Management** section below.

Public concerns were raised during the 2018 PUD hearings regarding potential environmental (soil) contamination due to the existing Golf Course use. The applicant has advised that they are coordinating with the Florida Department of Environmental Protection (FDEP) to provide sample testing results as part of the project's requirement to obtain its Environmental Resource Permit (ERP). (An ERP is required before beginning any construction activity that would affect wetlands, alter surface water flows, or contribute to water pollution. The ERP requirement is a function of the State of Florida.)

The applicant's reports were evaluated by Mr. George Foster, Professional Geologist (PG), Creative Environmental Solutions, Inc. on behalf of the city. In a letter dated October 21, 2022, addressed to Mr. Ken Frink, City Manager, Mr. Foster expressed several concerns regarding the karst assessment, potential of sinkhole activity, the lined stormwater ponds' ability to protect groundwater, potential contamination due to chemicals applied to golf courses, and naturally occurring arsenic in Gulf-coastal setting and karst areas that could be introduced to the aquifer. In summary, Mr. Foster concluded his findings by stating that the proposed project, as designed, poses a risk to groundwater quality beneath the site, and that additional work should be undertaken to quantify the risk. Mr. Foster's letter is attached in its entirety and made a part of this report.

The LDC requires the submittal of a professionally prepared biological survey when there is the presence of endangered, threatened, or species of special concern or the development of environmentally sensitive lands. While much of the site has been used for a golf course, there is still a distinguishable amount of wooded, wetland area. A final Biological survey shall be required at time of development order in accordance with LDC standards.

Proximity to Crystal River Airport - The LDC (reference Section 10.01.01 Submittal for all applications), requires that any development application for development proposed within the airport height notification zone established for the Crystal River Airport shall provide notification to the Federal Aviation Administration PZ21-0041 – Crystal River Plantation Corporation (Plantation Outpost Club and Resort PUD)

(FAA) as required by Title 14, Code of Federal Regulations, Part 77 Subpart C. The site appears to be located north and outside of the approach slope for the airport, however the FAA Notice Criteria Tool indicates that the applicant shall file with FAA for a letter of “No Hazard to Air Navigation.”

Other Items –

Special Events – The applicant has advised that there will be no public events hosted at the RV park. In any such case, public events will be hosted at the Plantation Inn (Plantation on Crystal River) that is affiliated with this project.

Canoe Launch – The project’s stormwater management ponds are planned to be used for non-motorized boat recreation (e.g., canoe launch). The revised master development removes the extension of waterways and navigability between the proposed ponds and the waterway that flows into Kings Bay. A condition (Ref: 13.) is proposed in the draft ordinance accordingly. As such, the proposal is no longer found to conflict with the *Comprehensive Plan’s Manatee Protection Element, Objective 1.2 New Marinas or/boat facilities*.

INFRASTRUCTURE:

Transportation (Ingress/Egress) – The proposed project will gain primary access from W Fort Island Trail and two secondary exits. No changes to the entry/exit points have been made in this PUD resubmittal. Fort Island Trail is a county-maintained right-of-way designated as a minor collector on the county’s Functional Classification Map Series. The county does not require transportation concurrency but does review for traffic ingress and egress lane requirements.

Citrus County’s Engineering Division previously reviewed the requested PUD, and requested that the driveway connection along W Fort Island Trail be lined up with the pavement of N Falls Terrace. This has been corrected in master plan of development for the proposed PUD. In addition, based on the GPI Traffic Impact Study (March 2018) for 309 RV spaces prepared on behalf of the applicant, the County specified that a west bound turn lane on W Fort Island Trail be required. Although the requirement would not come into effect until a future phase of the development, the applicant has agreed at the request of the city to provide the lane improvements to W Fort Island Trail to be constructed at the onset of the project as part of Phase I. A condition [Ref: 4.(B).(iii.)] of approval has been included in the draft ordinance to address this requirement.

Following the applicant’s resubmittal, the County’s Engineering Division further commented in an email dated December 7, 2020, that when the project applies for permit with the County, that right-of-way dedication will be required as quoted below:

“As part of the proposed turn lane improvements, right of way dedication will be required. The dedication shall be a minimum 12-ft wide by the length of the of [sic] turn lane added. Refer to the Multimodal Transportation Element Policy 10.B.4.1.”

The applicant’s GPI Traffic Impact Study (March 2018) was reviewed by Amber L. Gartner, PE (Kimley-Horn) on behalf of the City of Crystal River. In her memorandum addressed to Mr. Frink and dated December 20, 2022, Ms. Gartner, PE, reports estimated traffic for the proposed uses. Based on traffic projections stated therein, her conclusions are consistent with the determination for ingress and egress made by the County, except that the storage/queue design needs to consider the larger vehicles (RVs) that will be entering the site. (Refer to memorandum from Amber Gartner, PE; Kimley Horn attached in its entirety and made a part of this report).

The second and third gated exit points are proposed from W Fort Island Trail and W Plantation Lane (a 50-foot, city maintained, local road) for emergency exit and temporary construction access. Staff objected to PZ21-0041 – Crystal River Plantation Corporation (Plantation Outpost Club and Resort PUD)

the developer using the proposed gated, emergency access from W Plantation Lane as temporary construction access as it would bring construction traffic into a residentially committed area. Instead, staff recommended that the developer (during construction of phase 6) work with the city to obtain a temporary construction access permit from west end of the project where it abuts W Plantation Lane to minimize construction traffic traveling along this local roadway. The applicant has agreed to this, and a condition has been added to address this.

Since the project is proposed as a gated RV park, it will be necessary to address emergency vehicle access by siren activated gates or another similar method as may be found acceptable by the city’s emergency regulatory agencies (e.g., fire, EMS). A condition has been added to address this.

The city’s Multi-Modal Transportation Element (prepared by Kimley Horn in 2018), indicates in Table 2-3: Existing AADT and Level of Service³ (LOS), that this segment of roadway has been designated at a Level of Service (LOS) Standards D. According to the Element, Table 2-4: Existing Peak Hour, Peak Direction, and Level of Service⁴ indicates that in a peak hour, eastbound direction, this segment of roadway is functioning at a LOS D.

It is noted that W Fort Island Trail 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 LOS for out-of-county hurricane evacuation to be no greater than 16 hours for a category 5 storm event (reference ***Consistency with the Comprehensive Plan*** section below). The subject property is in the CHHA 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**, the out-of-county clearance time for 2020 projections ranged from 18.5 to 54.0 hours based on the Evacuation Level. Given these projections, in the Kimley-Horn memorandum dated December 20, 2022, Ms. Gartner, PE, expressed the following concern regarding emergency evacuation:

“The additional evacuation trips from the site will create additional clearance times for the County along Ft. Island Trail, US 19, and the remainder of the evacuation route through the county. US 19 in the vicinity of Ft. Island Trail is shown as a critical segment with the highest queues for various evacuation scenarios in the Statewide Regional Evacuation Study Program.”

Staff recommends a condition that the applicant be required to submit an evacuation plan to the city for its evaluation at time of development permit. The applicant has agreed to include a condition according to staff’s recommendation.

Multi-Modal Considerations - In the Kimley-Horn memorandum dated December 20, 2022, to the city, Ms. Garner, PE, indicated that a multi-modal transportation path is planned along Ft. Island Trail, from US 19 to Fort Island Beach, as shown on the Citrus Hernando MPO Long Range Transportation Plan (FY 2022/2023 Transportation Alternatives List of Priority Projects). This must be taken into consideration in the design of any necessary ingress/egress improvements for access taken along Ft. Island Trail.

Water – The project is required to connect to a public potable water supply system. The City of Crystal River has adequate water supply to serve the project. Extension of utility lines constructed within the public roadway will require right-of-way utilization permits from Citrus County Government.

³ Crystal River Comprehensive Plan, Multi-Modal Transportation Element, Table 2-3 Existing AADT and Level of Service, Source: Traffic counts from Crystal River/Citrus County and FDOT (2107 Florida Traffic Online), pg. 9

⁴ Ibid, Table 2-4: Existing Peak Hour, Peak Direction, and Level of Service, Source : Traffic Counts from Crystal River/Citrus County and FDOT (2017 Florida Traffic Online), pg. 10

Sewer – The project is required to connect to the City of Crystal River sanitary sewer system. The city has adequate capacity to service the project. 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 a commercial project. 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.

The City Council expressed concerns about the project’s potential to impact ground water quality based on underlying limestone and the site’s proximity to Kings Bay of the Crystal River which is listed as a “Special Water” of Outstanding Florida Waters (OFW) by the Florida Department of Environmental Protection (FDEP). The applicant has submitted a drainage report prepared by Devo Engineering, dated March 2022, and titled “Stormwater Management Pond Design Considerations for Aquifer Protection – Plantation Outpost” indicating that the stormwater design will meet SWFWMD requirements. Several other reports were provided by the applicant regarding geotechnical exploration and geophysical investigation. These reports are included in the applicant’s submittal for this application.

The drainage report and related environmental information submitted by the applicant was reviewed by Alan Garri, PE (Kimley-Horn) on behalf of the City of Crystal River. In his memorandum to Mr. Frink dated December 20, 2022, Mr. Garri, PE, identifies surface water issues, impacts, and challenges for development in the Flood Zone by advising that the “...applicant did not provide enough information to verify if there are offsite coastal flooding impacts due to the proposed improvements.” Given the fact that the site’s current use is a golf course, Mr. Garri, PE, also expressed concern regarding the presence of environmental contamination. (Refer to memorandum from Alan Gari, PE; Kimley Horn attached in its entirety and made a part of this report)

CONSISTENCY WITH THE COMPREHENSIVE PLAN: The city’s Comprehensive Plan establishes the Future Land Use designations and map. The request to rezone the 7.2-acre property from CH to PUD and the amendment to the Master Plan of Development for the PUD is found consistent with the city’s Future Land Use Element of the Comprehensive Plan for the HC, Highway Commercial category as shown on the Future Land Use Map for the subject property. A review of the PUD proposed use is found to be consistent with the density and intensity of the Future Land Use Element for the HC category, provided all other goals, objectives and policies of the Comprehensive Plan are satisfied. The following objective and policies of the Future Land Use Element are relevant:

The following objectives and policies of the **Future Land Use Element** are cited:

OBJECTIVE 3.1: *The City shall preserve, protect and improve the character of the City through the implementation of compatibility standards and the consideration of innovative development standards that may include transfer of development rights, planned unit developments, form-based regulations, conservation subdivisions, or other regulations that encourage mixed use and clustered development patterns.*

POLICIES:

A) The planned unit development or PUD concept may be utilized in Crystal River.

A-1: All planned unit development shall go through a site plan review which examines impact on the environment, compatibility with adjacent land uses, provision of on-site parking, stormwater retention, landscaping, and provision of urban services.

A-2: All planned unit development on waterfronts lots must go through a site plan review which examines impact on land uses, provisions of onsite parking, stormwater retention, landscaping, and provision of urban services.

Staff Response: The applicant has addressed and revised the PUD application in response to the above cited Objective and Policies. The PUD provides the benefit of a Master Plan of Development that may serve to mitigate against potential conflicts with adjacent land uses where compatibility may be a concern. However, staff finds that environmental impact specific to groundwater quality protection remain an issue of concern. A review of the proposed project by Alan Garri, PE, on behalf of the city, identified surface water issues, and concerns related to development in the Flood Zone and coastal flooding impacts. (Reference **Stormwater Management** section above.)

Incompatibility with adjacent land uses is also of concern in that the project design and proposed buffering along the southern perimeter of the project where it abuts W Plantation Lane, provides minimal screening in areas, and is found incompatible with the adjacent residential community; mostly that the 10 single family residences that front the local road would be negatively impacted by the placement of 31 RV spaces across the street and noise associated with a commercial resort. (Reference **Landscaping and Tree Protection** section above.)

The following Objective and Policies of the **Coastal Management Element** are cited:

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.*

C) *The Coastal High-Hazard Area (CHHA) is defined as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. All proposed Comprehensive Plan Amendments and new developments within the CHHA must meet the following criteria:*

1. *The adopted LOS for “out of county” hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale.*
2. *A 12 hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of a development contemplated by the proposed comprehensive plan amendment is available; or*
3. *Appropriate mitigation is provided that will satisfy Policy C1. Or 2). Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities not to exceed the amount required for a developer to accommodate impacts reasonably attributable to development.*
 - a. *City shall enter into a binding contract with the developer detailing with any required mitigation.*
 - b. *If the LOS for the host evacuees has not been established the LOS shall not exceed 16 hours for a category 5 event.*

Staff Response: A review of the proposed project by Ms. Gartner, PE, on behalf of the city, found that the additional evacuation trips from the site will create additional clearance times for the county

along Ft. Island Trail, US 19, and the remainder of the evacuation route through the county.
 [Reference **Transportation (Ingress/Egress)** section above.]

OBJECTIVE 6.1: *The City of Crystal River shall ensure that the provision of roads, potable water, sanitary sewer, **drainage** and solid waste facilities and services required to maintain the adopted Level of Service standards shall be consistent and phased with the level of development proposed in the Future Land Use Element*

POLICY:

D) Stormwater Management – *Ensure through monitoring programs and development approvals that stormwater management systems do not degrade coastal resources.*

Staff Response: Supplemental reports have been provided by the applicant about how the drainage pond will be designed to prevent stormwater from directly entering the aquifer, which may directly impact Kings Bay. An evaluation of the reports by Mr. Foster, Professional Geologist, on behalf of the city, found that the proposed drainage ponds, as designed, pose a risk to groundwater quality beneath the site, and that additional work should be undertaken to quantify the risk. (Reference **Environmental Factors** section above.)

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

FINDINGS: As conveyed in Subsection (B.) of 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 applications to amend the official zoning map (rezoning), and amend the official zoning map to PUD together with a PUD master plan.

The following findings are presented:

1. The request is to rezone 7.2 acres from CH, High Intensity Commercial to PUD, Planned Unit Development on the Zoning Map; and
2. The request is to renew and amend the Master Development Plan for the Outpost PUD, a proposed RV Park and lodging resort (platted for sales), and adding the 7.2 acres that will increase the total PUD land area to 68.84 acres.
3. The request to rezone and establish a Master Development Plan per the PUD is consistent with the HC, High Intensity Commercial District category as shown on the Future Land Use Map of the Comprehensive Plan, provided all other goals, objectives and policies of the Comprehensive Plan are satisfied.
4. The proposed PUD amendment, as may be approved by ordinance and subject to terms and conditions, will replace and supersede the 2018 PUD.
5. The PUD provides the benefit of a Master Plan of Development and conditions of approval that may serve to mitigate against potential conflicts with existing adjacent land uses provided adequate assurances can be made to mitigate any negative concerns expressed in this report.
6. The project design and proposed buffering (particularly where it narrows down to ten feet in width) along the southern perimeter of the project where it abuts W Plantation Lane, provides minimal screening, and is found incompatible with the adjacent residential community; mostly that the 10 single family residences that front the local road would be negatively impacted by the placement of 31 RV spaces across the street and noise associated with a commercial resort.

7. The proposal to introduce individually owned lodging units to be used as vacation rentals in a PUD zoning district could place the city in violation of section 509.032 (7)(b), Florida Statutes, invalidating the frequency and duration portion of the city's short term rental ordinance. [Resort housing units (short-term rentals) are limited to the CW land use category/CW zoning district per section 5.05.13, of the Crystal River Land Development Code.]
8. Approximately 59 percent of the site contains soil (Myakka, limestone substratum-EauGallie, limestone substratum complex) that indicates the depth of water table is 6" to 18" below the soil surface. Potential contamination due to chemicals applied to golf courses, and naturally occurring arsenic in Gulf-coastal setting and karst areas, could be introduced to the aquifer. The proposed drainage ponds, as designed, pose a risk to groundwater quality beneath the site, and additional work should be undertaken to quantify the risk.
9. The site is in a Flood Zone AE with a Base Flood Elevation of 12 feet above MSL, and the current site's elevation ranges from 1 to 7 feet above MSL. The applicant's drainage report indicates that the proposed stormwater management system will meet SWFWMD requirements, but given that the property is in the CHHA, the proposal does not consider offsite coastal flooding impacts due to the proposed improvements.
10. The proposed project to be in the CHHA gains access from W Fort Island Trail, that is identified in the Comprehensive Plan, Multi-Modal Transportation Element, as being part of the Crystal River Evacuation Route system. The out-of-county clearance time for 2020 projections ranged from 18.5 to 54.0 hours which exceeds the evacuation LOS. The additional evacuation trips from the site will create additional clearance times for the County along Ft. Island Trail, US 19, and the remainder of the evacuation route through the county.
11. Based on traffic projections, the project will provide ingress and egress as required by the County, except that the storage/queue design needs to consider the larger vehicles (RVs) that will be entering the site. As part of the proposed turn lane improvements, right-of-way dedication to the County will be required.
12. The project shall be served by central water and central sewer.

STAFF RECOMMENDATION: Staff is unable to support the requested application due to concerns expressed herein and findings concluded above. Conditions of approval have been provided in **Exhibit B** of the draft ordinance (reference backup) to assist in mitigating concerns expressed herein if it is the desire of the City Council to approve the application.

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES: Please see Staff's PowerPoint presentation.

PLANNING COMMISSION ACTION: As conveyed in Subsection (C.) (#4) of 10.03.04. (Procedures for action by the Planning Commission), the Planning Commission shall recommend to the City Council that the application(s) be approved, approved with conditions (changes), or denied.

- 1) PZ21-0041 – Rezoning and PUD Amendment

ATTACHMENTS:

1. Florida Attorney General Advisory Legal Opinion (AGO 2019-07), dated August 16, 2019.
2. Email from Cynthia Jones, Citrus County Division of Engineering, dated December 7, 2022.
3. Report by George Foster, Professional Geologist, Creative Environmental Solutions Inc., dated October 21, 2022, prepared on behalf of the City of Crystal River.
4. Memorandum by Amber L. Gartner, PE; Kimley-Horn, dated December 20, 2022, RE: Transportation Review prepared on behalf of the City of Crystal River.
5. Memorandum by Alan Garri, PE; Kimley-Horn, dated December 20, 2022, RE: Drainage Review prepared on behalf of the City of Crystal River.
6. Staff PowerPoint Presentation
7. Notice/Locator Map of subject property
8. Applicant's Submittal with supporting documents

Florida Attorney General Advisory Legal Opinion

Number: AGO 2019-07

Date: August 16, 2019

Subject: Vacation rentals, municipalities, grandfather provision

Jennifer C. Rey, Esq.
The Hogan Law Firm, as City Attorney
20 South Broad Street
Brooksville, Florida 34601

RE: VACATION RENTALS – MUNICIPALITIES – LOCAL GOVERNMENT – preserving grandfathered status under preemption provision when changing zoning district. § 509.032(7)(b), Fla. Stat.

Dear Ms. Rey:

This office has received your letter on behalf of the of the Crystal River City Council requesting an opinion regarding the effect of an amendment to the City's zoning laws in the area of vacation rentals.

May a City change its table of permitted uses for zoning districts to allow vacation rentals within districts in which they were not allowed under the City's pre-2011 ordinance, and still preserve the "grandfathered" status of its pre-2011 ordinance under section 509.032(7)(b), Florida Statutes (2018)?

In sum:

Amending an ordinance that was enacted prior to June 1, 2011, will not invalidate the grandfathering protection for those provisions that are reenacted, but new provisions would be preempted if they revise such language in a manner that would regulate the

duration or frequency of rental of vacation rentals, even when such regulation would be considered “less restrictive” than the prior local law.

You indicate that the table of permitted uses in the City’s Land Development Code enacted in 2005 permits resort housing units only in the City’s Commercial Waterfront zoning district.[1] “Resort housing units” are defined in section 1.07.00 as dwelling units that are made available for occupancy for less than three months. Section 5.05.13 describes the permitted use as follows:

- A. Resort housing units are permissible in the CW zoning district, subject to the district standards and the supplemental standards set forth below.
- B. Nightly rentals or rentals of less than a one-week period are not permitted.
- C. Density for resort housing units shall not exceed twelve (12) units per acre.
- D. Resort housing units may be managed by the individual unit owner or by a property management company. An occupational license is required for the manager, whether an individual owner with a single unit, or a property management company.

Section 509.032(7)(b), Florida Statutes, provides:

A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011.

Section 509.032(7)(b) allows the City to regulate vacation rentals so long as such regulation does not prohibit them or limit the duration or frequency of rental.[2] You ask, however, whether enactment of a less restrictive ordinance that would permit vacation rentals where they are now prohibited, by allowing resort housing units in other zoning districts, would eliminate the grandfathered protection of remaining ordinances that deal with vacation rentals.

When a law is amended, provisions of the original law that are essentially and materially unchanged are considered to be a continuation of the original law. “The provisions of the original act or section reenacted by amendment are the law since they were first enacted, and provisions introduced by the amendment are considered to have been enacted at the time the amendment took effect. Thus, rights and liabilities accrued under the original act which are reenacted are not affected by amendment.”[3] As stated by the Florida Supreme

Court, this general rule “sometimes becomes important, where rights had accrued before the revision or amendment took place.”[4]

[W]here a statute has been repealed and substantially re-enacted by a statute which contains additions to or changes in the original statute, the re-enacted provisions are deemed to have been in operation continuously from the original enactment whereas the additions or changes are treated as amendments effective from the time the new statute goes into effect.[5]

This principle was operative in a recent case involving vacation rentals, *City of Miami v. Airbnb*. In the course of deciding the case, the Third District observed that a 2017 resolution interpreting zoning ordinances that prohibited short-term rentals in a suburban/residential zone was not preempted, because it was “identical in its material provisions” to the zoning code the City had enacted in 2009. In contrast, “to the extent the City’s 2015 Zoning Interpretation goes beyond the restrictions in [the 2009 ordinance], the Interpretation is preempted under section 509.032(7)(b).”[6]

Provisions in your amended ordinances that are essentially unchanged from the prior ordinances are deemed to have been in operation since 2005 and, thus, continue to be exempt from the preemption provision of section 509.032(7)(b), Florida Statutes. New provisions that act to prohibit vacation rentals that were not previously prohibited, or that “regulate”[7] the duration and frequency of vacation rentals, even if such provisions are less restrictive than the earlier provisions, are preempted by the statute. Changing the table of permitted uses to reflect that “resort housing units” would also be permitted in other zoning districts would conceivably expand the areas in which vacation rentals could be operated. But the duration and frequency restrictions in section 5.05.13(B), which would then apply to those zoning districts, would “regulate” resort housing units operated as vacation rentals.[8] Because the “resort housing unit” land use classification expressly regulates, and restricts, the duration or frequency of rentals of residential property that could be considered “vacation rentals,” amending the City’s table of permitted uses to permit resort housing units in other zoning districts would violate section 509.032(7)(b).

Sincerely,

Ashley Moody
Attorney General

[1] Section 2.03.02, Code of Ordinances, City of Crystal River, Florida, Appendix A – Land Development Code.

[2] See Att’y Gen. Op. Fla. 2016-12 (quoting from House of Representatives Final Bill Analysis, CS/CS/CS/HB 883, dated June 28, 2011).

[3] Norman Singer, 1A Sutherland Statutory Construction §22:33 (7th ed. Nov. 2018 update).

[4] Perry v. Consolidated Special Tax School Dist. No 4, 89 Fla. 271, 276, 103 So. 639, 641 (1925) (quoting Cooley’s Const. Lim., at 96-97 (7th ed.)). Accord Orange County v. Robinson, 111 Fla. 402, 405, 149 So. 604, 605 (1933).

[5] McKibben v. Mallory, 293 So. 2d 48, 53 (Fla. 1974). Accord Venice HMA, LLC v. Sarasota Cty., 228 So. 3d 76, 83 (Fla. 2017).

[6] City of Miami v. Airbnb, 260 So. 3d 478, 482 (Fla. 3d DCA 2018).

[7] Black’s Law Dictionary defines the word “regulate” to mean, in pertinent part: “To control (an activity or process) esp. through the implementation of rules.” BLACK’S LAW DICTIONARY (11th ed. 2019).

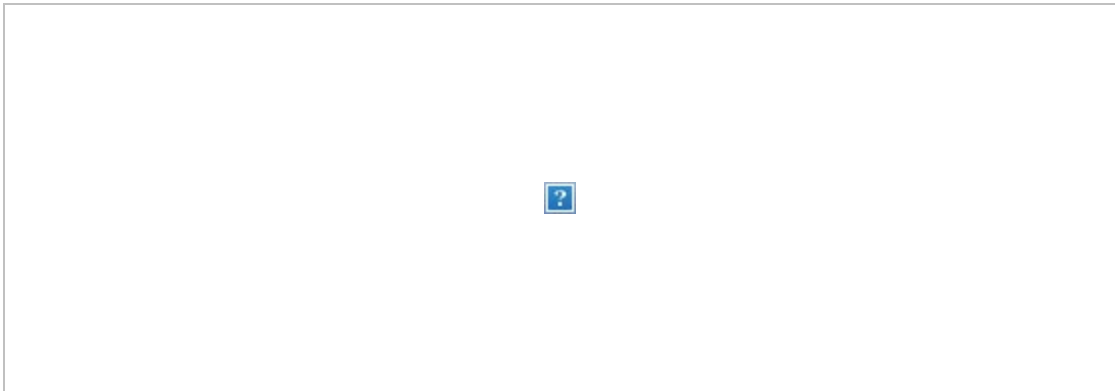
[8] I note that section 5.05.13(A) of the City’s Land Development Code also expressly restricts resort housing units to the CW zoning district.

From: [Cynthia L. Jones](#)
To: [Jenette Collins](#)
Cc: [Brian C. Kauffman](#)
Subject: FW: [EXTERNAL]City of C.R. - PUD Amendment - Outpost RV Park
Date: Friday, April 16, 2021 10:43:19 AM
Attachments: [image001.png](#)
[image005.png](#)
[SDP_Proposed_Outpost_RV_Park.pdf](#)

Good Morning Jenette,

The Engineering Division has reviewing the request for a PUD for a 322 unit RV Park with the access from W. Fort Island Trail and two emergency access points. I have discussed this project with the County Engineer and we are providing the following comments:

- The proposed driveway connection point along W. Fort Island Trail will need to line up with the pavement for W. Audubon Lane.
- Section 7190, Auxiliary Lanes, of the LDC specifies the need for auxiliary lanes at project entrances based on the a.m. or p.m. peak hour traffic listed in the section. The applicant has provided a traffic study in support of the request. Section 6. Findings and Recommendations of the applicants report states that during the p.m. peak hour (4pm to 6pm), that 101 trips (62 entering/39 exiting) will be generated by the development. That equates to 31 vehicles entering per hour. In accordance with Citrus County Section 7190, a west bound left turn lane on W. Fort Island Trail will be required. See code below.



- The deceleration lane will need to be designed according to the Florida Green Book, Chapter 3, Section C.9.c Auxiliary Lanes.
- The intersection of the project entrance and W. Fort Island Trail where the turn lane is installed will need to be milled and resurfaced to ensure a smooth transition between the existing and new pavement areas.

Recommended Conditions of approval:

- Provide a west bound left turn lane and associated intersection improvements at the project entrance meeting the requirements of the Florida Green Book and the Citrus County Land

Development Code.

- A Right of Way Utilization Permit from Citrus County Board of County Commissioners will be required.

Thanks for the opportunity to provide comment on this proposed project.

Sincerely,

Cynthia L. Jones, E.I.
Engineer I
Engineering Division
Department of Public Works
Citrus County Board of County Commissioners
3600 W. Sovereign Path, Suite 241
Lecanto, FL 34461

Ph: (352) 527-5247

Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: Jenette Collins <jcollins@crystalriverfl.org>
Sent: Thursday, April 8, 2021 3:54 PM
To: Cynthia L. Jones <cynthia.jones@citrusbocc.com>
Subject: [EXTERNAL]City of C.R. - PUD Amendment - Outpost RV Park

WARNING: This email originated from an external Domain **DO NOT CLICK** unless you recognize the sender and know the content is safe.

Good Afternoon Cindy,

This follows my voice mail from this afternoon. I have attached a preliminary plan for a PUD that I am reviewing for the City. The applicant wishes to establish a master development plan for a RV Park (322 rv spaces). Since it is on W Fort Island Trail, I have advised them that at time of development, they will need to get a row utilization permit from the County for ingress/egress at their entry point. Can you kindly review and provide comment(s) regarding the County's requirement for driveway connection.

Please contact me if you have any questions.

Thanks,

Jenette Collins, AICP
Urban Planner

Planning & Community Development Services
City of Crystal River
123 NW Highway 19
Crystal River, Florida 34428
Direct: 352-795-4216 x 340
jcollins@crystalriverfl.org

Link to Crystal River Land Development Code [Mini TOC: APPENDIX A - LAND DEVELOPMENT CODE](#) | [Code of Ordinances](#) | [Crystal River, FL](#) | [Municode Library](#)

The City of Crystal River is a public entity subject to Chapter 119 of the Florida Statutes concerning public records. Email messages are covered under Chapter 119 and are thus subject to public records disclosure. All email messages sent and received are captured by our server and retained as public records. This footnote also confirms that this email message has been swept for the presence of computer viruses, and illegal or questionable content. This system is a private system and is monitored for electronic tampering. Violators will be prosecuted to the fullest extent of the law. This email may contain confidential or privileged material. Use or disclosure of it by anyone other than the recipient is unauthorized. If you are not the intended recipient, please delete this email.

October 21, 2022

Ken Frink
City Manager
City of Crystal River
123 NW Highway 19
Crystal River, FL 34428

Re: Plantation Outpost RV Park
West Fort Island Trail, Crystal River, FL

Dear Mr. Frink:

It is my understanding that a developer has proposed converting a portion of the Plantation golf course into an RV park. The project area is approximately 3,500 feet south of King Spring. Creation of the RV park would require the excavation of deep ponds that would provide fill for the development and provide treatment for site stormwater. The developer plans to place most of the ponds in areas where the limestone bedrock is well below the land surface with the stated intent of minimizing the contamination risk to the underlying groundwater.

You asked me to evaluate the potential for the project to impact the groundwater quality based on a review of the files provided by the developer. For this task, I reviewed the following:

- Stormwater Management Pond Design Considerations for Aquifer Protection prepared by DEVO Engineering, dated March 2022
- Geotechnical Exploration Report prepared by FGE, dated January 26, 2022
- Geotechnical Exploration Report prepared by FGE, dated April 2019
- Final Report Geophysical Investigation prepared by GeoView, dated September 29, 2021

My thoughts and impressions of the data and conclusions in these documents are summarized in the following pages.

Electrical Resistivity Review

The electrical resistivity (ER) survey that was conducted by GeoView identified numerous geological anomalies that might be indicative of sinkhole activity. These are shown on the attached site plan. However, most the ER data were collected along transects that were outside of the proposed ponds. Additional ER surveys within the boundaries of the proposed ponds would have been very helpful in evaluating site stability.

Karst Assessment

Attached is a table that shows the depth and elevation of the top of the limestone based on borings SBT-1 to SPT-9 and B-1 to B-13 performed by FGE. The borings ranged in depth from 10 to 35 feet (ft). Not all of the borings reached limestone, so we know the limestone surface is more than 35 ft below land surface (bls) and lower than elevation minus 30 ft-NAD88 in places. The highest limestone found was at elevation 18.5 ft-NAD88. The difference between the high and low points on the limestone surface is a least 48.5 ft, and possibly much more.

The limestone elevations and the locations of the proposed ponds are plotted on the site plan. You can see that the limestone is very shallow on the north and southwest ends of the project. Elsewhere, the limestone is much deeper. The area of the project with the deeper limestone is known as an alluvial sinkhole (aka paleo sinkhole, relic sinkhole), which is an historic sinkhole that has since been filled with soil and/or sediment. In the case of this particular alluvial sinkhole, the soil fill is primarily sand and clayey sand with lesser amounts of sandy clay and clay. Two geologic cross-sections based on the same data are attached. The points along the cross-sections where the limestone surface drops precipitously mark the edges of the sinkhole.

A detailed review of the boring logs indicates the sinkhole may be active. Such activity is strongly indicated in boring B-8, located on the northwest edge of the largest proposed pond, by a loss of circulation (LOC) at 23 ft-bls, weight-of-rod (WOR) conditions from 23.5 to 24 ft-bls and 28.5 to 29 ft-bls, and weight-of-hammer (WOH) condition from 29 to 29.5 ft-bls.

It is noteworthy that almost all of the borings were drilled outside the proposed pond boundaries and approximately 50 ft (if the Devo site plan is correct) from the ER anomalies. Many of the borings nearest the ponds were not drilled deeply enough to penetrate the limestone. Therefore, a proper analysis of the potential for active sinkhole activity beneath the proposed ponds cannot be made. Additional borings drilled within the ponds and well into the underlying limestone would have been very helpful in evaluating site suitability.

Stormwater Ponds

According to the DEVO report, the proposed stormwater ponds are situated, for the most part, on top of the alluvial sinkhole, an effort by the developer to avoid excavating the ponds in the shallow limestone. But groundwater that saturates the sand in the sinkhole is

the same groundwater that saturates the adjacent limestone—groundwater of the upper Floridan aquifer. Putting a stormwater pond in the sand won't be substantially different than putting it in limestone in terms of the potential for contaminant migration.

It is my understanding that SWFWMD requires extra stormwater treatment to protect the groundwater when ponds are placed on top of active karst features. This may mean the ponds would need to be larger than proposed. Lining the ponds, of course, to prevent infiltration of storm water would be protective of the groundwater. Installation of liners would be a monumental task considering the proposed pond bottoms are well below the water table. Lined ponds may need to be larger than unlined ponds.

A professional engineer should evaluate the proposed ponds in light of the geologic conditions described herein to determine if the ponds as designed are protective of the groundwater and meet SWFWMD criteria for permitting.

Chemicals Applied to Golf Courses

Golf courses, especially tees and greens on older courses, are frequently impacted by chemicals used in fertilizers, herbicides and pesticides. The most common and most problematic, in my experience, are chlorinated pesticides and arsenic. Impacts from these chemicals on golf courses are not regulated unless there is evidence that they were not applied according to the label instructions. However, when the land use changes from golf course to development, those potential impacts have to be evaluated. Normally, a thorough assessment of the site is required prior to reuse of a golf course. This assessment should define the lateral and vertical extents of all contaminants in site soil, sediment, groundwater and surface water. If contaminants are found at levels above Florida Cleanup Target Levels (CTLs), some level of remediation and/or use restrictions will be required. Many redevelopment projects have been abandoned because of the presence of residual chemicals from previous site activities.

Naturally Occurring Arsenic

Arsenic occurs naturally in Florida soils, especially those that contain clay and organic matter. Some of the highest arsenic levels I've personally observed in Gulf-coastal settings have been in the marl-like material that marks the top of the limestone. This arsenic is often brought to the surface during construction and can create conditions that greatly complicate use of the property—CTLs would be applicable even if the arsenic is naturally occurring. Removing the protective soil cover above the marl/limestone could increase the degree of arsenic leaching.

Groundwater Flow

Groundwater flow in the area of the site is likely toward King Spring. Therefore, arsenic, pesticides, nutrients and other contaminants introduced to the aquifer will have the potential to reach the spring. In a karst setting such as exists around the spring, there may be one or more direct conduits through the limestone to the spring that will carry the contaminants to the spring unattenuated.

Conclusions and Recommendations

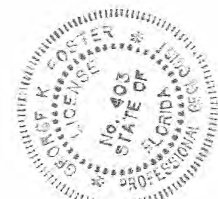
It is my professional opinion that the proposed development, as designed, poses a risk to groundwater quality beneath the site. It is my professional opinion that naturally occurring arsenic and man-made chemicals in site soils, if present at levels above CTLs, could pose a health risk to site users if not remediated or managed appropriately. Additional work should be undertaken to quantify these risks.

Qualifications and Experience of Author

George Foster holds a Bachelor of Arts degree in Geology from the University of South Florida and a Master of Science degree in Geology from the University of Florida. He has almost 40 years of experience conducting and managing contamination assessments, sinkhole investigations, and groundwater studies in Florida, first with Environmental Science & Engineering, Inc. from 1984 to 1994 and then with Creative Environmental Solutions, Inc. from 1994 to present. Project sites have included sand and limestone mines, golf courses, filling stations, dairies, landfills and various and sundry industrial, commercial and agricultural facilities.

Thank you for the opportunity to be of service. Please contact me with any comments or questions.

Sincerely,

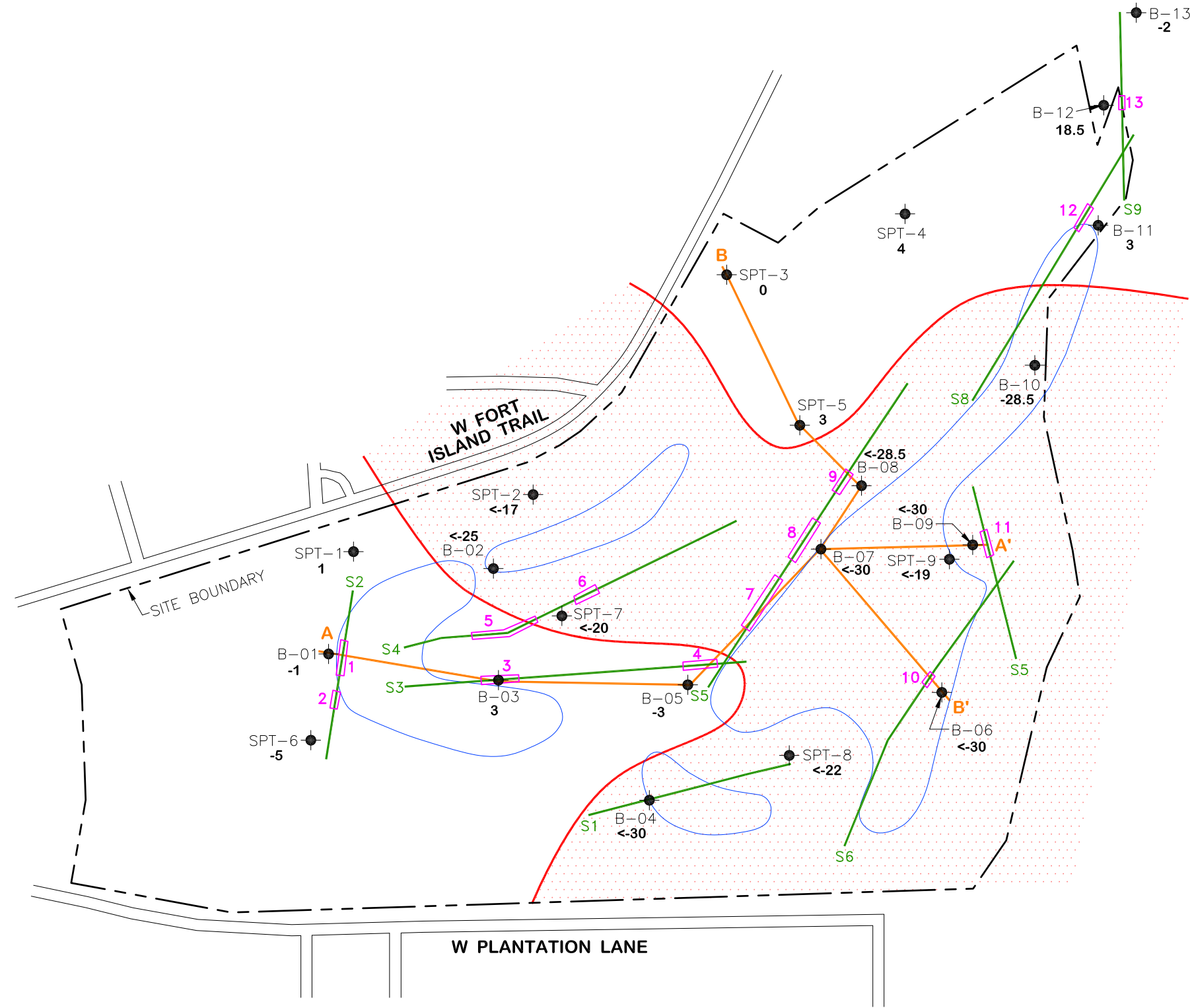


George K. Foster, FL PG 403
President

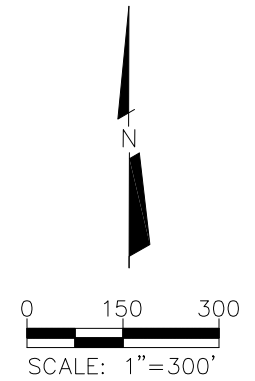
Attachments

FIGURES

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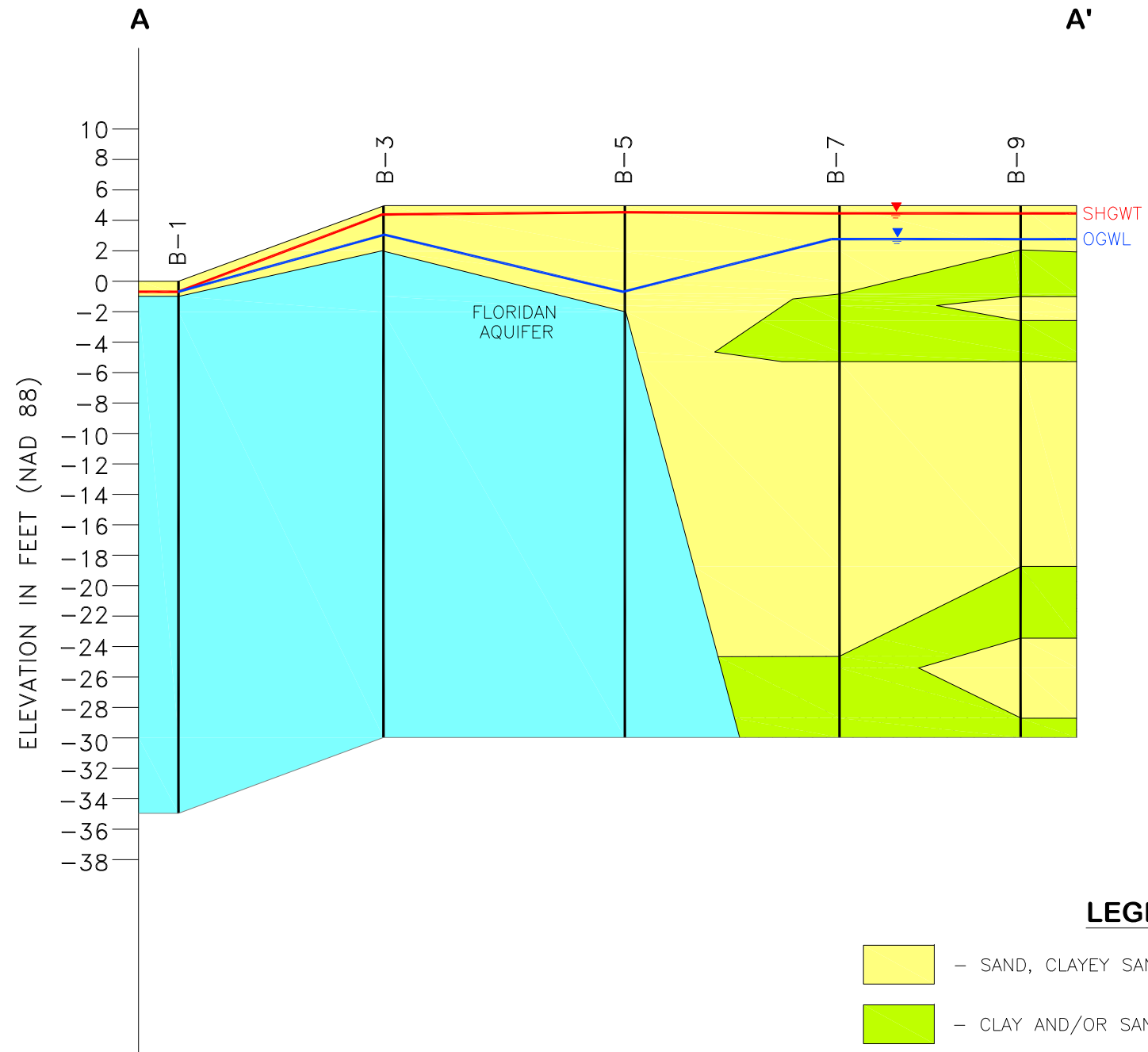
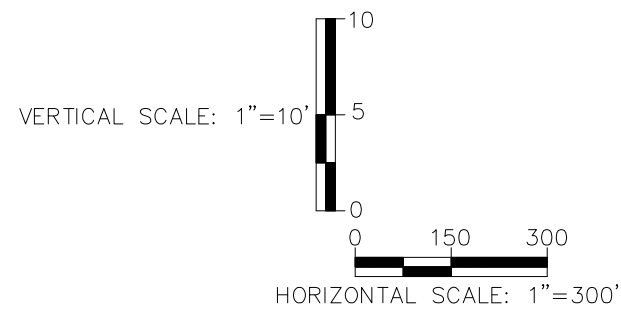
- LEGEND**
- SPT Boring Location
 - Proposed Ponds
 - GPR Transect Lines
 - GPR Anomaly Areas
 - 2 Top of Limestone Elevation in NAD88
 - Allurial Sinkhole Location
 - A-A' Geologic Cross-Section Location



LOCATION OF ALLURIAL SINKHOLE & PROPOSED PONDS
 PLANTATION OUTPOST
 CRYTAL RIVER, CITRUS COUNTY, FLORIDA

creative
Environmental
Solutions, Inc.

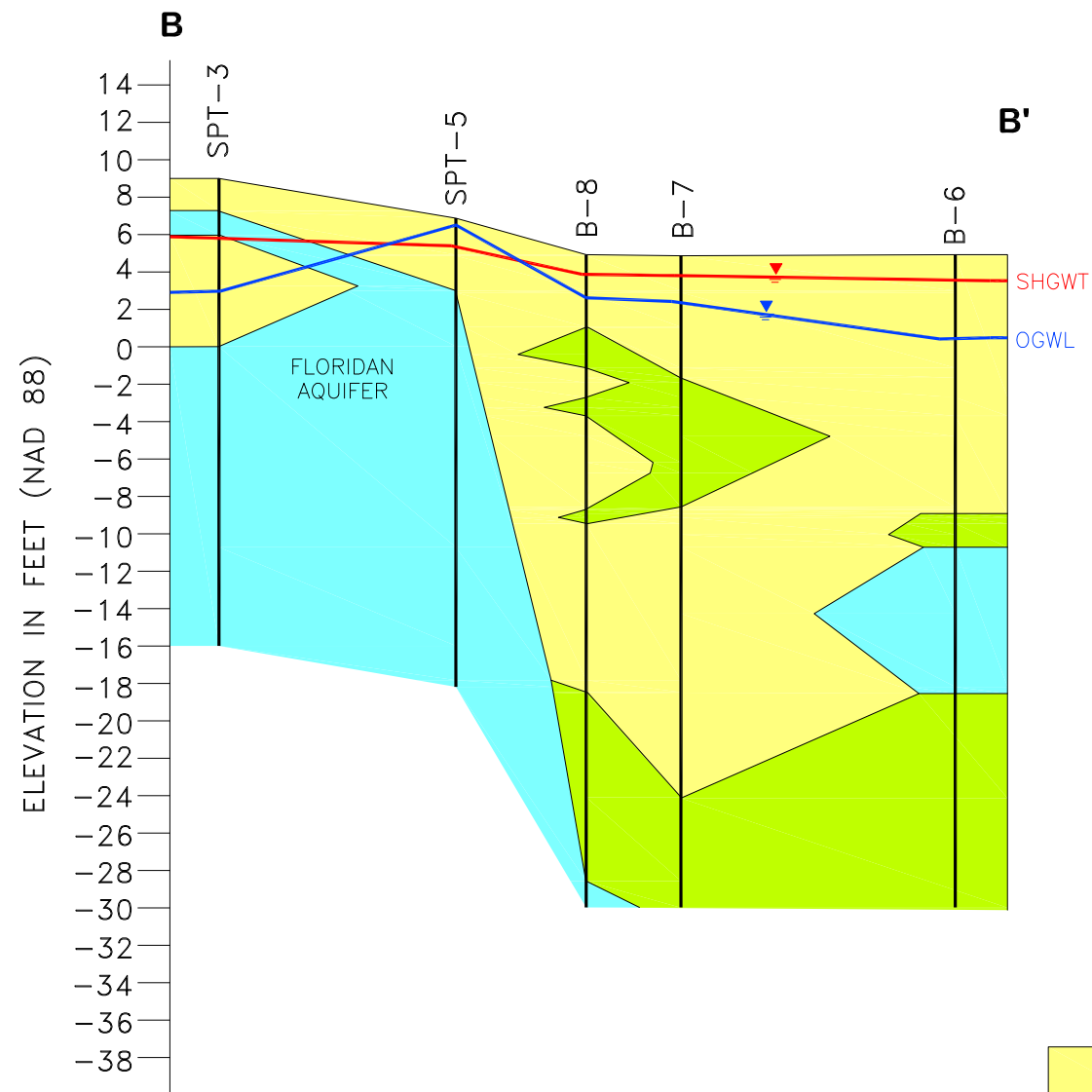
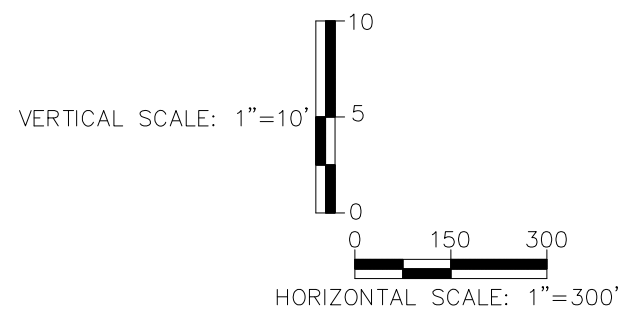
700 DeSoto Avenue
 Brooksville, Florida 34601
 Phone: (352) 796-3374 Fax: (352) 796-2449



LEGEND

- SAND, CLAYEY SAND, AND/OR SILTY SAND
- CLAY AND/OR SANDY CLAY
- LIMESTONE
- SHGWT - SEASONAL HIGH GROUNDWATER TABLE
- OGWL - OBSERVED GROUNDWATER LEVEL

GEOLOGIC CROSS-SECTION A-A'
 PLANTATION OUTPOST
 CRYTAL RIVER, CITRUS COUNTY, FLORIDA



LEGEND

- SAND, CLAYEY SAND, AND/OR SILTY SAND
- CLAY AND/OR SANDY CLAY
- LIMESTONE
- SHGWT - SEASONAL HIGH GROUNDWATER TABLE
- OGWL - OBSERVED GROUNDWATER LEVEL

GEOLOGIC CROSS-SECTION B-B'
 PLANTATION OUTPOST
 CRYTAL RIVER, CITRUS COUNTY, FLORIDA

Memorandum

To: Mr. Ken Frink; City of Crystal River

From: Amber L. Gartner, PE; Kimley-Horn
Florida PE License Number 72294

Date: December 20, 2022

RE: **Transportation Review**
Outpost PUD
Kimley-Horn Project Number 142004031

Kimley-Horn has reviewed the application materials submitted for the Outpost PUD project to provide input to the City of Crystal River on the potential transportation impacts of the proposed development. The following sources were reviewed:

- Consistency Evaluation (July 19, 2022) prepared by Stearns Weaver Miller
- Final Traffic Impact Statement (March 2018) prepared by GPI (GPI Statement)
- Crystal River Land Development Code
- Crystal River Multi-Modal Transportation Element of the Comprehensive Plan
- Citrus County Land Development Code
- Hernando Citrus MPO Long-Range Transportation Plan
- Published traffic data from Citrus County and Florida Department of Transportation

Project Traffic Impact

The application proposes 308 RV unit spaces designated between Resort RV Unit / Lodging Unit (165 total units) and RV Unit (143 total units). The GPI Statement utilized the Institute of Transportation Engineer's (ITE) Land Use Code 260 (Recreational Homes). Based on a review of the various ITE land use codes available, the recreational home land use code is appropriate to estimate traffic for the proposed uses. The estimated trip generation potential of the development, assuming single occupancy on the lots, is summarized below.

- The daily trip generation potential is 1,093 vehicles per day
- The AM peak hour trip generation potential is 68 vehicles per hour (37 in; 31 out)
- The PM peak hour trip generation potential is 89 vehicles per hour (41 in; 48 out)

The trip distribution utilized in the GPI Statement is 20% to/from the west and 80% to/from the east. This trip distribution is reasonable based on the existing land uses and traffic patterns adjacent the site. Based on the trip generation and trip distribution, the project will generate the following traffic volumes on Ft. Island Trail:

- Daily Traffic on Ft. Island Trail (80% east of site) = 874 vehicles per day;

- PM peak hour two-way traffic on Ft. Island Trail (80% east of site) = 71 vehicles per hour
- PM peak hour peak direction traffic on Ft. Island Trail (80% east of site) = 38 vehicles per hour

Site Access

There will be one primary access location on Ft. Island Trail. Ft. Island Trail is owned and maintained by Citrus County. Per the Citrus County Land Development Code, an ingress left-turn lane is necessary when entering volumes during the peak hour exceed 20 vehicles. The westbound left-turn ingress volumes will exceed 20 during the AM and PM peak hour at buildout of the site and therefore a westbound left-turn ingress lane is required by Citrus County regulations.

Per the Citrus County Land Development Code, an ingress right-turn lane is necessary when entering volumes during the peak hour exceed 40 vehicles. The eastbound right-turn ingress volumes will not exceed 40 during the AM and PM peak hour at buildout of the site and therefore an eastbound right-turn lane is not required by the Citrus County regulations.

The posted speed limit of Ft. Island Trail is 45 mph. Citrus County requires the left-turn lane to be designed according to the Florida Greenbook. Per the Greenbook requirements, the left-turn lane will need to be designed for a two-vehicle storage/queue and the required deceleration length of 290-feet. The storage/queue design needs to consider the larger vehicles that will be entering the site.

Other Considerations

Emergency Evacuation

The City of Crystal River Transportation Element of the Comprehensive Plan delineates evacuation routes for the City. Ft. Island Trail, from Three Sisters Springs Trail to US 19 is designated by the City as an evacuation route to US 19 north and south of Ft. Island Trail. The Transportation Element references the Statewide Regional Evacuation Study Program for the Tampa Bay Region (2017). The out-of-county clearance time for the 2020 projections ranged from 18.5 to 54.0 hours based on Evacuation Level. The Outpost PUD is located within Evacuation Zone A. The additional evacuation trips from the site will create additional clearance times for the County along Ft. Island Trail, US 19, and the remainder of the evacuation route through the County. US 19 in the vicinity of Ft. Island Trail is shown as a critical segment with the highest vehicle queues for various evacuation scenarios in the Statewide Regional Evacuation Study Program.

Multi-Modal Considerations

Citrus County has a planned multi-modal transportation path along Ft. Island Trail, from US 19 to the Fort Island Beach. The future trail is shown in the Citrus Hernando MPO Long Range Transportation Plan as Project 6 and is on the FY 2022/2023 Transportation Alternatives List of Priority Projects.

ALG

K:\OCA_Civil\142004031-Ft Trail Development Analysis\doc\Mkf221207alg - Outpost PUD Transportation Review.docx

Memorandum

To: Mr. Ken Frink P.E.; City of Crystal River

From: Alan Garri, PE; Kimley-Horn

Florida PE License Number 70674

Date: December 20, 2022

RE: ***Drainage Review
Outpost PUD
Kimley-Horn Project Number 142004031***

This technical memorandum summarizes the identified surface water issues, impacts, and concerns related to the proposed development for the above-referenced subject. To support this analysis the following information was reviewed:

- The drainage report – “Draft” Drainage Calculations by Bolchoz (9/17/21)
- PUD masterplan – The Outpost PUD Plantation on Crystal River Rezoning to Planned Unit Development and Related Master Plan Approval (7/19/22)
- Environmental report – Outpost RV Park Environmental Summary (9/2/22)
- ICPR4 model – Crystal River (Unincorporated) Watershed Management Plan Model (2008)
- Flood Insurance Study (1/15/21)
- FEMA DFIRM (effective date 1/15/21)
- Topographic maps – 2006 SWFWMD Lidar: North District

The requirements for the City of Crystal River, Citrus County, and SWFWMD were included as part of our review. Below is a summary of the findings. All elevations are provided in NAVD88.

Existing Conditions Model

The Existing Conditions Model (ECM) for this site was taken from the model for the Crystal River Water Management Plan (December 2008) and converted from ICPR3 to ICPR4. The results from the conversion were provided in the Draft Drainage Report by Bolchoz. The converted peak stage results for the mean-annual, 10-Year, 25-Year and 100-Year storm events looked reasonable, whereas some of the peak flow rate results were questionable. For example, in the 10-Year storm scenario, Node NX5417 went from 0.0 CFS in ICPR3 to 58.1 CFS in ICPR4.

Proposed Conditions Model

The Proposed Conditions Model (PCM) only evaluated rainfall-induced flooding and did not include the coastal element and thus report significantly different flood elevations compared to the FEMA FIRM. According to the effective FEMA FIRM dated 1/15/2021, the site is located in Zone AE with a Base Flood Elevation of 12' and the current site's elevation ranges from 1' to 7'. In reviewing the Flood Insurance Study, the mechanism of flooding is coastal (tidal impacts and wave action) for the effective FEMA DFIRM floodplain. The PCM max stages for the 100-year/24-hour storm event ranged from 3.23' to 5.28'. The

provided drainage report suggests that there are no significant increases from existing conditions to proposed conditions in stages or flows, and therefore will meet SWFWMD's requirements for floodplain encroachment. This only holds true if coastal flooding does not need to be evaluated for floodplain compensation or adverse impacts.

Only the ECM model was provided so the boundary conditions in the PCM could not be verified. Also, the resulting 100-year floodplain extents from the PCM were not provided and therefore could not be reviewed.


Water Quality

This site proposes a wet detention pond for the water quality requirements. To meet the SWFWMD's guidelines, 1" over the site must be treated. This equates to approximately 6.06 ac-ft volume for the site. The proposed system provides treatment for 9.44 ac-ft and therefore meets the minimum requirement. Overall, the site does not directly discharge to an Outstanding Florida Waterbody which would require additional treatment (i.e. 1.5 inches).

Conclusions

Although this proposed development appears to meet SWFWMD requirements for floodplain encroachment requirements (for rainfall only) and water quality, there are other aspects of the site that pose challenges. The proposed site lies in a Zone AE with a BFE of 12' which will make it challenging to qualify for flood insurance, especially as it relates to permanent structures. The applicant did not provide enough information to verify if there are offsite coastal flooding impacts due to the proposed improvements. Consequently, this analysis could not determine how the coastal floodplain will be mitigated beyond the narrative in the Bolchoz report which only indicates fill dirt to raise grades presumably for the rainfall induced flooding. Moreover, considering the sites' current use as a golf course, there can be reasonable assumptions regarding the presence of environmental contamination, warranting a Phase I Environmental Site Assessment (if not previously performed). The report from Creative Environmental Solutions, Inc. from October 21, 2022 discusses the problems associated with the chemicals that are applied to golf courses.

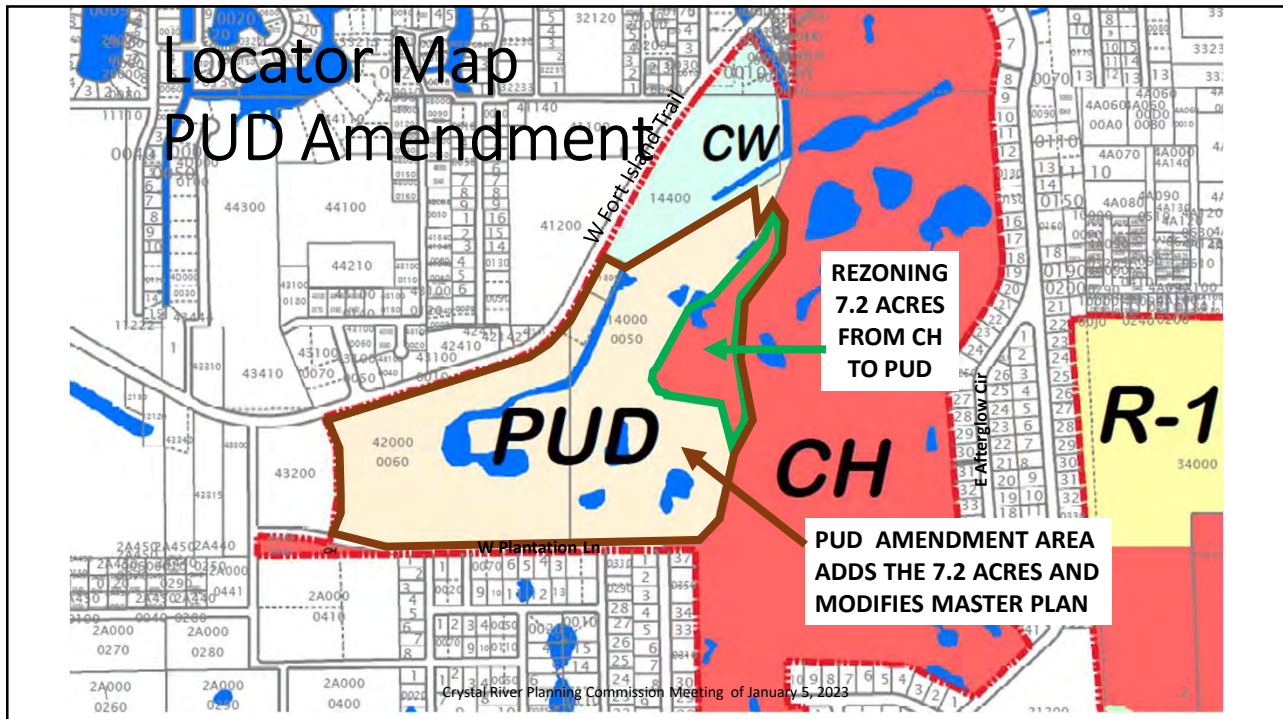
K:\OCA_Civil\142004031-Ft Trail Development Analysis\doc\Drainage Review\Mkf221216ajg - Outpost PUD Drainage Review.docx



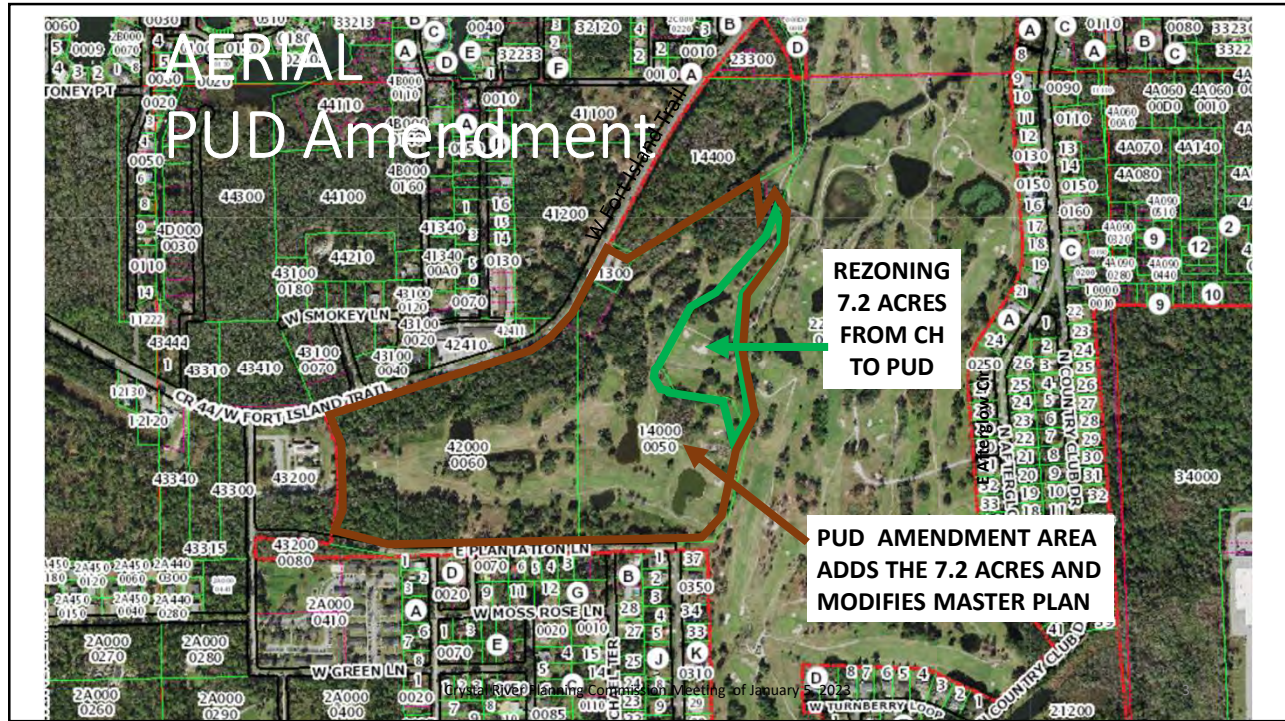
PZ21-0041
REZONING AND PUD AMENDMENT
Daniel Baker, ACP-Communities, LLC for Crystal River Plantation Corporation (The Outpost PUD, RV Park)

Crystal River Planning Commission Meeting of January 5, 2023

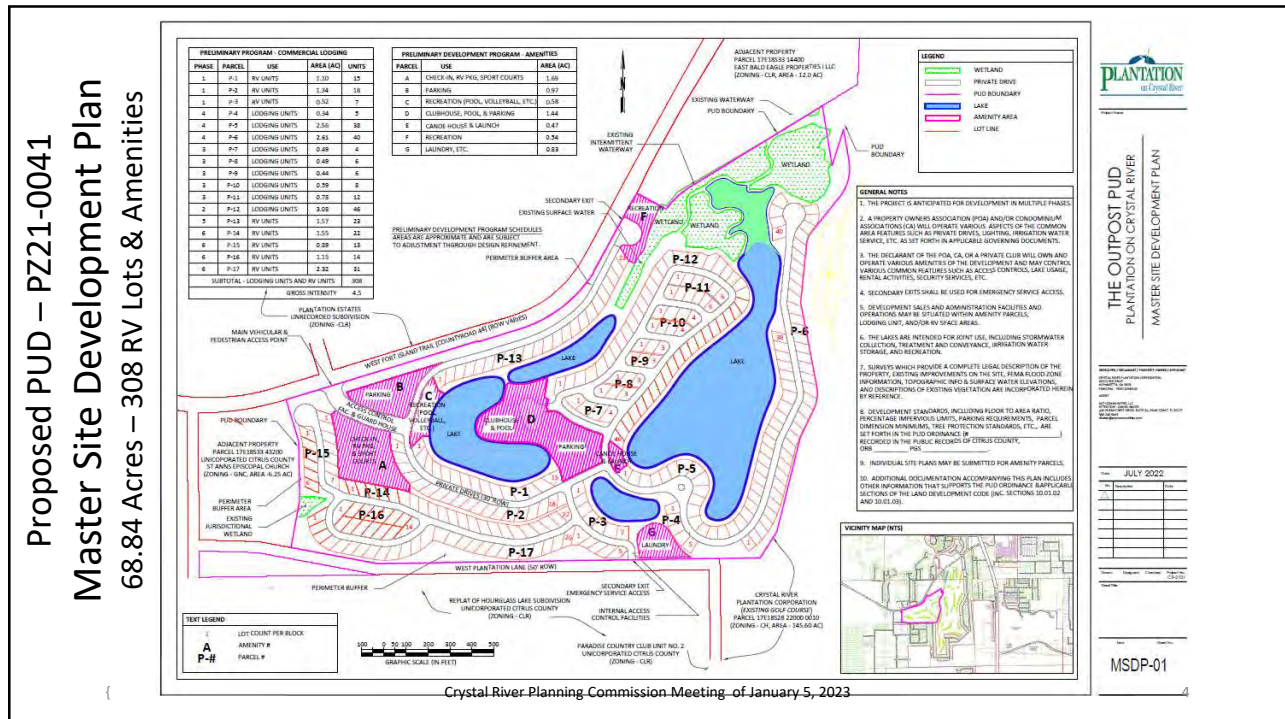
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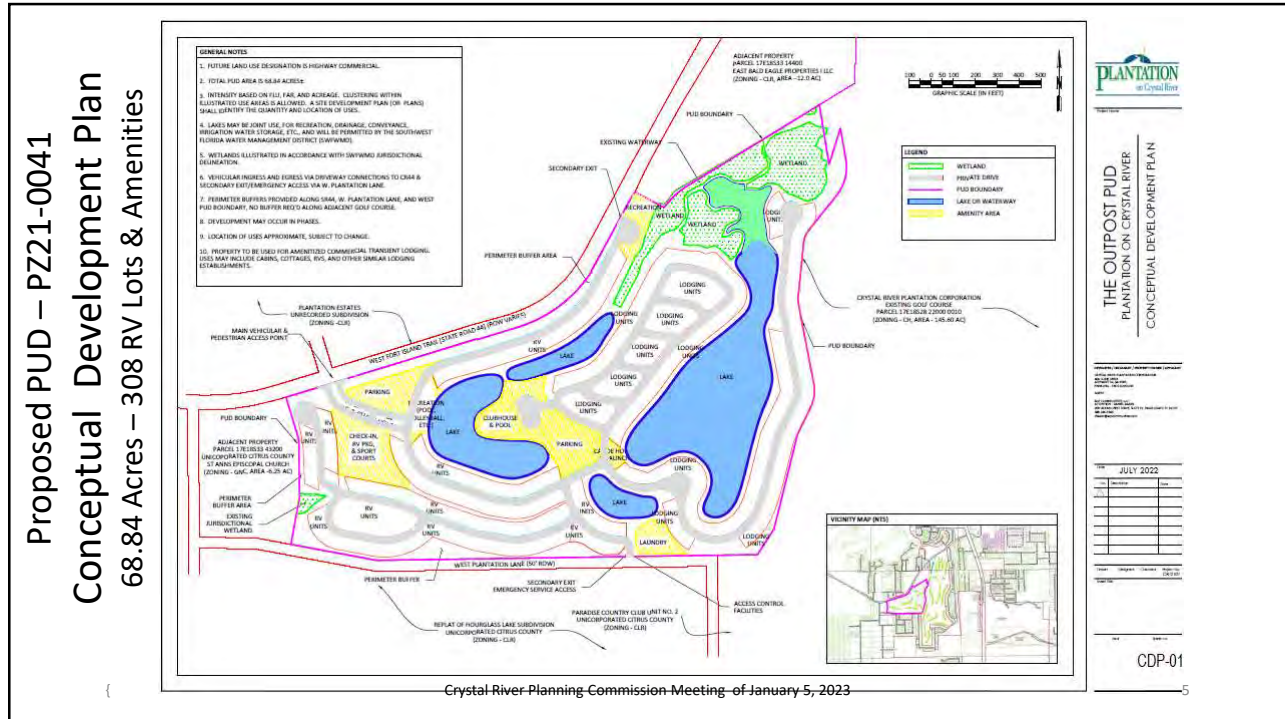
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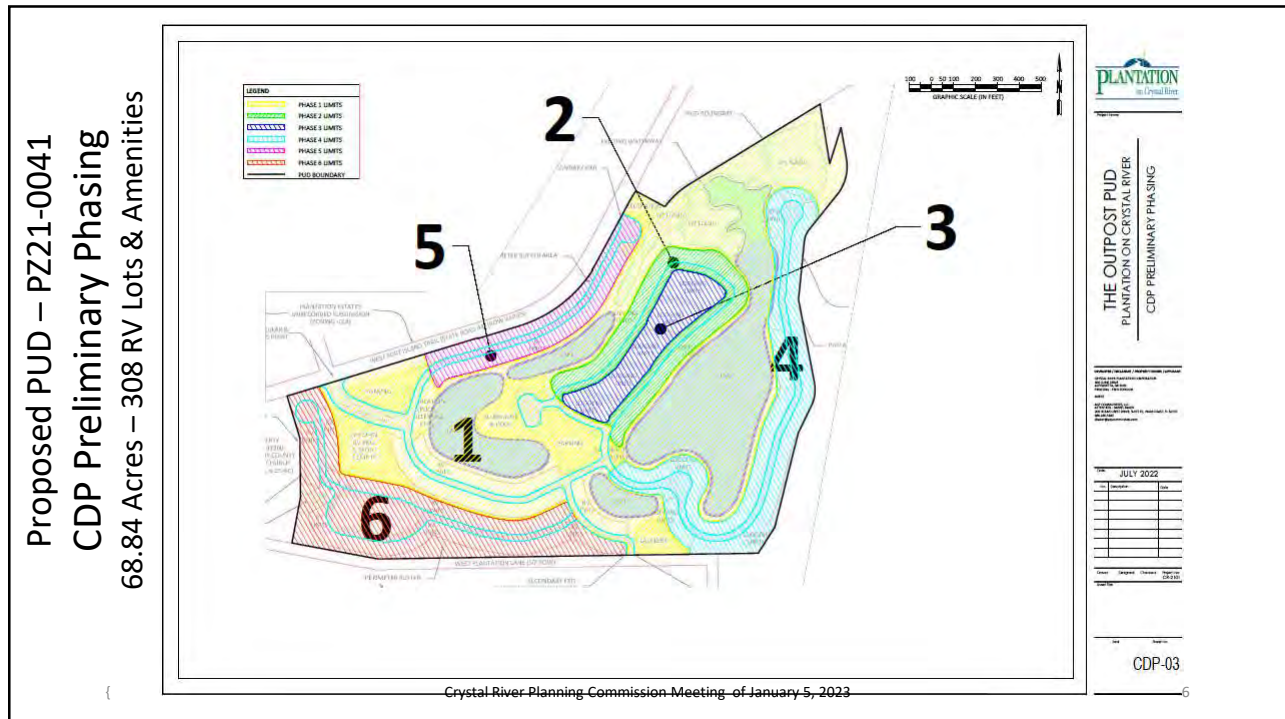
3



4



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6



7



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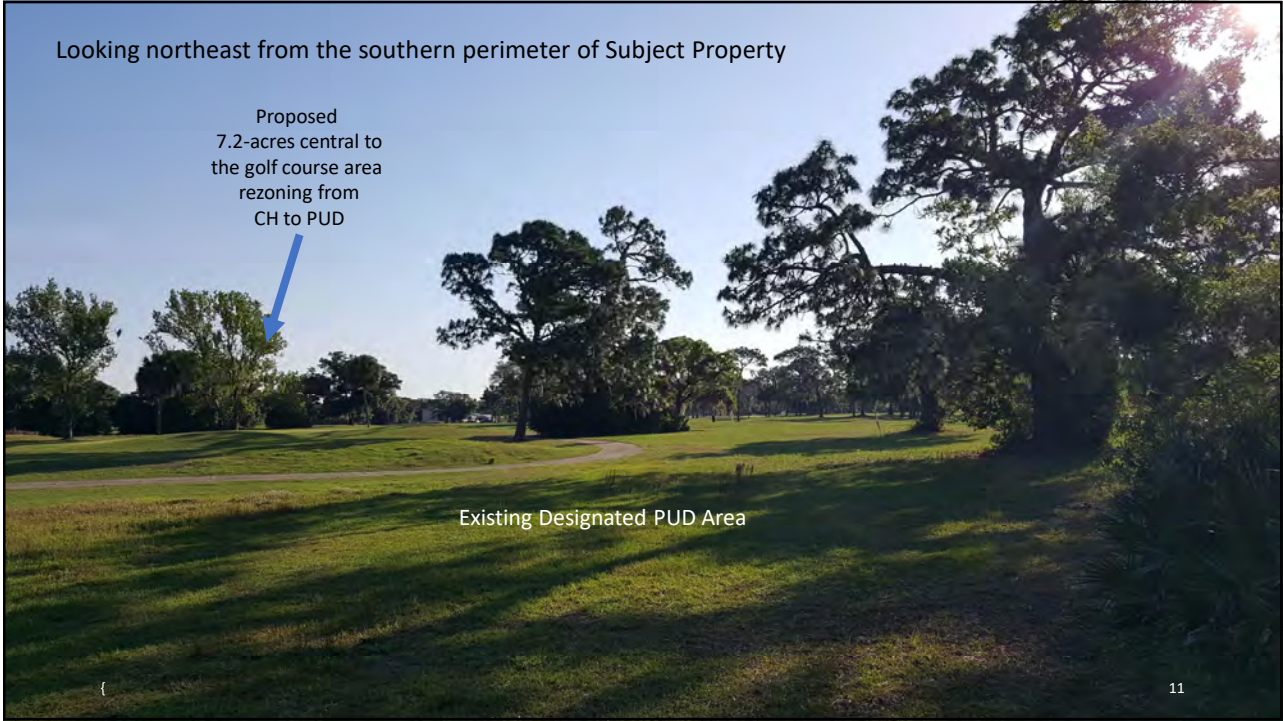
Existing Designated PUD Area



{

10

10



11




12



13



14



QUESTIONS?

PZ21-0042/PZ21-0041
REZONING AND PUD AMENDMENT
Daniel Baker, ACP-Communities,
LLC for Crystal River Plantation
Corporation (The Outpost PUD,
RV Park)

15 {

Crystal River Planning Commission Meeting of January 5, 2023



City of Crystal River

123 Northwest Highway 19
Crystal River, Florida 34428
Telephone: (352) 795-4216
Facsimile: (352) 795-6245
www.crystalriverfl.org

December 16, 2022

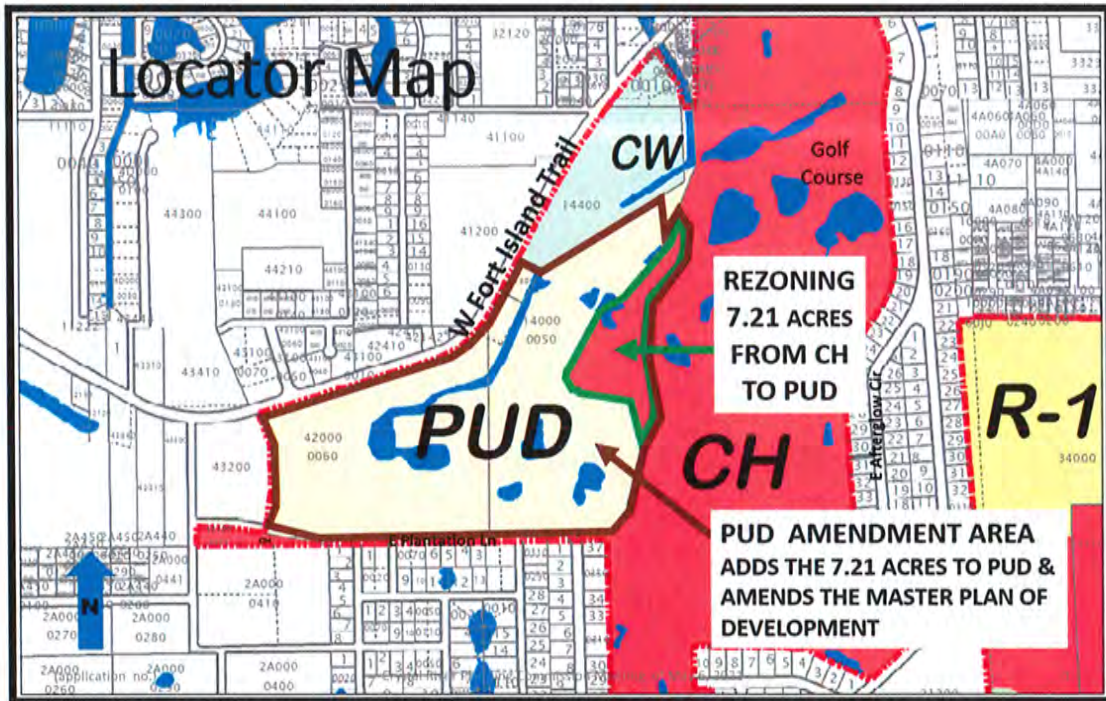
RE: Application No. PZ21-0041

Notice of Public Hearings Proposed Amendment to the Official Zoning Map of the City of Crystal River for a Planned Unit Development

Dear Property Owner:

Please be advised that *Crystal River Plantation Corporation* has made a formal application to the City of Crystal for an ordinance amendment to the Official Zoning Map of the City of Crystal River changing the zoning on 7.21 acres (MOL) from High Intensity Commercial (CH) to Planned Unit Development (PUD), and by adding the 7.21 acres and renewing and amending the Planned Unit Development (PUD) Master Plan known as "Plantation Outpost Club and Resort" having a total 68.84 acres for development of lodging units and recreational vehicle spaces with related amenities. This is a resubmittal of the application last heard by the City Council at a public hearing on August 9, 2021, at which time the applicant requested a continuance to allow for an opportunity to gather additional data and evidence and to modify the request to address concerns raised at the public hearing.

The subject property is located at 9520 W Fort Island Trail, Crystal River, Florida, lying in Section 33, Township 18S, Range 17E, specifically, Parcel 41300 (AK #2333537), Parcel 42000 0060 (AK #3522576), Part of Parcel 14000 0050 (AK#3522575), and Part of Parcel 22000 0010 (AK#3522573), as identified in the records of the Citrus County Property Appraiser. A complete legal description is on file with the City of Crystal River, Planning and Community Development Services Department.



Subject Property: 9520 W Fort Island Trail, Crystal River

You are being sent a notification because you own property within 300 feet of the subject property. If you wish to speak for or against this request for a Zoning Map Amendment and PUD Amendment, please be advised that Public Hearings will be held on:

Planning Commission: Thursday, January 5, 2023, at 5:30 p.m.

City Council: Monday, February 13, 2023, at 5:30 p.m.

The meetings will be held in the City Council Chambers, City Hall, 123 NW Highway 19, Crystal River, FL 34428.

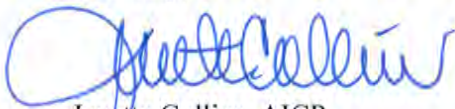
This application is available for viewing during normal business hours, 8:30 a.m. to 4:30 p.m. in the Planning and Community Development Department located at 123 NW Highway 19, Crystal River, Florida.

Any person deciding to appeal any decision made by the commission with respect to any matter considered at this meeting or hearing will need a record of the proceedings, and that, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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.

If you have any questions concerning this application, please call 352-795-4216, Ext. 340.

Sincerely,



Jenette Collins, AICP
Urban Planner
Planning and Community Development Services Department
City of Crystal River

CC: File PZ21-0041

Entered

JPMC-0001/P271-2041



REZONING APPLICATION PUD MODIFICATION

Department of Planning & Community Development
123 Northwest Highway 19
Crystal River, FL 34439
Telephone: (352) 795-4216
Facsimile: (352) 795-6357
jrehberg@crystalriverfl.org

Applicant Information:

Name: Crystal River Plantation Corporation
Address: 400 Curie Drive, Aphazetta, GA 30005
Phone #: 306.246.5845 Fax #: _____ Cell #: 306.931.6462
Email Address: dbaker@zpccommunities.com

Property Description:

Parcel Account #: See legal des. below Alt. Key # 3522573
Street Address (or street & avenue location): 9301 West Fort Island Trail,
Crystal River, FL 34429
Legal Description: Parcels 17E1E533 41300, 17E1E533 420000060,
2 portion of 17E1E533 14000 0050, and 2 portion of
17E1E52E 22000 0010

(or attachment)

Property Acreage: 68.84 Sq. ft.: _____
Present F.L.U.M. Designation: Highway Commercial
Present Zoning Designation: PUD / CH

Requested PUD Modification: Developer Agreement and Master SDP

Reason for the Request: Perfect Ordinance 18-0-07 by establishing
the development standards and criteria for the PUD and update
the proposed development plan as illustrated in the master SDP

Explain Consistency with the Future Land Use Plan: no change in FLUD,
PUD an approved zoning classification within HC land use

Additional Contact Information (other than Owner or Agent)

Name: Daniel Baker
Address: 200 Ocean Crest Drive, Palm Coast, FL 32137, Ste 31
Phone #: 306.246.5845 Fax #: _____ Cell #: 306.931.6462
Email Address: dbaker@zpccommunities.com

Fee to be paid at time of application – Please contact the City of Crystal River



REZONING APPLICATION

JPMC-0001/P221-0042

Department of Planning & Community Development
123 Northwest Highway 19
Crystal River, FL 34432
Telephone: (352) 795-4216
Facsimile: (352) 795-6331
jrehberg@crystalriverfl.org

Applicant Information:

Name: Crystal River Plantation Corporation
Address: 400 Curie Drive, Alpharetta, GA 30005
Phone #: 352.246.5845 Fax #: Cell #: 352.931.6462
Email Address: dbaker@zpccommunities.com

Property Description:

Parcel Account #: a portion of 17E18328 22000 Alt. Key #
Street Address (or street & avenue location): Along West Fort Island Trail
2nd West Plantation Lane
Legal Description: See attached sketch of description

(or attachment)

Property Acreage: 7.2092 Sq. ft.: 314,030
Present F.L.U.M. Designation: Highway Commercial
Present Zoning Designation: CH (High Intensity Commercial)
Requested Zoning Designation: Planned Unit Development
Reason for the Request: Integrate into adjacent PUD which property is owned by the applicant

Explain Consistency with the Future Land Use Plan: Approved zoning class w/in Highway Commercial land use designation

Additional Contact Information (other than Owner or Agent)

Name: Daniel Baker
Address: 200 Ocean Crest Drive, Suite 31, Palm Coast, FL 32137
Phone #: 352.246.5845 Fax #: Cell #: 352.931.6462
Email Address: dbaker@zpccommunities.com

Fee: \$250 - To be paid at time of application

Attachments:

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

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

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



VIA ELECTRONIC DELIVERY

September 2, 2022

Mr. Brian Herrmann
Planning and Community Development Director
City of Crystal River
123 North West Highway 19
Crystal River, FL 34428

RE: Plantation at Crystal River
The Outpost

Dear Mr. Herrmann:

This letter follows our discussions and meetings regarding the above referenced project, taking into account considerable due diligence we have conducted for, and in support of, the project, including recent studies and assessments performed to address comments from the City staff, Planning Commission, and City Council. The enclosed represents a revised application, which includes the following updated application documents:

- Conceptual Development Plan
- Master Development Site Plan
- CDP Preliminary Phasing Plan
- Draft Ordinance
- Exhibit "B" – Conditions of Approval

The revised application documents incorporate further study and evaluation by the applicant and his professional consultants with respect to certain items requested by City staff, including protection of groundwater, limitation of Park Models, location of existing subsurface features, drainage patterns and flooding considerations, and limiting the traverse of perimeter buffers. Additionally, the edited version of the draft Ordinance, addresses and corrects technical aspects of the previous version as discussed with the City attorney.

Please find below a summary of the changes made to the project plan, along with the attached body of work, that constitutes project due diligence. Many of these studies and reports have previously been provided directly to, or made available to, the City.

Project Update Summary

- Park models are removed from the project plan. Cottages and/or cabins for transient lodging are proposed as permanent structures, and Recreational Vehicles as temporary structures. Permanent

structures will meet FEMA and City Floodplain Management requirements for placement, situated above the Base Flood Elevation. Permanent lodging structures will be located within the innermost areas of the project. Earthwork associated with these structures will be derived from the proposed adjacent man-made lakes, designed such that there is a net balance of earthwork on the site (no net import). RV units will meet requirements through temporary placement, and the grades within these areas will be similar to the adjacent communities.

- *[The subject changes (1) better align the project with recent decisions by the City Council regarding Park Models, (2) eliminate the potential for removal of Park Models in the event of applicable evacuation orders which eliminates associated traffic during evacuation events, and further ensure that grading associated with the permanent transient lodging areas will not affect adjacent properties or drainage of adjacent properties. The grade of the permanent structures is estimated to average 3.5 feet above temporary lodging structure grades which are similar to those of surrounding properties (e.g. external to the project).]*
- The configuration of the proposed lakes has been modified based on the hydrogeologic surveys, analyses, and recommendations from Devo Seereeram, PhD, PE, Florida Geotechnical Engineering, and GeoView. The proposed siting of the lakes, and the proposed construction protocols (endorsed by the Southwest Florida Water Management District for other local projects), avoids and minimizes the occurrence of interface with shallow limerock formations which may have higher transmissivity rates and thereby may be more directly connected with springs or the Bay.
 - *[The subject changes result in higher protection of the aquifer and incorporate specific methodologies to address any interface with shallow rock. Refer to the enclosed Devo Seereeram report for additional detail.]*
- Isolation of an existing deep lake (e.g. SW-L) that may be hydraulically connected to limerock formations. This lake will not be used for stormwater management, and runoff will not be directed into this lake.
 - *[This change should improve existing groundwater quality in the area of the lake and will eliminate stormwater into this existing man-made water feature, which may also indirectly improve surface water quality of adjacent waters.]*
- Due to the reconfiguration of the man-made lakes referenced above, certain primary uses, and roadways, are reconfigured accordingly. These adjustments result in a net decrease in primary units, from 322 units to 308 units.
- The average width of perimeter buffers are increased and enhanced, which provides additional privacy and security, and creates a more robust barrier, further limiting pedestrian and vehicular travel across the buffer areas.
- Incorporation of recent adopted changes to the LDC; while not required, this reflects our goal to be aligned with the City Councils direction for new development of this nature.

The totality of changes is made to ensure the project not only meets the applicable versions of the Land Development Code and Comprehensive Plan, but also meets recent updates to these governing

documents. The draft Conditions of Approval follow the Planned Unit Development zoning guidelines, including allowed for alternative standards for specific design elements, such as buffering and cul-de-sacs).

Thanks for your continued assistance processing the application, we look forward to presenting the updated project and plan to the Planning Commission and City Council. Please contact us if you have any questions (dbaker@acpcommuniites.com, phone – 386.931.6462) or if you would like to review the information together prior to advancing the matter to the Planning Commission.

Respectfully,

A handwritten signature in black ink, appearing to read "Daniel Baker", with a long horizontal flourish extending to the right.

Daniel Baker
Authorized Representative

Enc.

Cc (by email):

Jenette Collins, AICP, City Urban Planner

Kami Corbett, Esq., Hill Ward Henderson

Kenneth Metcalf, AICP, Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.

THE OUTPOST PUD
PLANTATION ON CRYSTAL RIVER
MASTER SITE DEVELOPMENT PLAN

DEVELOPER / DECLARANT / PROPERTY OWNER / APPLICANT
 CRYSTAL RIVER PLANTATION CORPORATION
 400 CURIE DRIVE
 ALPHARETTA, GA 3005
 PRINCIPAL - FRED ZOHOURI

AGENT
 ACP COMMUNITIES, LLC
 ATTENTION - DANIEL BAKER
 200 OCEAN CREST DRIVE, SUITE 31, PALM COAST, FL 32137
 386.246.5845
 dbaker@acpcommunities.com

Date: **JULY 2022**

No.	Description	Date
1		

Drawn: _____ Designed: _____ Checked: _____ Project No: CR-2101
 Sheet Title

PRELIMINARY PROGRAM - COMMERCIAL LODGING				
PHASE	PARCEL	USE	AREA (AC)	UNITS
1	P-1	RV UNITS	1.10	15
1	P-2	RV UNITS	1.34	18
1	P-3	RV UNITS	0.52	7
4	P-4	LODGING UNITS	0.34	5
4	P-5	LODGING UNITS	2.56	38
4	P-6	LODGING UNITS	2.61	40
3	P-7	LODGING UNITS	0.49	4
3	P-8	LODGING UNITS	0.49	6
3	P-9	LODGING UNITS	0.44	6
3	P-10	LODGING UNITS	0.59	8
3	P-11	LODGING UNITS	0.78	12
2	P-12	LODGING UNITS	3.08	46
5	P-13	RV UNITS	1.57	23
6	P-14	RV UNITS	1.55	22
6	P-15	RV UNITS	0.89	13
6	P-16	RV UNITS	1.15	14
6	P-17	RV UNITS	2.32	31
SUBTOTAL - LODGING UNITS AND RV UNITS				308
GROSS INTENSITY				4.5

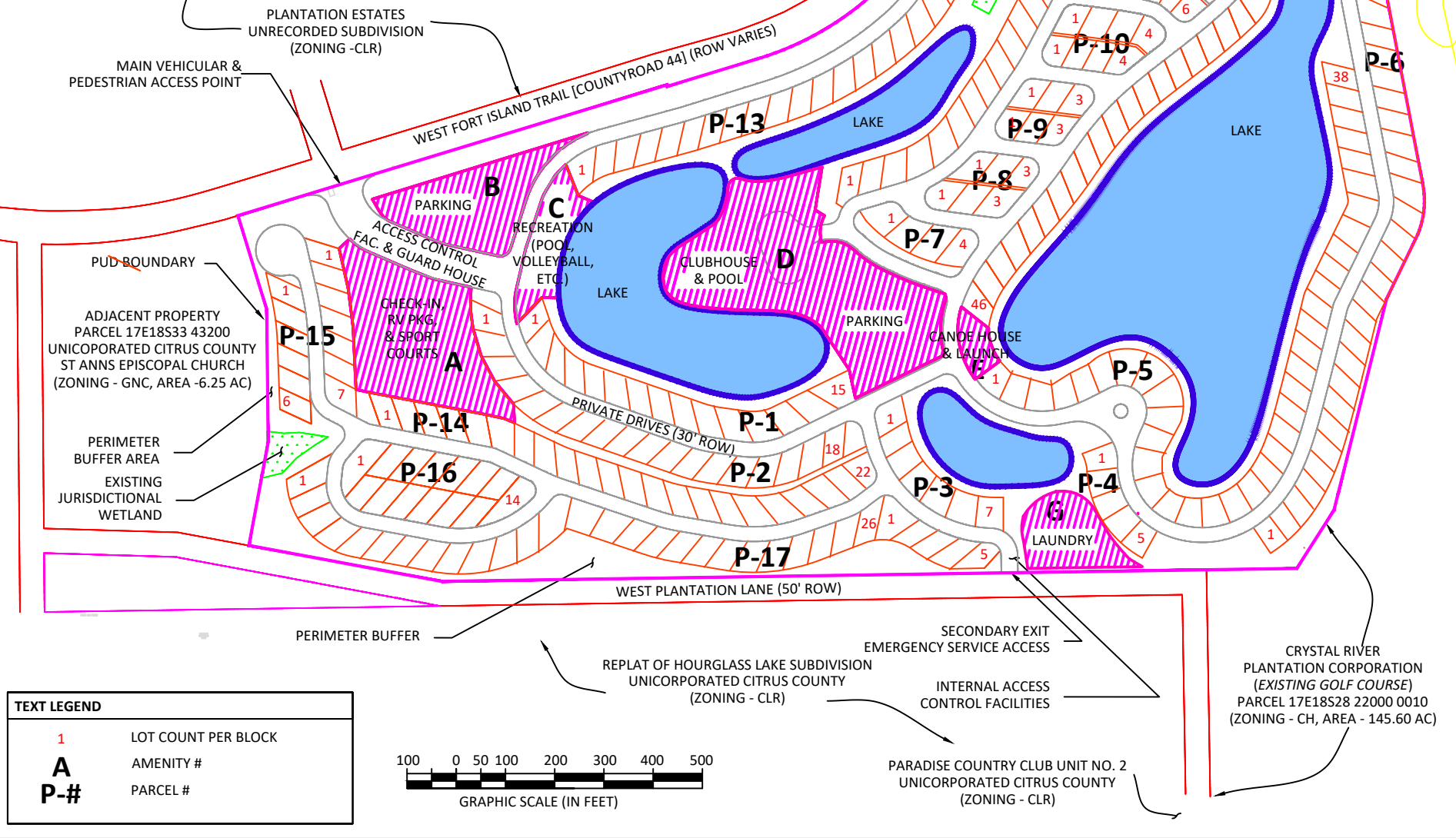
PRELIMINARY DEVELOPMENT PROGRAM - AMENITIES		
PARCEL	USE	AREA (AC)
A	CHECK-IN, RV PKG, SPORT COURTS	1.69
B	PARKING	0.97
C	RECREATION (POOL, VOLLEYBALL, ETC.)	0.58
D	CLUBHOUSE, POOL, & PARKING	1.44
E	CANOE HOUSE & LAUNCH	0.47
F	RECREATION	0.54
G	LAUNDRY, ETC.	0.83

LEGEND

- WETLAND
- PRIVATE DRIVE
- PUD BOUNDARY
- LAKE
- AMENITY AREA
- LOT LINE

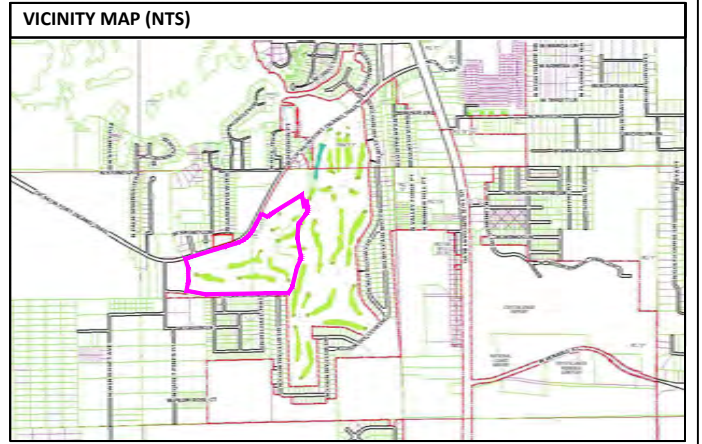
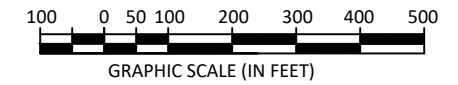
GENERAL NOTES

1. THE PROJECT IS ANTICIPATED FOR DEVELOPMENT IN MULTIPLE PHASES.
2. A PROPERTY OWNERS ASSOCIATION (POA) AND/OR CONDOMINIUM ASSOCIATIONS (CA) WILL OPERATE VARIOUS ASPECTS OF THE COMMON AREA FEATURES SUCH AS PRIVATE DRIVES, LIGHTING, IRRIGATION WATER SERVICE, ETC. AS SET FORTH IN APPLICABLE GOVERNING DOCUMENTS.
3. THE DECLARANT OF THE POA, CA, OR A PRIVATE CLUB WILL OWN AND OPERATE VARIOUS AMENITIES OF THE DEVELOPMENT AND MAY CONTROL VARIOUS COMMON FEATURES SUCH AS ACCESS CONTROLS, LAKE USAGE, RENTAL ACTIVITIES, SECURITY SERVICES, ETC.
4. SECONDARY EXITS SHALL BE USED FOR EMERGENCY SERVICE ACCESS.
5. DEVELOPMENT SALES AND ADMINISTRATION FACILITIES AND OPERATIONS MAY BE SITUATED WITHIN AMENITY PARCELS, LODGING UNIT, AND/OR RV SPACE AREAS.
6. THE LAKES ARE INTENDED FOR JOINT USE, INCLUDING STORMWATER COLLECTION, TREATMENT AND CONVEYANCE, IRRIGATION WATER STORAGE, AND RECREATION.
7. SURVEYS WHICH PROVIDE A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY, EXISTING IMPROVEMENTS ON THE SITE, FEMA FLOOD ZONE INFORMATION, TOPOGRAPHIC INFO & SURFACE WATER ELEVATIONS, AND DESCRIPTIONS OF EXISTING VEGETATION ARE INCORPORATED HEREIN BY REFERENCE.
8. DEVELOPMENT STANDARDS, INCLUDING FLOOR TO AREA RATIO, PERCENTAGE IMPERVIOUS LIMITS, PARKING REQUIREMENTS, PARCEL DIMENSION MINIMUMS, TREE PROTECTION STANDARDS, ETC., ARE SET FORTH IN THE PUD ORDINANCE (# _____) RECORDED IN THE PUBLIC RECORDS OF CITRUS COUNTY, ORB _____ PGS _____.
9. INDIVIDUAL SITE PLANS MAY BE SUBMITTED FOR AMENITY PARCELS.
10. ADDITIONAL DOCUMENTATION ACCOMPANYING THIS PLAN INCLUDES OTHER INFORMATION THAT SUPPORTS THE PUD ORDINANCE & APPLICABLE SECTIONS OF THE LAND DEVELOPMENT CODE (INC. SECTIONS 10.01.02 AND 10.01.03).



TEXT LEGEND

1	LOT COUNT PER BLOCK
A	AMENITY #
P-#	PARCEL #



PRELIMINARY DEVELOPMENT PROGRAM SCHEDULES ARE APPROXIMATE AND ARE SUBJECT TO ADJUSTMENT THROUGH DESIGN REFINEMENT.

ADJACENT PROPERTY
 PARCEL 17E18S33 14400
 EAST BALD EAGLE PROPERTIES I LLC
 (ZONING - CLR, AREA - 12.0 AC)

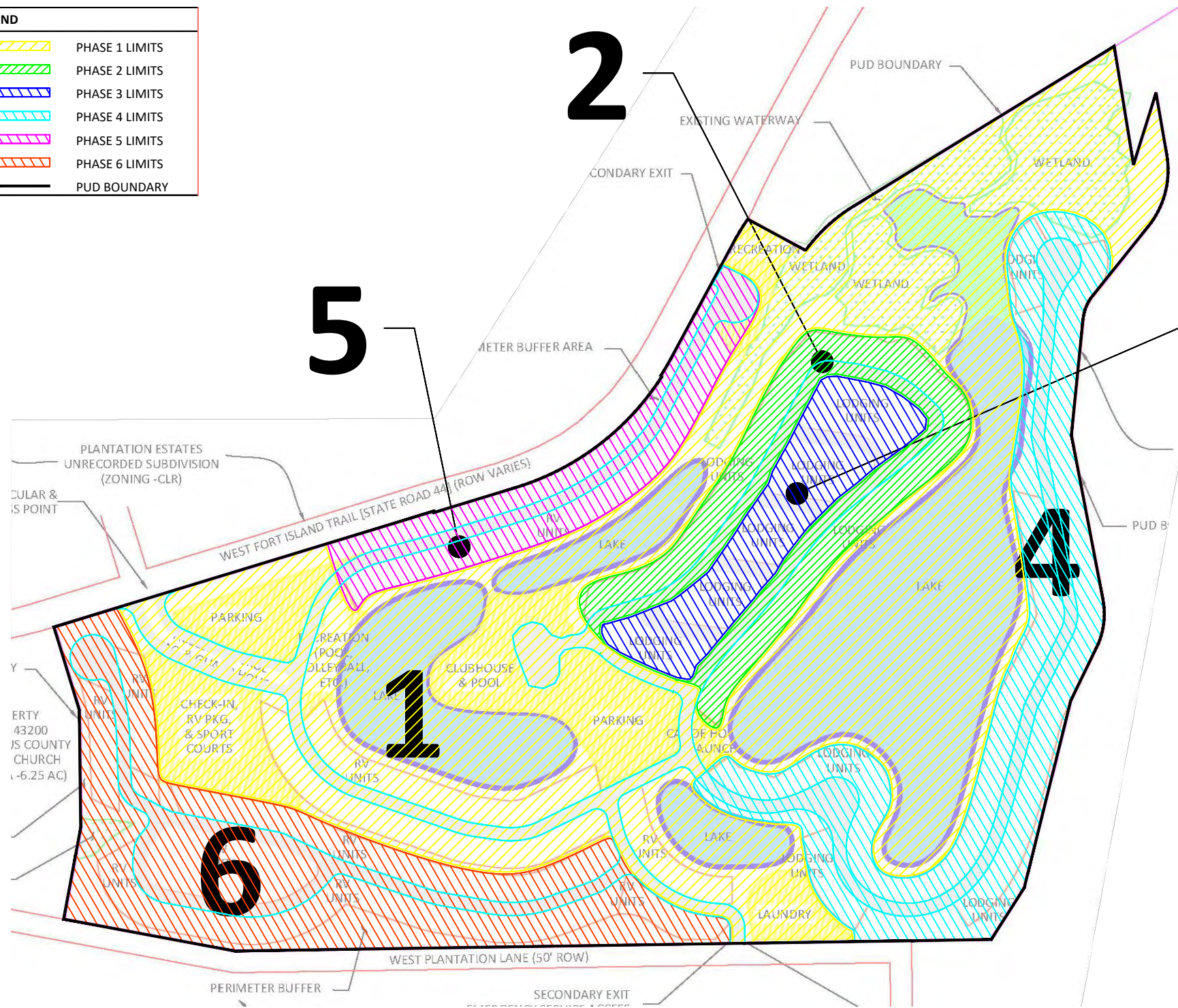
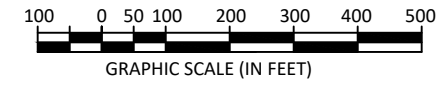
PLANTATION ESTATES
 UNRECORDED SUBDIVISION
 (ZONING - CLR)

ADJACENT PROPERTY
 PARCEL 17E18S33 43200
 UNINCORPORATED CITRUS COUNTY
 ST ANNS EPISCOPAL CHURCH
 (ZONING - GNC, AREA - 6.25 AC)

CRYSTAL RIVER
 PLANTATION CORPORATION
 (EXISTING GOLF COURSE)
 PARCEL 17E18S28 22000 0010
 (ZONING - CH, AREA - 145.60 AC)

PARADISE COUNTRY CLUB UNIT NO. 2
 UNINCORPORATED CITRUS COUNTY
 (ZONING - CLR)

LEGEND	
	PHASE 1 LIMITS
	PHASE 2 LIMITS
	PHASE 3 LIMITS
	PHASE 4 LIMITS
	PHASE 5 LIMITS
	PHASE 6 LIMITS
	PUD BOUNDARY



Project Name

THE OUTPOST PUD
PLANTATION ON CRYSTAL RIVER
CDP PRELIMINARY PHASING

DEVELOPER / DECLARANT / PROPERTY OWNER / APPLICANT
CRYSTAL RIVER PLANTATION CORPORATION
400 CURIE DRIVE
ALPHARETTA, GA 3005
PRINCIPAL - FRED ZOHOURI
AGENT
ACP COMMUNITIES, LLC
ATTENTION - DANIEL BAKER
200 OCEAN CREST DRIVE, SUITE 31, PALM COAST, FL 32137
385.246.5845
dbaker@acpcommunities.com

Date	JULY 2022	
No.	Description	Date
Drawn:	Designed:	Checked:
Project No:	CR-2101	
Sheet Title		

GENERAL NOTES

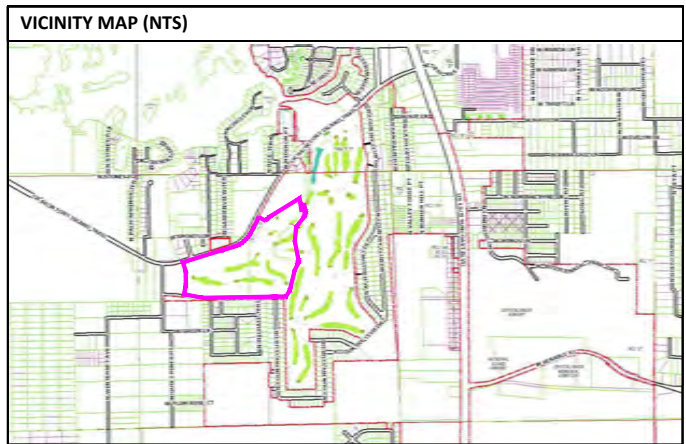
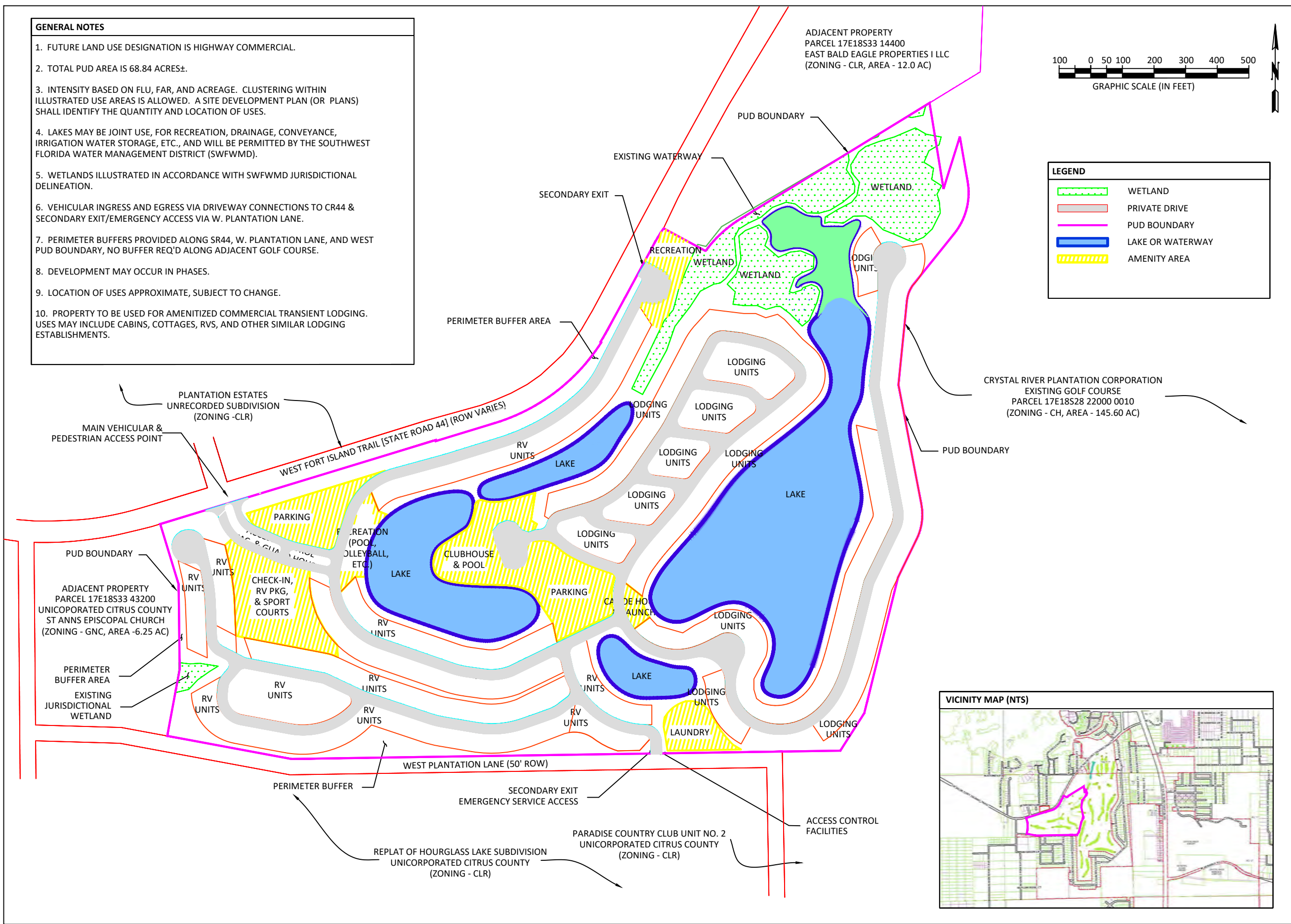
1. FUTURE LAND USE DESIGNATION IS HIGHWAY COMMERCIAL.
2. TOTAL PUD AREA IS 68.84 ACRES±.
3. INTENSITY BASED ON FLU, FAR, AND ACREAGE. CLUSTERING WITHIN ILLUSTRATED USE AREAS IS ALLOWED. A SITE DEVELOPMENT PLAN (OR PLANS) SHALL IDENTIFY THE QUANTITY AND LOCATION OF USES.
4. LAKES MAY BE JOINT USE, FOR RECREATION, DRAINAGE, CONVEYANCE, IRRIGATION WATER STORAGE, ETC., AND WILL BE PERMITTED BY THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD).
5. WETLANDS ILLUSTRATED IN ACCORDANCE WITH SWFWMD JURISDICTIONAL DELINEATION.
6. VEHICULAR INGRESS AND EGRESS VIA DRIVEWAY CONNECTIONS TO CR44 & SECONDARY EXIT/EMERGENCY ACCESS VIA W. PLANTATION LANE.
7. PERIMETER BUFFERS PROVIDED ALONG SR44, W. PLANTATION LANE, AND WEST PUD BOUNDARY, NO BUFFER REQ'D ALONG ADJACENT GOLF COURSE.
8. DEVELOPMENT MAY OCCUR IN PHASES.
9. LOCATION OF USES APPROXIMATE, SUBJECT TO CHANGE.
10. PROPERTY TO BE USED FOR AMENITIZED COMMERCIAL TRANSIENT LODGING. USES MAY INCLUDE CABINS, COTTAGES, RVs, AND OTHER SIMILAR LODGING ESTABLISHMENTS.

ADJACENT PROPERTY
PARCEL 17E18S33 14400
EAST BALD EAGLE PROPERTIES I LLC
(ZONING - CLR, AREA - 12.0 AC)



LEGEND

	WETLAND
	PRIVATE DRIVE
	PUD BOUNDARY
	LAKE OR WATERWAY
	AMENITY AREA



Project Name

THE OUTPOST PUD
PLANTATION ON CRYSTAL RIVER
CONCEPTUAL DEVELOPMENT PLAN

DEVELOPER / DECLARANT / PROPERTY OWNER / APPLICANT
CRYSTAL RIVER PLANTATION CORPORATION
400 CURIE DRIVE
ALPHARETTA, GA 3005
PRINCIPAL - FRED ZOHOURI
AGENT
ACP COMMUNITIES, LLC
ATTENTION - DANIEL BAKER
200 OCEAN CREST DRIVE, SUITE 31, PALM COAST, FL 32137
386.246.5845
dbaker@acpcommunities.com

Date: JULY 2022

No.	Description	Date
1		

Drawn: Designed: Checked: Project No: CR-2101
Sheet Title

Seal Sheet No.

ORDINANCE ~~2122-O-04~~ 23-O-01

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF THE CITY OF CRYSTAL RIVER, FLORIDA CHANGING THE ZONING ON PROPERTY OWNED BY CRYSTAL RIVER PLANTATION CORPORATION, 9301 W FORT ISLAND TRAIL, CRYSTAL RIVER, FLORIDA 34429 (7.21 ACRES MOL) PART OF PARCEL 22000 0010 (AK#3522573) IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER FROM HIGH INTENSITY COMMERCIAL (CH) to PLANNED UNIT DEVELOPMENT (PUD) AS DESCRIBED IN SECTION 3 AND RENEWING AND AMENDING THE PLANNED UNIT DEVELOPMENT (“PUD”) MASTER PLAN ADOPTED BY ORDINANCE NUMBER 18-O-07 OF THE CITY OF CRYSTAL RIVER BY MODIFYING THE PUD KNOWN AS “PLANTATION OUTPOST CLUB AND RESORT” CONCERNING REAL PROPERTY DESCRIBED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER AS SECTION 33, TOWNSHIP 18 S, RANGE 17 E; SPECIFICALLY, PARCEL 41300 (AK #2333537), PARCEL 42000 0060 (AK #3522576), PART OF PARCEL 14000 0050 (AK#3522575), AND PART OF PARCEL 22000 0010 (AK#3522573), LOCATED AT 9520 W FORT ISLAND TRAIL, CRYSTAL RIVER, BY ADDING 7.21 ACRES (MOL) TO THE EXISTING PUD, REZONING THE 7.21 ACRES TO PUD AND AMENDING THE MASTER PLAN OF DEVELOPMENT ~~FOR THE PLANNED RECREATIONAL VEHICLE (“RV”) PARK;~~ PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS OF LAW; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Florida Statutes (F.S.) and 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 City Council adopted the City of Crystal River Land Development Code (LDC) as Ordinance 05-O-08; and

WHEREAS, on August 13, 2008, the City of Crystal River City Council amended the official zoning map of the City of Crystal River by adopting Ordinance 18-O-~~1707~~ to establish a Planned Unit

Development (PUD) having a Master Plan known as “Plantation Outpost Club and Resort” for an Recreational Vehicle[†] (“RV²”) ~~park~~ Park); and

WHEREAS, the City of Crystal River Planning Commission held a public hearing on May 6, 2021 to consider a request to change the official zoning map for a 7.21 (MOL) acre property from High Intensity Commercial (CH) to Planned Unit Development (PUD) and renew and modify the PUD Master Plan adopted by Ordinance 18-O-17-~~of~~07 the City of Crystal River by amending the Master Plan known as “Plantation Outpost Club and Resort”; and

WHEREAS, the City of Crystal River Planning Commission continued the aforementioned public hearing and ~~recommenced~~ recommended such public hearing on June 3, 2021 to consider the request; and

WHEREAS, the City of Crystal River Planning Commission voted 7-0 to recommend denial to the City Council of the request to change the official zoning map for a 7.21 (MOL) acre property from High Intensity Commercial (CH) to Planned Unit Development (PUD) and renew and modify the PUD Master Plan concerning that certain real property specifically described in the attached Exhibit A and in Section 3, below; and

WHEREAS, the City Council of Crystal River, Florida held a public hearing on August 9th, 2021 for the First Reading of the request to change the official zoning map for a 7.21 (MOL) acre property from High Intensity Commercial (CH) to Planned Unit Development (PUD) and renew and modify the PUD Master Plan during which several concerns regarding the project were raised by the City Council and members of the public;

WHEREAS, the Applicant subsequently requested a continuance of the Second Reading Public Hearing to allow for an opportunity to gather additional data and evidence and to modify the request to address the concerns raised at the public hearing; and

WHEREAS, the Applicant and the City agree that the revisions to the Application are significant enough to warrant presenting the revised request to the City of Crystal River Planning Commission for their review and recommendation;

WHEREAS, the City of Crystal River Planning Commission held a public hearing on _____, 2022 to consider a the revised request to change the official zoning map for a 7.21 (MOL) acre property from High Intensity Commercial (CH) to Planned Unit Development (PUD) and renew and modify the PUD Master Plan adopted by the City of Crystal River by amending the Master Plan known as “Plantation Outpost Club and Resort”; and

WHEREAS, the City of Crystal River Planning Commission voted _____ to recommend _____ to the City Council of the request to change the official zoning map for a 7.21 (MOL) acre property from High Intensity Commercial (CH) to Planned Unit Development (PUD) and

[†] For purposes of this Ordinance and Exhibits, “recreational vehicle” shall have the definition set forth in section 320.01(1)(b), Florida Statutes, and shall be fully licensed and ready for highway use at all times. “Ready for highway use” means the recreational vehicle is not affixed to the ground, is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices, has no permanent attachments such as additions, rooms, stairs, decks or porches, and is capable of removal within twelve hours. “Park trailers” shall be motor vehicles as defined in section 320.01(1)(b)(7), which are not permitted within the subject property.

renew and modify the PUD Master Plan concerning that certain real property specifically described in the attached **Exhibit A** and in Section 3, below; 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;

WHEREAS, this Ordinance, upon adoption by the City Council of the City of Crystal River, effectively renews and modifies the PUD known as “Plantation Outpost Club and Resort” by replacing and superseding Ordinance 18-O-~~1707~~; and

WHEREAS, approval of this Ordinance is conditioned upon the applicant’s agreement to accept the conditions and obligations set forth in the Conditions of Approval incorporated herein, failure of which will result in termination of the PUD Master Plan; and

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

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

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the official zoning map of the City of Crystal River, Florida for the land identified as a 7.21 (MOL) acre part of 22000 0010 (AK#3522573) in the Official Records of the Citrus County Property Appraiser from High Intensity Commercial (CH) to Planned Unit Development (PUD), **Exhibit A** and to renew and modify the Master Plan for the PUD known as “Plantation Outpost Club and Resort” by ~~including adding~~ 7.21 acres (MOL) to the subject property included within the previously approved ~~but currently expired~~ PUD, ~~subsequently amending thereby rezoning the 7.21 acres to PUD and to renew and amend~~ the Master Plan of development ~~for the RV Park~~ 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, Part 1, General Provisions of the Code of Ordinances of the City of Crystal River, as otherwise authorized by applicable Florida Statutes.

SECTION 3. PUD MODIFICATION TO THE ZONING MAP

The official zoning map of the City of Crystal River, is hereby amended to change the zoning designation from High Intensity Commercial (CH) to Planned Unit Development (PUD).

That certain expired PUD and PUD Master Plan for the “Plantation Outpost Club and Resort” (aka “The Outpost PUD, Plantation on Crystal River”) is hereby renewed, modified ~~and designated on the Zoning Map for the City of Crystal River,~~ as presented in PZ21-0041, ~~thereby rezoning the subject property further described in Exhibit A, subject to the Conditions of Approval specified in Exhibit B,~~ attached hereto and incorporated by referenced , and that certain PUD Master Plan [Master Site Development Plan, Conceptual Development Plan (CDP), and CDP Preliminary Phasing] as shown in ~~Exhibit C, Exhibit B,~~ attached hereto ~~subject to the Conditions of Approval specified in Exhibit C,~~ and incorporated herein by reference.

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 5. REPEAL OF CONFLICTING ORDINANCES

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

SECTION 6. SEVERABILITY

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

SECTION 7. EFFECTIVE DATE

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

THIS ORDINANCE was introduced and placed on first reading on the _____ day of _____, ~~2021~~2022 and upon motion duly made and seconded was passed on first reading.

THIS ORDINANCE was introduced and placed on a second reading on the _____ day of _____, ~~2021~~2022, and upon motion duly made and seconded was passed on second reading.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

PASSED on First Reading _____, ~~2021~~2022

NOTICE Published on _____, ~~2021~~2022

PASSED on Second & Final Reading _____, ~~2021~~2022

**APPROVED AS TO FORM
AND LEGALITY:**

VOTE OF COUNCIL:

Meek	_____
Guy	_____
Brown	_____
Fitzpatrick	_____
Holmes	_____

**ROBERT W. BATSEL, JR., ESQUIRE
CITY ATTORNEY**

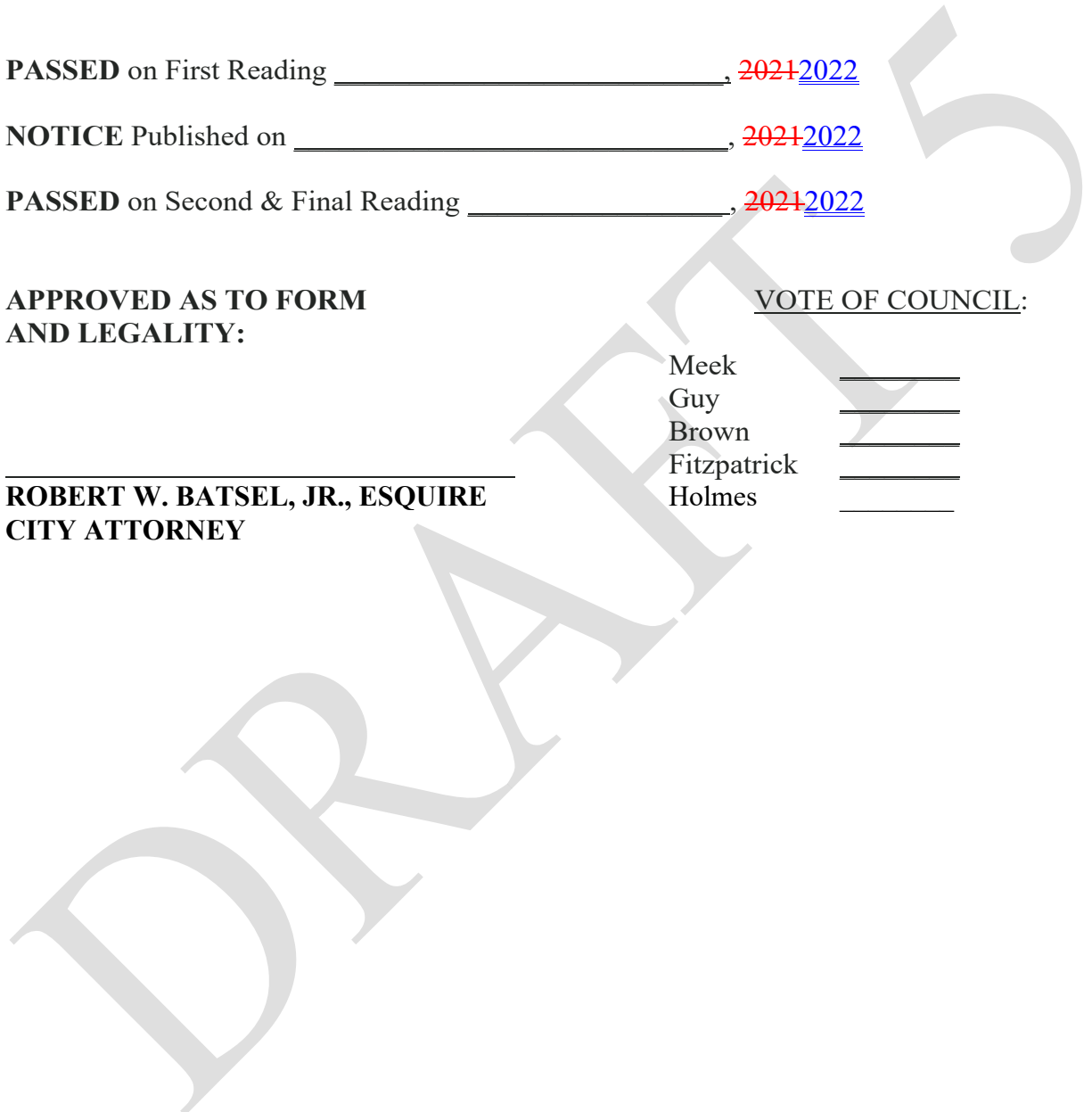


EXHIBIT "A"
The Outpost PUD
Legal Description

~~PARCELS 17E18S33 41300, 17E18S33 42000 0060, A PORTION OF 17E18S33 14000 0050, AND A PORTION OF 17E18S28 22000 AS DESCRIBED IN SKETCH OF DESCRIPTION OF PLANTATION PARCELS 500, 600 & 700, PREPARED BY GREENMAN PEDERSEN, INC. DATED JUNE 23, 2017 AND SKETCH OF DESCRIPTION OF PLANTATION PARCELS 100A, PREPARED BY GREENMAN PEDERSEN, INC. DATED MARCH 25, 2021, CONTAINING A TOTAL OF 68.84 ACRES MORE OR LESS:~~

PARCEL 500-

~~A PARCEL OF LAND, LYING IN SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, BEING COMPRISED OF A PORTION OF PARCELS 1B, 4A, 4B AND 4C, OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:~~

~~BEGINNING AT THE NORTHWEST CORNER OF PARCEL 4A AND THE SOUTHWEST CORNER OF PARCEL 2, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA; THENCE ALONG THE NORTHEASTERLY LINE OF PARCEL 4A AND THE SOUTHWESTERLY LINE OF PARCEL 2, S61°36'31"E, 158.92 FEET, TO THE NORTHEAST CORNER OF SAID PARCEL 4A, THE SOUTHEAST CORNER OF SAID PARCEL 2, AND BEING ON THE WESTERLY LINE OF PARCEL 1B; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 2 AND THE WESTERLY LINE OF SAID PARCEL 1B, N27°16'50"E, 250.00 FEET, TO AN INTERSECTION WITH A NON TANGENT CIRCULAR CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 385.00 FEET; THENCE NORTHEASTERLY, ALONG THE NORTHERLY LINE OF SAID PARCEL 1B AND SAID CURVE, 152.21 FEET, THROUGH A CENTRAL ANGLE OF 22°39'08" AND A CHORD BEARING AND DISTANCE OF N47°23'15"E, 151.22 FEET; THENCE CONTINUE ALONG THE WESTERLY LINE OF SAID PARCEL 1B, N58°29'24"E, 888.54 FEET; THENCE S17°27'58"W, 387.72 FEET; THENCE S38°58'30"W, 439.67 FEET; THENCE S59°17'13"W, 173.82 FEET; THENCE S28°20'34"W, 392.05 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 100.00 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE, 195.20 FEET, THROUGH A CENTRAL ANGLE OF 111°50'34" AND A CHORD BEARING AND DISTANCE OF S27°34'43"E, 165.65 FEET; THENCE S83°30'00"E, 313.82 FEET; THENCE S26°35'38"E, 220.01 FEET; THENCE S13°57'59"W, 485.97 FEET TO THE NORTHEAST CORNER OF AFOREMENTIONED PARCEL 4C; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 4C THE FOLLOWING TWO COURSES AND DISTANCES: S13°56'44"W, 34.11 FEET; and S32°37'22"W, 140.53 FEET, TO THE INTERSECTION WITH THE EASTERLY PROJECTION OF THE NORTH RIGHT OF WAY LINE OF WEST PLANTATION LANE AS PER OFFICIAL RECORD BOOK 251, PAGE 162; THENCE S89°07'51"W, 183.42 FEET ALONG SAID EASTERLY PROJECTION TO THE NORTHEAST CORNER OF SAID NORTH RIGHT OF WAY OF WEST PLANTATION LANE; THENCE CONTINUE S89°07'51"W, ALONG SAID NORTH RIGHT OF WAY LINE, 572.67 FEET; THENCE N00°00'00"E, 1303.07 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL 4A AND THE SOUTHERLY RIGHT OF WAY LINE OF WEST FORT ISLAND TRAIL (ALSO KNOWN AS STATE ROAD 44~~

~~AND KINGS BAY ROAD, RIGHT OF WAY WIDTH VARIES); THENCE ALONG SAID LINES, N57°25'17"W, 3.00 FEET, TO AN INTERSECTION WITH A NON-TANGENT CIRCULAR CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 606.69 FEET; THENCE CONTINUE ALONG SAID LINES, NORTHEASTERLY, AN ARC DISTANCE OF 44.23 FEET, THROUGH A CENTRAL ANGLE OF 04°10'38" AND A CHORD BEARING AND DISTANCE OF N30°29'21"E, 44.22 FEET, TO THE POINT OF TANGENCY THEREOF; THENCE CONTINUE ALONG SAID LINE, N28°24'03"E, 117.00 FEET TO THE POINT OF BEGINNING.~~

~~CONTAINING 31.047 ACRES (1,352,400 SQUARE FEET), MORE OR LESS.~~

PARCEL 600

~~A PARCEL OF LAND, LYING IN SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, BEING COMPRISED OF A PORTION OF PARCELS 1B, 4A, 4B AND 4C, OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:~~

~~COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL 4A AND THE SOUTHWEST CORNER OF PARCEL 2, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA; THENCE S28°24'03"W, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST FORT ISLAND TRAIL (ALSO KNOWN AS STATE ROAD 44 AND KINGS BAY ROAD, RIGHT OF WAY WIDTH VARIES) AND ALONG THE WESTERLY LINE OF SAID PARCEL 4A, 117.00 FEET TO THE POINT OF TANGENCY OF A CIRCULAR CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 606.69 FEET; THENCE CONTINUE ALONG SAID LINES, SOUTHWESTERLY, AN ARC DISTANCE OF 44.23 FEET, THROUGH A CENTRAL ANGLE OF 04°10'38" AND A CHORD BEARING AND DISTANCE OF S30°29'21"W, 44.22 FEET TO THE END OF THE CURVE; THENCE ALONG SAID LINES, S57°25'20"E, 3.00 FEET TO THE POINT OF BEGINNING; THENCE S00°00'00"W, 1303.07 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF AFOREMENTIONED PARCEL 4C AND THE NORTH RIGHT-OF-WAY LINE OF WEST-PLANTATION LANE (50 FOOT WIDE RIGHT-OF-WAY); THENCE S89°07'51"W, ALONG SAID SOUTH LINE OF PARCEL 4C AND NORTH RIGHT-OF-WAY LINE, 980.55 FEET; THENCE ALONG SAID LINES, N79°26'30"W, 398.90 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 4C; THENCE N10°33'56"E, 150.08 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 4C AND A POINT ON THE WESTERNMOST LINE OF AFOREMENTIONED PARCEL 1B; THENCE CONTINUE N10°33'56"E, ALONG SAID WESTERNMOST LINE OF PARCEL 1B, 63.57 FEET; THENCE ALONG SAID WESTERNMOST LINE, N00°39'25"W, 269.07 FEET TO THE SOUTHWEST CORNER OF AFOREMENTIONED PARCEL 4B; THENCE N16°56'49"W, 200.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 4B AND THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST FORT ISLAND TRAIL (ALSO KNOWN AS STATE ROAD 44 AND KINGS BAY ROAD, RIGHT OF WAY WIDTH VARIES); THENCE N73°03'02"E, ALONG THE NORTH LINE OF SAID PARCEL 4B AND SAID SOUTHERLY RIGHT-OF-WAY LINE, 910.69 FEET; THENCE ALONG SAID LINES, S16°56'58"E, 3.00 FEET; THENCE ALONG SAID LINES, N73°03'02"E, 195.24 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 609.69 FEET; THENCE CONTINUE ALONG SAID LINES, NORTHERLY, AN ARC DISTANCE OF 311.10 FEET, THROUGH A CENTRAL ANGLE OF 29°14'09" AND A CHORD BEARING AND DISTANCE OF N58°25'57"E, 307.74 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 4B AND THE SOUTHWESTERLY CORNER OF AFOREMENTIONED PARCEL 4A; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE WESTERLY LINE OF SAID PARCEL 4A,~~

~~NORTHERLY, AN ARC DISTANCE OF 119.57 FEET, THROUGH A CENTRAL ANGLE OF 11°14'13" AND A CHORD BEARING AND DISTANCE OF N38°11'46"E, 119.38 FEET TO THE POINT OF BEGINNING.~~

~~CONTAINING 29.685 ACRES (1,293,100 SQUARE FEET), MORE OR LESS.~~

PARCEL 700:-

~~BEGIN AT THE MOST WESTERLY CORNER OF LOT 52, BLOCK T, KIMBERLY PLANTATION ESTATES, TRACT 4, AS RECORDED IN PLAT BOOK 8, PAGES 75, 76 AND 77, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA; THENCE SOUTH 61°05'10" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 52, A DISTANCE OF 150.92 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 52; THENCE SOUTH 27°47'40" WEST, 249.96 FEET; THENCE NORTH 61° 05'10" WEST, PARALLEL TO THE SOUTHWESTERLY LINE OF SAID LOT 52, A DISTANCE OF 158.14 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT OF WAY LINE OF KINGS BAY ROAD (STATE ROAD NO. 44); THENCE NORTH 28°54'50" EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 199.91 FEET TO THE P.C. OF A CURVE, CONCAVED SOUTHEASTERLY, HAVING A CENTRAL ANGLE OF 5°21'46" AND A RADIUS OF 535 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 50.08 FEET TO THE POINT OF BEGINNING (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING NORTH 31°35'43" EAST, 50.06 FEET).~~

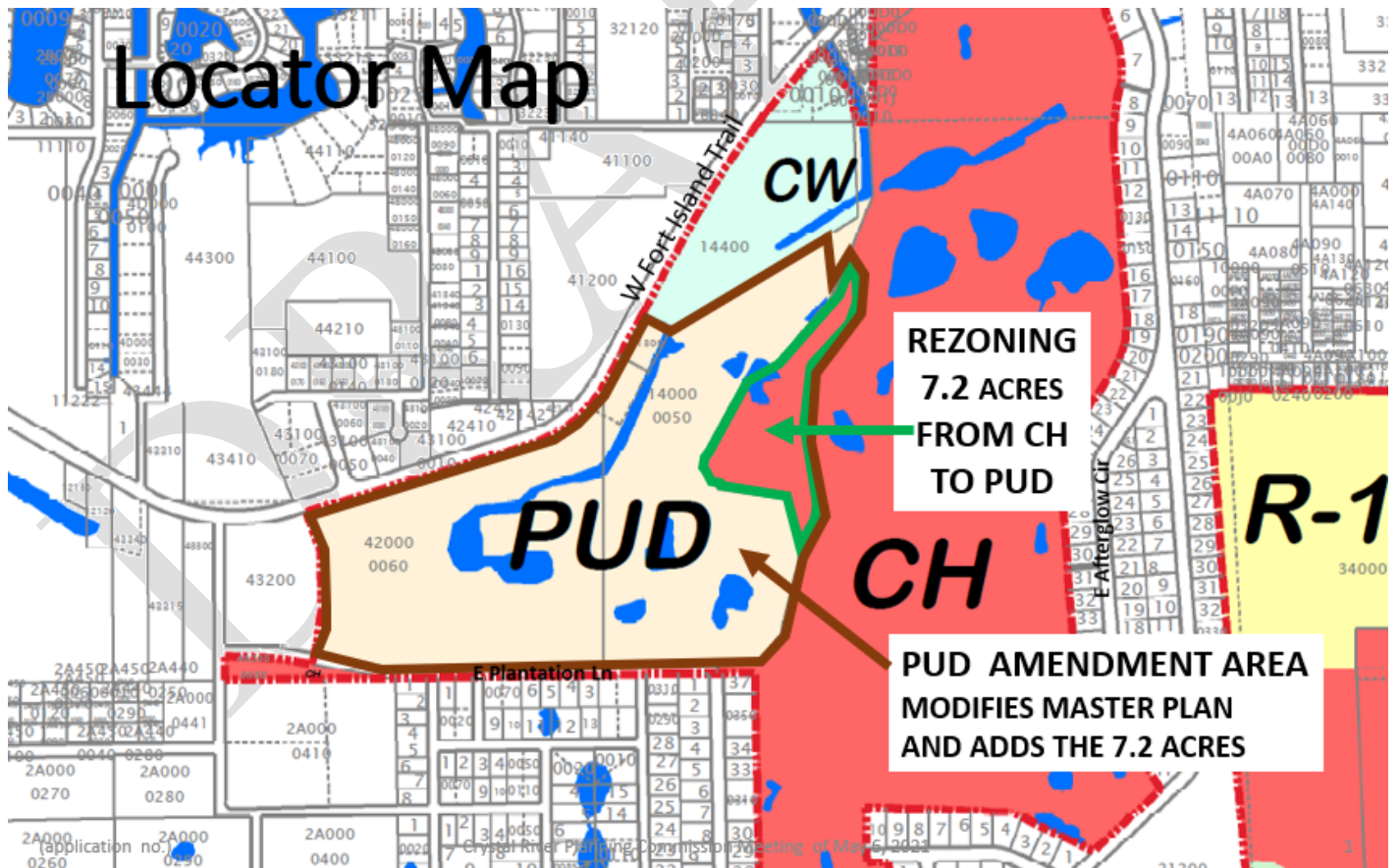
~~CONTAINING 0.89674 ACRES (39,062 SQUARE FEET), MORE OR LESS.~~

PARCEL 100A

A PARCEL OF LAND, LYING IN SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, BEING COMPRISED OF A PORTION OF PARCEL 100, OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2898, PAGES 162 THROUGH 171, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTH RIGHT-OF-WAY OF WEST PLANTATION DRIVE; THENCE ALONG THE EASTERLY PROJECTION OF THE NORTH RIGHT-OF-WAY LINE OF WEST PLANTATION LANE N°07°51'07'51"W, 183.42 FEET TO THE WESTERLY BOUNDARY OF PARCEL 100, AS DESCRIBED IN AFOREMENTIONED OFFICIAL RECORDS BOOK 2898, PAGES 162 THROUGH 171; THENCE ALONG THE WESTERLY BOUNDARY OF AFOREMENTIONED PARCEL 100 THE FOLLOWING THREE COURSES AND DISTANCES: N32°37'22'37'22"E, 140.53 FEET, N13°56'44'56'44"E, 34.11 FEET, AND N13°57'59'57'59", 409.75 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID POINT OF BEGINNING AND CONTINUING ALONG THE WESTERLY BOUNDARY OF AFOREMENTIONED PARCEL 100 THE FOLLOWING THREE COURSES AND DISTANCES: N13°57'59'57'59", 76.22 FEET; N26°35'38'35'38"W, 220.01 FEET; N83°30'00'30'00"W, 313.82 FEET TO THE P.C OF A CURVE CONCAVE NORTHEASTERLY, HAVING A CENTRAL ANGLE OF 111°50'34'50'34" AND A RADIUS OF 100.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 195.20 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING S27°34'43'34'43"E, 165.65 FEET); THENCE CONTINUING ALONG THE WESTERLY BOUNDARY OF AFOREMENTIONED PARCEL 100 THE FOLLOWING FOUR COURSES AND DISTANCES: N28°20'34'20'34"E, 392.05 FEET; N59°17'13'17'13"E, 173.82; N38°58'30'58'30"E, 439.67, AND N17°27'58'27'58"E, 387.72 FEET

TO THE P.C. OF A CURVE CONCAVE NORTHWESTERLY, HAVING A CENTRAL ANGLE OF $48^{\circ}35'43.35''13$ " AND A RADIUS OF 206.27 FEET; THENCE DEPARTING THE WESTERLY BOUNDARY OF AFOREMENTIONED PARCEL 100, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 174.92 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING $S14^{\circ}30'06.30''06$ "W, 169.73 FEET); THENCE $S38^{\circ}47'43.47''43$ "W, 204.10 FEET TO THE P.C. OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A CENTRAL ANGLE OF $33^{\circ}00'34.00''34$ " AND A RADIUS OF 100.32 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 57.80 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING $S22^{\circ}17'26.17''26$ "W, 57.00 FEET); THENCE DEPARTING SAID CURVE $S05^{\circ}47'09.47''09$ "W, 267.27 FEET; THENCE $S10^{\circ}50'42.50''42$ "E, 385.28 FEET TO THE P.C. OF A CURVE CONCAVE NORTHWESTERLY, HAVING A CENTRAL ANGLE OF $36^{\circ}48'29.48''29$ " AND A RADIUS OF 175.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 112.42 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING $S07^{\circ}33'33.33''33$ "W, 110.50 FEET); THENCE DEPARTING SAID CURVE, $S25^{\circ}57'48.57''48$ "W, 134.63 FEET TO THE POINT OF BEGINNING. CONTAINING 7.2092 ACRES (314,030 SQUARE FEET), MORE OR LESS.



END OF EXHIBIT "A"

EXHIBIT “B”
The Outpost PUD
Conditions of Approval

In lieu of execution of a Developer's Agreement, (“Developer”) Crystal River Plantation Corporation, ~~a~~9301 W Fort Island Trail, Crystal River, Florida ~~corporation, 400 Curie Drive, Alpharetta, GA 30005 (“Developer”)~~34429 seeks approval from the City of Crystal River, a Florida municipal corporation (“City”) for rezoning of its subject property subject to the following conditions. The PUD master plan approval shall be conditioned upon Developer’s performance the following obligations and ongoing compliance with the following requirements concerning use, operation and maintenance of the subject property, as well as development timing and infrastructure. Failure to abide by the following terms shall constitute a violation of the City River Code of Ordinances and may result in termination of the PUD Master Plan and/or code enforcement action against Developer or its successor(s) or assign(s).

1. Development Concept. The project shall be developed as a Planned Unit Development (“PUD” or “Project”) under unified control substantially in accordance with this Ordinance. The Project is a total of 68.84 acres and will be developed as a platted subdivision consisting of a maximum ~~322~~of 308 spaces¹ (up to 165 Lodging Unit spaces and 143 Recreational Vehicle² (“RV”) and Resort lots spaces), a guard house and sales center, clubhouse and pool, a canoe house and storage, gazebos, recreation area (tennis courts, volleyball courts), bath house, laundry building, and associated parking areas. RVs may be temporarily or permanently placed in accordance with City Code Article XV Section 6-194, whereas ~~Park Models or Trailers~~Lodging Unit structures, which may include Cabins, Cottages, or manufactured buildings, shall be permanently placed in accordance with City Code Article XV Section ~~6-194(b)~~6-190 or 193, as applicable. Permanently placed Lodging Units are recognized as commercial transient lodging accommodations similar to hotel, motels, and apartment hotels, and shall not be occupied as permanent dwelling units. Maximum continuous tenancy by unique occupant shall not exceed 90 consecutive days.
2. Planned Unit Development Plan. The Project shall be developed in a manner that is consistent with the PUD Master Plan attached hereto and incorporated as composite **Exhibit C**, pursuant to Crystal River Land Development Code (LDC), Section 10.01.03. The PUD Master Plan includes all portion of composite **Exhibit C**, including the *Master Site Development Plan* (~~July 2021~~July 2022), the *Conceptual Development Plan* (~~July 2021~~July 2022), and the *CDP Preliminary Phasing Plan* (~~July 2021~~July 2022).

¹ “Space” refers to the geographic area identified on the MSDP where a Lodging Unit and/or an RV may be situated; space may be used interchangeably with the term “Lot”. Depending on the context, Lodging Unit may refer to (1) a structure or (2) the space within which a structured is placed, and RV may refer to the (a) vehicle or (b) the space within which an RV is parked.

² For purposes of this Ordinance and Exhibits, “recreational vehicle” shall have the definition set forth in section 320.01(1)(b), Florida Statutes, and shall be fully licensed and ready for highway use at all times. “Ready for highway use” means the recreational vehicle is not affixed to the ground, is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices, has no permanent attachments such as additions, rooms, stairs, decks or porches, and is capable of removal within twelve hours. ~~Park trailers” shall be motor vehicles as defined in section 320.01(1)(b)(7), which are not permitted within the subject property unless they are permanently placed~~All electrical utilities will be underground.

3. Planned Unit Development Legal Description. The properties included in the PUD Master Plan are described on Exhibit D.

4. ~~3-~~ Planned Unit Development Conditions. The approval and ongoing effectiveness of the PUD Master Plan approved through this ordinance is conditioned on satisfaction and ongoing compliance with the following conditions:

A. Detailed improvement plans shall be submitted for each phase and subdivision plat prior to commencement of construction and shall demonstrate compliance with stormwater level-of-service standards.

B. Prior to approval of the first site plan, the following conditions must be satisfied:

i. The Project must connect to potable water and sanitary sewer as required by the City of Crystal River Code of Ordinances. Concurrency for potable water and sanitary sewer must be met in accordance with Section 6.01.05 of the Crystal River Land Development Code (LDC). The Developer shall retain the services of a registered professional engineer to analyze the City's offsite utility systems (potable water transmission and sanitary sewer collection) to determine if any offsite improvements are needed for the planned increase in utility demands. Should any offsite improvements to the transmission or collection systems be determined by City to be necessary to serve this Project, such improvements shall be the responsibility of the Developer. The Developer acknowledges that the fire-flow available for this ~~project~~ Project is limited to the flows and pressures currently available to the property. The Developer shall be responsible for obtaining right-of-way utilization permits from Citrus County Government for construction of lines within W Fort Island Trail.

ii. As part of the City's potable water service to the ~~project~~ Project, which shall be detailed and further described in a Service Agreement, the City shall require the Developer shall provide one master water meter for the ~~RV project~~ Project at a location that is agreed upon by the City of Crystal River Department of Public Works.

iii. The Developer shall retain the services of a registered professional engineer to analyze safety and operational capacities of the adjacent County collector roadway (West Fort Island Trail) and the need for intersection or right of way improvements. Offsite improvements determined by City or Citrus County to be necessary to serve this Project shall be the responsibility of the Developer. Right-of-way utilization permits shall be required as follows:

a. The Developer shall coordinate with Citrus County, Division of Engineering, for driveway connections and required deceleration lane improvements to W Fort Island Trail as warranted by the analysis to be constructed at the onset of the ~~project~~ Project as part of Phase 1. The proposed driveway connection point for the main entrance along W Fort Island Trail shall be aligned with the intersection of N Falls Terrace.

b. The Developer shall coordinate with the City of Crystal River, Public Works Department for the driveway connection point on W Plantation Ln.

iv. The Developer shall submit and process a lot combination with the City to combine the subject property into a single parcel or, alternatively, subdivide the subject property through the plat process set forth in the City’s Code of Ordinances and Florida Statutes. A Declaration of Covenants and Restrictions and associated property owner association (POA) articles of organizations, bylaws, and other documents and/or other legal instruments providing for perpetual maintenance of the private drives, common areas (including, but not limited to buffers) and ancillary facilities to the satisfaction of the City shall be submitted as part of the development permit. The final plat and related covenants/legal instruments shall be recorded in the public records of the Citrus County Clerk of Court.

~~5.~~ 4. Prior to issuance of the site development permit, the Developer shall work in good faith with the County to develop an agreement for emergency stormwater discharge from the Hourglass Subdivision.

6. ~~5.~~ RV Lotspaces and ~~Resort Lots~~ Lodging Unit spaces shall be designated as shown on *Master Site Development Plan* attached herewith. ~~The Project~~RV Spaces shall ~~allow for RV Lots~~ be numbered and designed to accommodate recreational vehicles to be located on a concrete pad, with or without a shade pavilion, and ~~Resort Lots~~ Lodging Unit spaces shall be designed to accommodate cottages, cabins, or ~~park trailers~~ manufactured buildings, with or without appurtenant RV parking. The following criteria applies:

A. The Developer shall identify each Lotspace as a ~~Resort Lot~~ Lodging Unit space or an RV Lotspace at the time of platting or declaration of condominium, as applicable, and shall update the: *Master Site Development Plan* attached hereto as **Exhibit C**, if applicable. ~~Resort Lots may be used for (1) the permanent placement of Park Trailers or (2) Lodging Units may consist of~~ rental cottages and cabins or manufactured units, which meet applicable building code and floodplain criteria; whereas RV LotUnits may be used for temporary recreational ~~vehicles placed~~ vehicle placement in accordance with City Code Article XV Section 6-194(a).

B. ~~B. Resort Lots, RV Lots~~ RV spaces may include storage sheds not exceeding 80 square feet and unenclosed, covered pavilions, which shall be subject to setbacks as specified for amenities, except for the roof overhang of pavilions.

C. Lodging Units, RV Units, and other amenity areas as designated on the *Conceptual Development Plan* shall be dimensioned to meet the following minimum setback standards:

RV Park Use	Front (from edge of driveway line)	Side Line	Rear Line	Waterways/JD Wetlands
RV Lodging Unit and RV Units	15 feet	5 feet	5 feet	25 feet

All Other Amenities	15 feet	5 feet	5 feet	25 feet
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~~7.~~ ~~6.~~ The Developer or its successor or assign, such as a successor declarant or property owners association, which owns or operates the common areas within the subject property, shall ensure that each recreational vehicle located on the subject property remains, at all times, fully licensed and ready for highway use and shall ensure compliance with applicable laws governing RV Park occupants. For purposes of this section, “ready for highway use” means the recreational vehicle is not affixed to the ground, is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices, has no permanent attachments such as additions, rooms, stairs, decks or porches, and is capable of removal within twelve hours. In addition, the temporary structures must be removed prior to departure. The foregoing requirement shall be incorporated into a Declaration of Covenants and Restrictions encumbering the subject property. Such Declaration shall be submitted to City for approval pursuant to section 3.B.iv., above.

~~7. No park trailers (park models) shall be permitted on the subject property unless they are permanently placed in accordance with City Code Section 6-194(b).~~

8. An emergency evacuation plan will be submitted for the City’s approval at time of development permit. Permanent or habitable spaces within structures must meet the required FEMA Flood Insurance Rate Map (FIRM) base flood elevation or FEMA ~~floodproofing~~flood proofing standards (for non-residential buildings) in effect at time of development.

9. Landscape Buffering shall be provided in accordance with the Phasing Schedule. Landscape Buffering dimensions with planting requirements shall be as follows:

<u>Perimeter Side Location</u>	<u>Required Buffer with Plantings</u>
North abutting Ft. Island Trail	Minimum <u>Average 30-foot/minimum</u> 10-foot with plantings complimenting a Type CD Buffer of as specified by the LDC (4 canopy trees, 4 understory trees, and a continuous hedge in a double-staggered row per 100 linear feet of property line).
North abutting CW District (Parcel 14400)	No buffer required where wetlands are maintained; except for where Phase 5 abuts the CW District there <u>along the property line adjacent to the secondary access which</u> shall be a minimum 10-foot buffer with plantings complimenting a Type B Buffer of as specified by the LDC (4 canopy trees and 4 understory trees per 100 linear feet of property line).
South abutting W Plantation Ln	Minimum <u>Average 30-foot/minimum</u> 10-foot with average equal to 15 feet having plantings complimenting a Type CD Buffer of as specified by the LDC.
East abutting CH (golf course)	No buffer required
West abutting GNC (house of worship)	Minimum <u>Average 30-foot/minimum</u> 10-foot with plantings complimenting a Type BD Buffer of as specified by the LDC.

10. ~~The Developer, as part of the buffering requirement, shall incorporate other features, such as fencing, walls, hardscape, or other improvements to complement planted and existing landscaping to prevent off road vehicular ingress/egress along the PUD boundary coincident with the W Plantation Lane right of way.~~ The Developer may maintain existing vegetation to satisfy buffering requirements specified above where similar opacity is achieved. Existing trees within the buffer area shall be credited against the buffer standards. Amenities shall not be located within buffers, except passive

recreational activities in accordance with LDC Section 4.05.03(i). Where buffers are less than 15', required understory trees shall be increased by 50%. Fencing, walls and other vertical hardscaping may be located as part of the buffer design and substitute for tree planting where providing comparable opacity. All landscaping shall be maintained and preserved, and tree protection zones shall be established for protected trees.

11. A Tree Survey must be submitted and approved at time of development permit.
12. Internal driveway and traffic circulation shall be provided consistent with the *Conceptual Development Plan* subject to the following:
 - A. Parking shall be provided at one space per ~~lot~~unit or recreational vehicle for transient occupancy. Private amenity parking shall be paved and provided at 1 space per 300 gross square feet of enclosed and conditioned building and 1 space per 1,000 square feet for covered unconditioned amenity areas designated for assembly or gathering. A parking study may be submitted in lieu of these requirements for proposed number of parking spaces pursuant to Section 6.04.07 Standards for parking and parking lots, of the LDC.
 - B. Bicycle parking facilities shall be provided at the amenity parking areas having a minimum standard of 0.5 space per required vehicle parking space and one space for every ten RV spaces, whichever is higher.
 - C. The internal, private rights-of-way shall be 30-foot wide with a maximum paved driveway of 24 feet in width (exclusive of curb and gutter). Cul-de-sacs shall meet minimum radius design standards for emergency ~~vehicle~~vehicles, service vehicles, and RVs using ~~traditional~~accepted engineering practices for traffic design, which shall be certified by a professional engineer.
 - D. Access gates at entry and exit points shall be siren activated (or allow access by another method) as found acceptable by the City's emergency regulatory agencies. Traffic directional signage shall be provided to promote safe circulation.
 - E. Trash receptacles shall be located to ensure easy accessibility for all users. Dumpsters and trash receptacles shall be properly maintained in a sanitary and nuisance-free manner.
 - ~~F.~~ Primary access/exit shall be taken from W Fort Island Trail (across from W Falls Terr). The secondary driveway connection points on W Fort Island Trail and W Plantation Ln shall serve for emergency service access only.
 - G. ~~F.~~ Temporary construction access shall be allowed as follows:
 - a. At permitted access points on W Fort Island Trail as shown on the master plan.
 - b. No construction access shall be allowed from the emergency service access on W Plantation Lane, except that the developer may elect to obtain a permit for a temporary construction access point at the subject property's

southwestern boundary adjacent to W Plantation Lane. This temporary point will only be allowed for the construction of phase 6 and must be removed and the road shoulder restored to its current condition at ~~project~~Project completion.

13. The ~~project~~Project includes man-made ~~waterbodies that are less than 5 acres in size. These man-made waterbodies shall not be connected to or extended into~~lakes (Lakes) intended for a mixture of uses, including stormwater management, irrigation water storage, and recreation. A canoe launch is planned for non-motorized recreation within the Lakes. Navigable connectivity between the Lakes and the existing ~~waterbodies or submerged lands~~waterway that flow into ~~Kings~~King's Bay ~~in any way. Canoe, kayak and paddleboard access to these man-made waterbodies shall be~~is not permitted ~~from Parcel F as depicted on the PUD Master Plan.~~

14. The PUD shall allow for development of the ~~RV Park~~Project to commence in accordance with the following Phasing Schedule and as depicted on the *CDP Preliminary Phasing* plan. Development may commence at an accelerated rate ahead of the phasing schedule; however, the PUD Master Plan will terminate within three (3) years of the date of approval if either a site improvement plan or a subdivision plat is not filed with the City, subject to applicable extensions by law. The term of this PUD shall be for ten (10) years but may be extended upon request to City Council subject to the public hearing process.

<u>Phasing Schedule</u>	<u>Units</u>	<u>Estimated Completion Year</u>
<u>1</u>	<u>40</u>	<u>2023</u>
<u>2</u>	<u>46</u>	<u>2023/2024</u>
<u>3</u>	<u>36</u>	<u>2024/2025</u>
1	64	2021/2022
2	50	2022
3	30	2022/2023
4	70	2026
5 <u>4</u>	26 <u>83</u>	2028
6 <u>5</u>	82 <u>23</u>	2030
<u>6</u>	<u>80</u>	<u>2032</u>

15. The Developer is responsible for obtaining any and all permits and approvals required by the City and all other federal, state, water management district and local government permits prior to final permitting and to operate the property as provided herein. Signage and lighting shall be addressed during site plan review to achieve compliance with Land Development Code Standards. Lighting shall be located and designed to avoid glare on adjacent properties and shall be addressed during site plan review.

16. Where standards are not specified herein, the Crystal River Land Development Code standards (or current code standards) will apply.

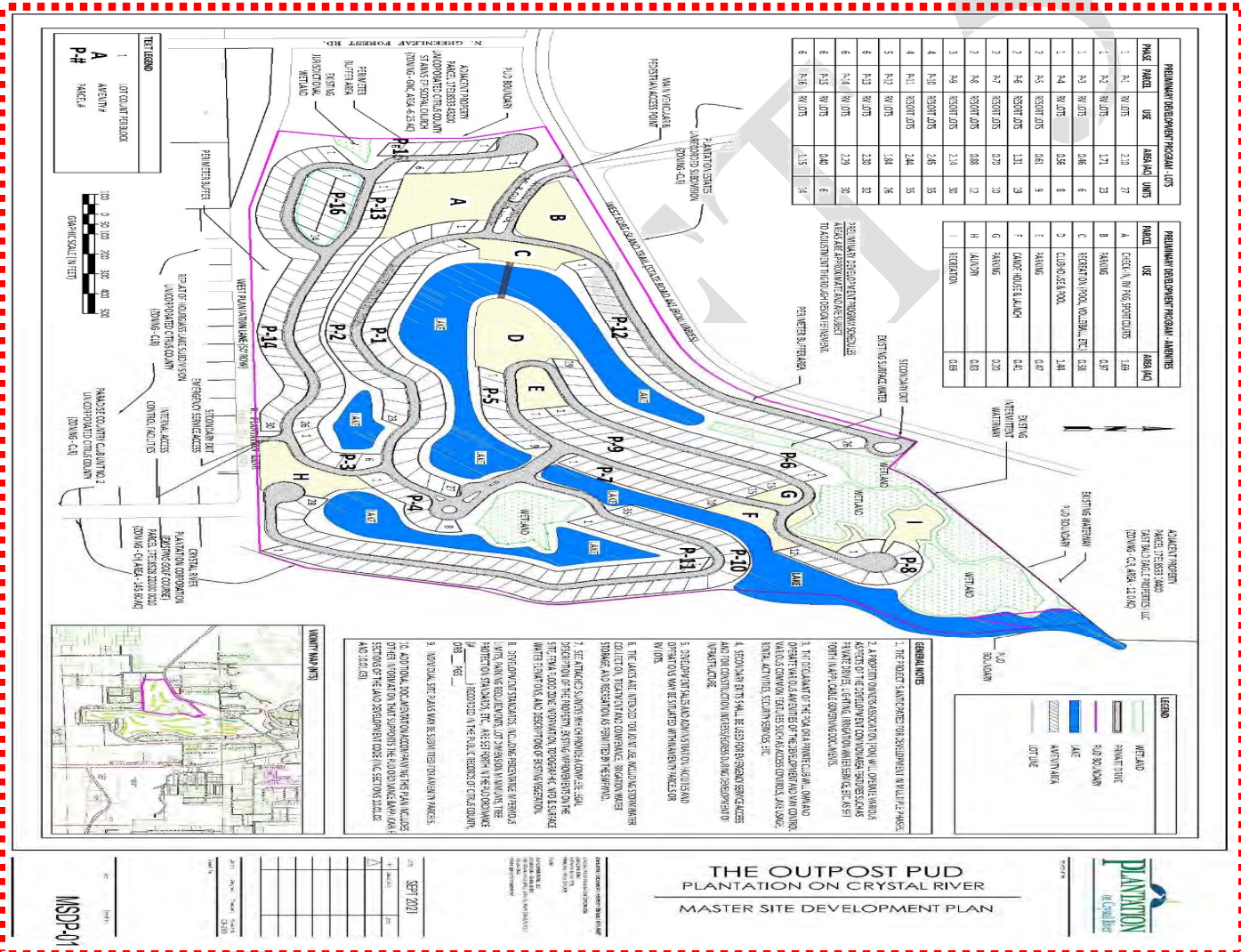
17. Minor modifications to this Planned Unit Development may be approved by the City Manager (or his designee) as outlined within Section 10.05.02, *Procedures for Minor Amendments*, as specified in the LDC.

18. The continuing and unmitigated failure of Developer or its successors or assigns to materially satisfy any condition or perform or comply with any obligation set forth herein, and caused solely by the actions or inaction of the Developer, shall constitute a violation of the City Code of Ordinances that may be enforced through the City’s code enforcement procedure, which could lead to the imposition of restrictions or limitations on future development until compliance is achieved.

End of Exhibit “B”

DRAFT 5

Conceptual Development Plan EXHIBIT "C"
The Outpost PUD Master Plan
Master Site Development Plan



THE OUTPOST PUD
PLANTATION ON CRYSTAL RIVER
MASTER SITE DEVELOPMENT PLAN

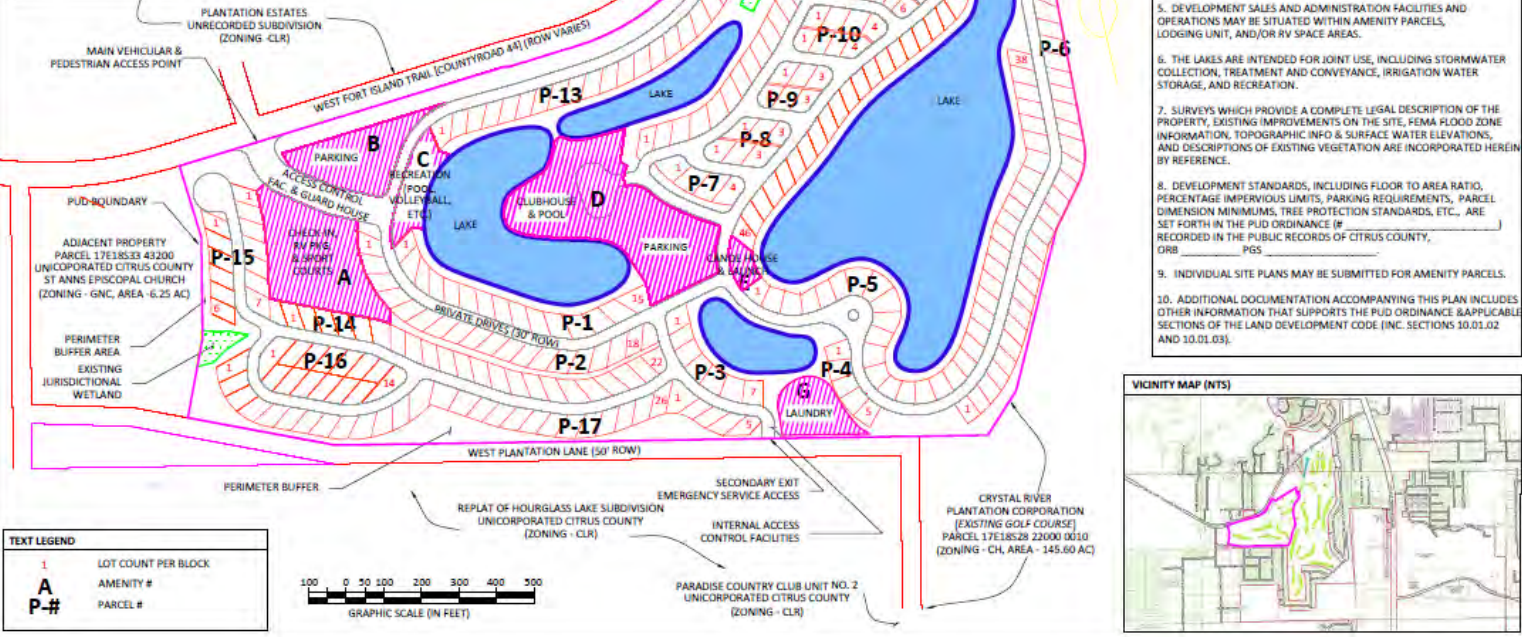
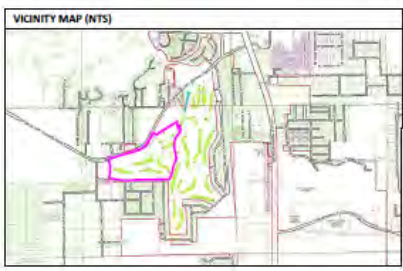
PRELIMINARY PROGRAM - COMMERCIAL LODGING				
PHASE	PARCEL	USE	AREA (AC)	UNITS
1	P-1	RV UNITS	1.10	15
1	P-2	RV UNITS	1.34	18
1	P-3	RV UNITS	0.52	7
4	P-4	LODGING UNITS	0.34	5
4	P-5	LODGING UNITS	2.56	38
4	P-6	LODGING UNITS	2.61	40
3	P-7	LODGING UNITS	0.49	4
3	P-8	LODGING UNITS	0.49	6
3	P-9	LODGING UNITS	0.44	6
3	P-10	LODGING UNITS	0.59	8
3	P-11	LODGING UNITS	0.78	12
2	P-12	LODGING UNITS	3.08	46
5	P-13	RV UNITS	1.57	23
6	P-14	RV UNITS	1.55	22
6	P-15	RV UNITS	0.89	13
6	P-16	RV UNITS	1.15	14
6	P-17	RV UNITS	2.32	31
SUBTOTAL - LODGING UNITS AND RV UNITS			308	
GROSS INTENSITY			4.5	

PRELIMINARY DEVELOPMENT PROGRAM - AMENITIES		
PARCEL	USE	AREA (AC)
A	CHECK-IN, RV PKG, SPORT COURTS	1.69
B	PARKING	0.97
C	RECREATION (POOL, VOLLEYBALL, ETC.)	0.58
D	CLUBHOUSE, POOL, & PARKING	1.44
E	CANOE HOUSE & LAUNCH	0.47
F	RECREATION	0.54
G	LAUNDRY, ETC.	0.83

LEGEND

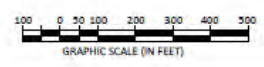
- WETLAND
- PRIVATE DRIVE
- PUD BOUNDARY
- LAKE
- AMENITY AREA
- LOT LINE

- GENERAL NOTES**
1. THE PROJECT IS ANTICIPATED FOR DEVELOPMENT IN MULTIPLE PHASES.
 2. A PROPERTY OWNERS ASSOCIATION (POA) AND/OR CONDOMINIUM ASSOCIATIONS (CA) WILL OPERATE VARIOUS ASPECTS OF THE COMMON AREA FEATURES SUCH AS PRIVATE DRIVES, LIGHTING, IRRIGATION WATER SERVICE, ETC. AS SET FORTH IN APPLICABLE GOVERNING DOCUMENTS.
 3. THE DECLARANT OF THE POA, CA, OR A PRIVATE CLUB WILL OWN AND OPERATE VARIOUS AMENITIES OF THE DEVELOPMENT AND MAY CONTROL VARIOUS COMMON FEATURES SUCH AS ACCESS CONTROLS, LAKE USAGE, RENTAL ACTIVITIES, SECURITY SERVICES, ETC.
 4. SECONDARY EXITS SHALL BE USED FOR EMERGENCY SERVICE ACCESS.
 5. DEVELOPMENT SALES AND ADMINISTRATION FACILITIES AND OPERATIONS MAY BE SITUATED WITHIN AMENITY PARCELS, LODGING UNIT, AND/OR RV SPACE AREAS.
 6. THE LAKES ARE INTENDED FOR JOINT USE, INCLUDING STORMWATER COLLECTION, TREATMENT AND CONVEYANCE, IRRIGATION WATER STORAGE, AND RECREATION.
 7. SURVEYS WHICH PROVIDE A COMPLETE LEGAL DESCRIPTION OF THE PROPERTY, EXISTING IMPROVEMENTS ON THE SITE, FEMA FLOOD ZONE INFORMATION, TOPOGRAPHIC INFO & SURFACE WATER ELEVATIONS, AND DESCRIPTIONS OF EXISTING VEGETATION ARE INCORPORATED HEREIN BY REFERENCE.
 8. DEVELOPMENT STANDARDS, INCLUDING FLOOR TO AREA RATIO, PERCENTAGE IMPERVIOUS LIMITS, PARKING REQUIREMENTS, PARCEL DIMENSION MINIMUMS, TREE PROTECTION STANDARDS, ETC., ARE SET FORTH IN THE PUD ORDINANCE (IF RECORDED IN THE PUBLIC RECORDS OF CITRUS COUNTY, ORB _____ PGS _____).
 9. INDIVIDUAL SITE PLANS MAY BE SUBMITTED FOR AMENITY PARCELS.
 10. ADDITIONAL DOCUMENTATION ACCOMPANYING THIS PLAN INCLUDES OTHER INFORMATION THAT SUPPORTS THE PUD ORDINANCE & APPLICABLE SECTIONS OF THE LAND DEVELOPMENT CODE (INC. SECTIONS 10.01.02 AND 10.01.03).



TEXT LEGEND

1	LOT COUNT PER BLOCK
A	AMENITY #
P-#	PARCEL #

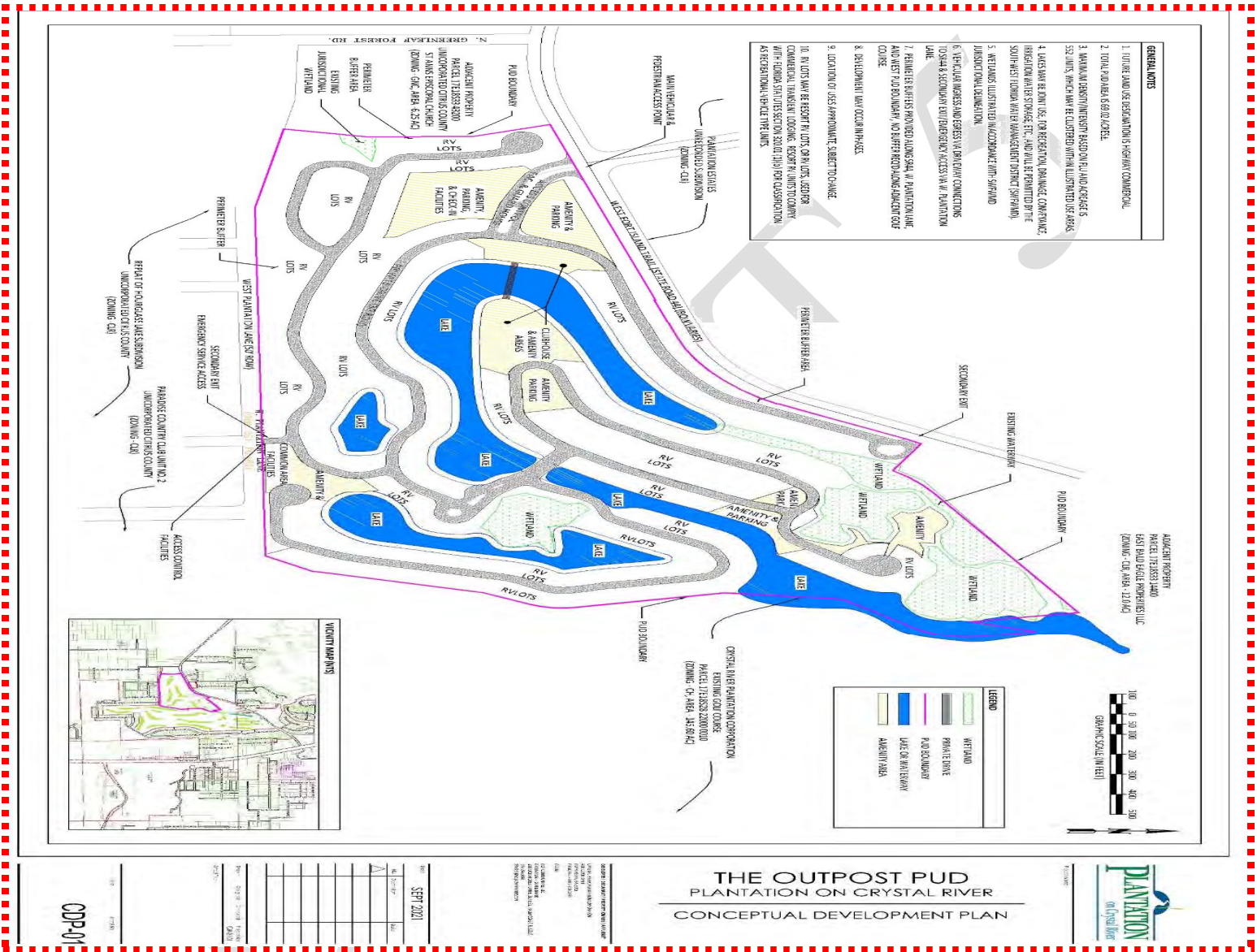


Date:	JULY 2022
Prepared by:	
Checked by:	
Designed by:	
Drawn by:	
Project No.:	CR-010

MSDP-01

EXHIBIT "C"
The Outpost PUD Master Plan
Conceptual Development Plan

DRAFT 5





Model 0000

THE OUTPOST PUD
PLANTATION ON CRYSTAL RIVER
CONCEPTUAL DEVELOPMENT PLAN

CONCEPT DEVELOPER: PLANTATION ON CRYSTAL RIVER
DESIGNED BY: PLANTATION ON CRYSTAL RIVER
DATE: 07/20/22
PROJECT NO: PUD-01
JOB NO: CDP-01

DATE: JULY 2022

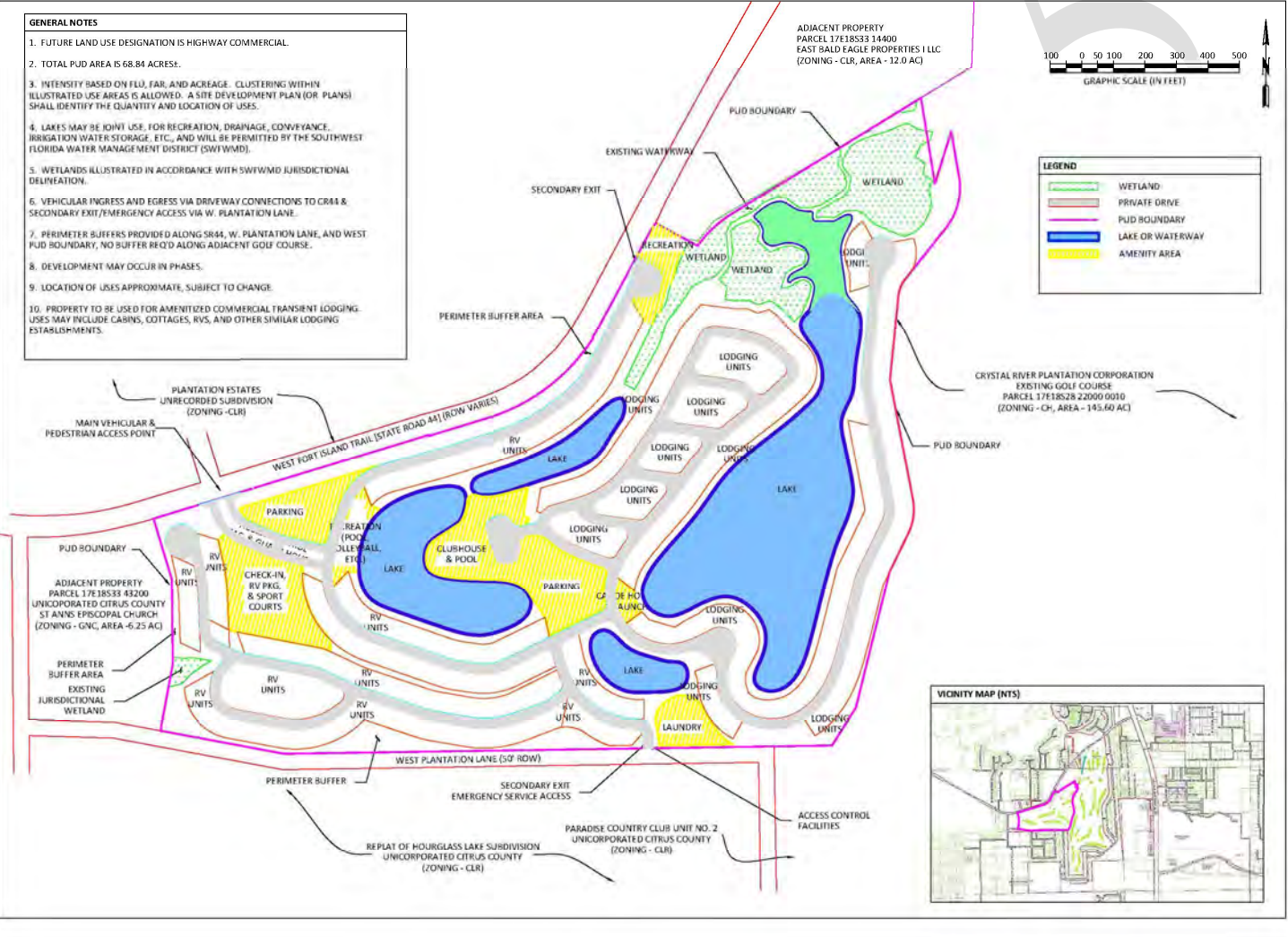
NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	
2		
3		
4		
5		
6		

DESIGNER: PLANTATION ON CRYSTAL RIVER
CHECKER: [Name]
PROJECT NO: CDP-01
JOB NO: CDP-01

DATE: 07/20/22

CDP-01

- GENERAL NOTES**
1. FUTURE LAND USE DESIGNATION IS HIGHWAY COMMERCIAL.
 2. TOTAL PUD AREA IS 68.84 ACRES.
 3. INTENSITY BASED ON FLU, FAR, AND ACREAGE. CLUSTERING WITHIN ILLUSTRATED USE AREAS IS ALLOWED. A SITE DEVELOPMENT PLAN (OR PLANS) SHALL IDENTIFY THE QUANTITY AND LOCATION OF USES.
 4. LAKES MAY BE JOINT USE, FOR RECREATION, DRAINAGE, CONVEYANCE, IRRIGATION WATER STORAGE, ETC., AND WILL BE PERMITTED BY THE SOUTHWEST (FLORIDA WATER MANAGEMENT DISTRICT (SWFWMD).
 5. WETLANDS ILLUSTRATED IN ACCORDANCE WITH SWFWMD JURISDICTIONAL DELINEATION.
 6. VEHICULAR INGRESS AND EGRESS VIA DRIVEWAY CONNECTIONS TO CRR44 & SECONDARY EXIT/EMERGENCY ACCESS VIA W. PLANTATION LANE.
 7. PERIMETER BUFFERS PROVIDED ALONG SR44, W. PLANTATION LANE, AND WEST PUD BOUNDARY, NO BUFFER REQUIRED ALONG ADJACENT GOLF COURSE.
 8. DEVELOPMENT MAY OCCUR IN PHASES.
 9. LOCATION OF USES APPROXIMATE, SUBJECT TO CHANGE.
 10. PROPERTY TO BE USED FOR AMENITIZED COMMERCIAL TRANSIENT LODGING. USES MAY INCLUDE CABINS, COTTAGES, RVs, AND OTHER SIMILAR LODGING ESTABLISHMENTS.



LEGEND

- WETLAND
- PRIVATE DRIVE
- PUD BOUNDARY
- LAKE OR WATERWAY
- AMENITY AREA

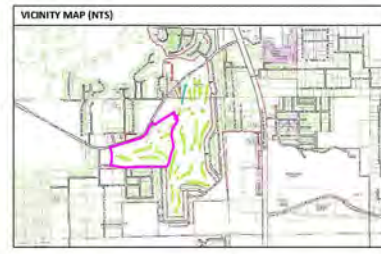
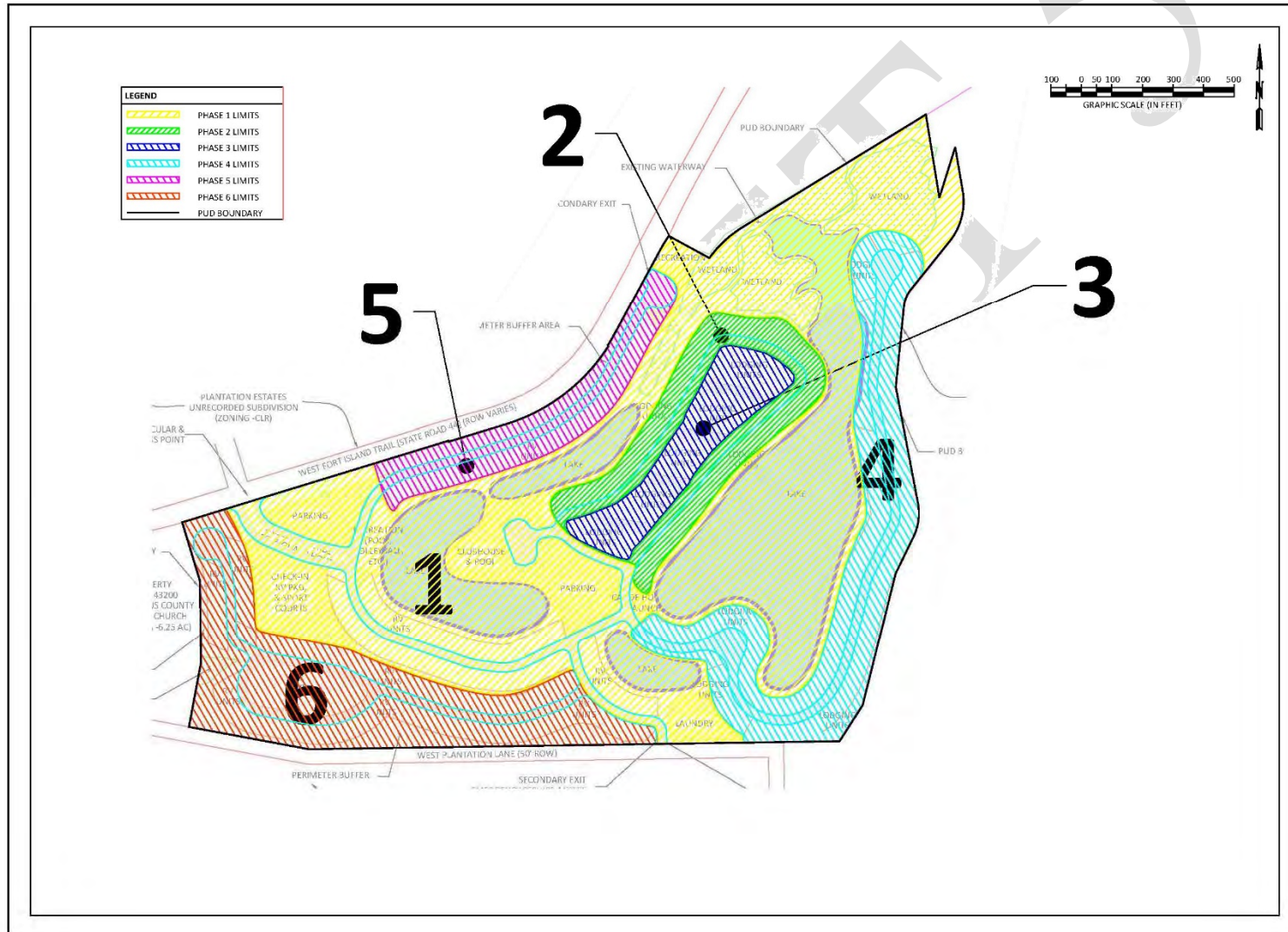


EXHIBIT "C"

The Outpost PUD Master Plan CDP Preliminary Phasing



DRAFT 5

EXHIBIT "D"
The Outpost PUD
Legal Description

PARCELS 17E18S33 41300, 17E18S33 42000 0060, A PORTION OF 17E18S33 14000 0050, AND A PORTION OF 17E18S28 22000 AS DESCRIBED IN SKETCH OF DESCRIPTION OF PLANTATION PARCELS 500, 600 & 700, PREPARED BY GREENMAN-PEDERSEN, INC. DATED JUNE 23, 2017 AND SKETCH OF DESCRIPTION OF PLANTATION PARCELS 100A, PREPARED BY GREENMAN-PEDERSEN, INC. DATED MARCH 25, 2021, CONTAINING A TOTAL OF 68.84 ACRES MORE OR LESS:

PARCEL 500

A PARCEL OF LAND, LYING IN SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, BEING COMPRISED OF A PORTION OF PARCELS 1B, 4A, 4B AND 4C, OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF PARCEL 4A AND THE SOUTHWEST CORNER OF PARCEL 2, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA; THENCE ALONG THE NORTHEASTERLY LINE OF PARCEL 4A AND THE SOUTHWESTERLY LINE OF PARCEL 2, S61°36'31"E, 158.92 FEET, TO THE NORTHEAST CORNER OF SAID PARCEL 4A, THE SOUTHEAST CORNER OF SAID PARCEL 2, AND BEING ON THE WESTERLY LINE OF PARCEL 1B; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 2 AND THE WESTERLY LINE OF SAID PARCEL 1B, N27°16'50"E, 250.00 FEET, TO AN INTERSECTION WITH A NON-TANGENT CIRCULAR CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 385.00 FEET; THENCE NORTHEASTERLY, ALONG THE NORTHERLY LINE OF SAID PARCEL 1B AND SAID CURVE, 152.21 FEET, THROUGH A CENTRAL ANGLE OF 22°39'08" AND A CHORD BEARING AND DISTANCE OF N47°23'15"E, 151.22 FEET; THENCE CONTINUE ALONG THE WESTERLY LINE OF SAID PARCEL 1B, N58°29'24"E, 888.54 FEET; THENCE S17°27'58"W, 387.72 FEET; THENCE S38°58'30"W, 439.67 FEET; THENCE S59°17'13"W, 173.82 FEET; THENCE S28°20'34"W, 392.05 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 100.00 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE, 195.20 FEET, THROUGH A CENTRAL ANGLE OF 111°50'34" AND A CHORD BEARING AND DISTANCE OF S27°34'43"E, 165.65 FEET; THENCE S83°30'00"E, 313.82 FEET; THENCE S26°35'38"E, 220.01 FEET; THENCE S13°57'59"W, 485.97 FEET TO THE NORTHEAST CORNER OF AFOREMENTIONED PARCEL 4C; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 4C THE FOLLOWING TWO COURSES AND DISTANCES: S13°56'44"W, 34.11 FEET; and S32°37'22"W, 140.53 FEET, TO THE INTERSECTION WITH THE EASTERLY PROJECTION OF THE NORTH RIGHT-OF-WAY LINE OF WEST PLANTATION LANE AS PER OFFICIAL RECORD BOOK 251, PAGE 162; THENCE S89°07'51"W, 183.42 FEET ALONG SAID EASTERLY PROJECTION TO THE NORTHEAST CORNER OF SAID NORTH RIGHT-OF-WAY OF WEST PLANTATION LANE; THENCE CONTINUE S89°07'51"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 572.67 FEET; THENCE N00°00'00"E, 1303.07 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL 4A AND THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST FORT ISLAND TRAIL (ALSO KNOWN AS STATE ROAD 44

AND KINGS BAY ROAD, RIGHT-OF-WAY WIDTH VARIES); THENCE ALONG SAID LINES, N57°25'17"W, 3.00 FEET, TO AN INTERSECTION WITH A NON-TANGENT CIRCULAR CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 606.69 FEET; THENCE CONTINUE ALONG SAID LINES, NORTHEASTERLY, AN ARC DISTANCE OF 44.23 FEET, THROUGH A CENTRAL ANGLE OF 04°10'38" AND A CHORD BEARING AND DISTANCE OF N30°29'21"E, 44.22 FEET, TO THE POINT OF TANGENCY THEREOF; THENCE CONTINUE ALONG SAID LINE, N28°24'03"E, 117.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 31.047 ACRES (1,352,400 SQUARE FEET), MORE OR LESS.

PARCEL 600

A PARCEL OF LAND, LYING IN SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, BEING COMPRISED OF A PORTION OF PARCELS 1B, 4A, 4B AND 4C, OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL 4A AND THE SOUTHWEST CORNER OF PARCEL 2, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA; THENCE S28°24'03"W, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST FORT ISLAND TRAIL (ALSO KNOWN AS STATE ROAD 44 AND KINGS BAY ROAD, RIGHT-OF-WAY WIDTH VARIES) AND ALONG THE WESTERLY LINE OF SAID PARCEL 4A, 117.00 FEET TO THE POINT OF TANGENCY OF A CIRCULAR CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 606.69 FEET; THENCE CONTINUE ALONG SAID LINES, SOUTHWESTERLY, AN ARC DISTANCE OF 44.23 FEET, THROUGH A CENTRAL ANGLE OF 04°10'38" AND A CHORD BEARING AND DISTANCE OF S30°29'21"W, 44.22 FEET TO THE END OF THE CURVE; THENCE ALONG SAID LINES, S57°25'20"E, 3.00 FEET TO THE POINT OF BEGINNING; THENCE S00°00'00"W, 1303.07 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF AFOREMENTIONED PARCEL 4C AND THE NORTH RIGHT-OF-WAY LINE OF WEST PLANTATION LANE (50 FOOT WIDE RIGHT-OF-WAY); THENCE S89°07'51"W, ALONG SAID SOUTH LINE OF PARCEL 4C AND NORTH RIGHT-OF-WAY LINE, 980.55 FEET; THENCE ALONG SAID LINES, N79°26'30"W, 398.90 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 4C; THENCE N10°33'56"E, 150.08 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 4C AND A POINT ON THE WESTERNMOST LINE OF AFOREMENTIONED PARCEL 1B; THENCE CONTINUE N10°33'56"E, ALONG SAID WESTERNMOST LINE OF PARCEL 1B, 63.57 FEET; THENCE ALONG SAID WESTERNMOST LINE, N00°39'25"W, 269.07 FEET TO THE SOUTHWEST CORNER OF AFOREMENTIONED PARCEL 4B; THENCE N16°56'49"W, 200.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 4B AND THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST FORT ISLAND TRAIL (ALSO KNOWN AS STATE ROAD 44 AND KINGS BAY ROAD, RIGHT-OF-WAY WIDTH VARIES); THENCE N73°03'02"E, ALONG THE NORTH LINE OF SAID PARCEL 4B AND SAID SOUTHERLY RIGHT-OF-WAY LINE, 910.69 FEET; THENCE ALONG SAID LINES, S16°56'58"E, 3.00 FEET; THENCE ALONG SAID LINES, N73°03'02"E, 195.24 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 609.69 FEET; THENCE CONTINUE ALONG SAID LINES, NORTHERLY, AN ARC DISTANCE OF 311.10 FEET, THROUGH A CENTRAL ANGLE OF 29°14'09" AND A CHORD BEARING AND DISTANCE OF N58°25'57"E, 307.74 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 4B AND THE SOUTHWESTERLY CORNER OF AFOREMENTIONED PARCEL 4A; THENCE ALONG SAID

SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE WESTERLY LINE OF SAID PARCEL 4A, NORTHERLY, AN ARC DISTANCE OF 119.57 FEET, THROUGH A CENTRAL ANGLE OF 11°14'13" AND A CHORD BEARING AND DISTANCE OF N38°11'46"E, 119.38 FEET TO THE POINT OF BEGINNING.

CONTAINING 29.685 ACRES (1,293,100 SQUARE FEET), MORE OR LESS.

PARCEL 700:

BEGIN AT THE MOST WESTERLY CORNER OF LOT 52, BLOCK T, KIMBERLY PLANTATION ESTATES, TRACT 4, AS RECORDED IN PLAT BOOK 8, PAGES 75, 76 AND 77, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA; THENCE SOUTH 61°05'10" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 52, A DISTANCE OF 150.92 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 52; THENCE SOUTH 27°47'40" WEST, 249.96 FEET; THENCE NORTH 61° 05'10" WEST, PARALLEL TO THE SOUTHWESTERLY LINE OF SAID LOT 52, A DISTANCE OF 158.14 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF KINGS BAY ROAD (STATE ROAD NO. 44); THENCE NORTH 28°54'50" EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 199.91 FEET TO THE P.C. OF A CURVE, CONCAVED SOUTHEASTERLY, HAVING A CENTRAL ANGLE OF 5°21'46" AND A RADIUS OF 535 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 50.08 FEET TO THE POINT OF BEGINNING (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING NORTH 31°35'43" EAST, 50.06 FEET).

CONTAINING 0.89674 ACRES (39,062 SQUARE FEET), MORE OR LESS.

PARCEL 100A

A PARCEL OF LAND, LYING IN SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, BEING COMPRISED OF A PORTION OF PARCEL 100, OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2898, PAGES 162 THROUGH 171, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTH RIGHT-OF-WAY OF WEST PLANTATION DRIVE; THENCE ALONG THE EASTERLY PROJECTION OF THE NORTH RIGHT-OF-WAY LINE OF WEST PLANTATION LANE N°07'51"W, 183.42 FEET TO THE WESTERLY BOUNDARY OF PARCEL 100, AS DESCRIBED IN AFOREMENTIONED OFFICIAL RECORDS BOOK 2898, PAGES 162 THROUGH 171; THENCE ALONG THE WESTERLY BOUNDARY OF AFOREMENTIONED PARCEL 100 THE FOLLOWING THREE COURSES AND DISTANCES: N32°37'22"E, 140.53 FEET, N13°56'44"E, 34.11 FEET, AND N13°57'59", 409.75 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID POINT OF BEGINNING AND CONTINUING ALONG THE WESTERLY BOUNDARY OF AFOREMENTIONED PARCEL 100 THE FOLLOWING THREE COURSES AND DISTANCES: N13°57'59", 76.22 FEET; N26°35'38"W, 220.01 FEET; N83°30'00"W, 313.82 FEET TO THE P.C OF A CURVE CONCAVE NORTHEASTERLY, HAVING A CENTRAL ANGLE OF 111°50'34" AND A RADIUS OF 100.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 195.20 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING S27°34'43"E, 165.65 FEET); THENCE CONTINUING ALONG THE WESTERLY BOUNDARY OF AFOREMENTIONED PARCEL 100 THE FOLLOWING FOUR COURSES AND DISTANCES: N28°20'34"E, 392.05 FEET; N59°17'13"E, 173.82; N38°58'30"E, 439.67, AND

N17°27'58"E, 387.72 FEET TO THE P.C OF A CURVE CONCAVE NORTHWESTERLY, HAVING A CENTRAL ANGLE OF 48°35'13" AND A RADIUS OF 206.27 FEET; THENCE DEPARTING THE WESTERLY BOUNDARY OF AFOREMENTIONED PARCEL 100, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 174.92 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING S14°30'06"W, 169.73 FEET); THENCE S38°47'43"W, 204.10 FEET TO THE P.C OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A CENTRAL ANGLE OF 33°00'34" AND A RADIUS OF 100.32 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 57.80 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING S22°17'26"W, 57.00 FEET); THENCE DEPARTING SAID CURVE S05°47'09"W, 267.27 FEET; THENCE S10°50'42"E, 385.28 FEET TO THE P.C OF A CURVE CONCAVE NORTHWESTERLY, HAVING A CENTRAL ANGLE OF 36°48'29" AND A RADIUS OF 175.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 112.42 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING S07°33'33"W, 110.50 FEET); THENCE DEPARTING SAID CURVE, S25°57'48"W, 134.63 FEET TO THE POINT OF BEGINNING.
CONTAINING 7.2092 - (314,030 SQUARE FEET), MORE OR LESS.

DRAFT

Document comparison by Workshare 10.0 on Monday, August 29, 2022 6:25:21 PM

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Padding cell	

Statistics:	
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Style change	0
Format changed	0
Total changes	390

Prepared by/Return to:

Lisa A. Byrd, Esq.
Winter Capriola Zenner LLC
One Securities Centre, Ste. 800
Atlanta, GA 30305

Cross Reference:

-----[SPACE ABOVE THIS LINE FOR RECORDING DATA]-----

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, executed as of this 27th day of April, 2018, by **KINGWOOD CRYSTAL RIVER RESORT CORP.**, a Florida corporation, whose address is 400 Curie Drive, Alpharetta, GA 30005, hereinafter referred to as "Grantor", to **CRYSTAL RIVER PLANTATION CORPORATION**, a Florida corporation, whose address is 400 Curie Drive, Alpharetta, GA 30005, hereinafter referred to as "Grantee".

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

WITNESSETH, that the said Grantor for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by the Grantee, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said Grantee, all the right, title, interest, claim and demand which the said Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in the **County of Citrus, State of Florida**, to wit (the "**Property**"):

See EXHIBIT "A" attached hereto and made a part hereof.

Parcel Nos.: 17E18S28 22000 0010, 17E18S28 22000 0050, 17E18S28 22000 0060, 17E18S33 41300, 17E18S28 22000 0080 and 17E18S28 21223

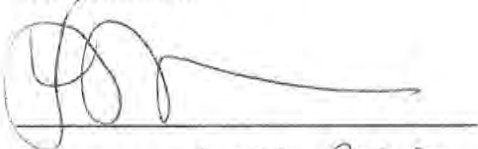
TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the Grantor, either in law or equity, to the only proper use, benefit and behoof of the said Grantee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

Grantor, Kingwood Crystal River Resort Corp., has formed Grantee, Crystal River Plantation Corporation, to hold title to the Property being conveyed herein. Grantor and Grantee are wholly owned by the identical parties and therefore no transfer of ownership has occurred.

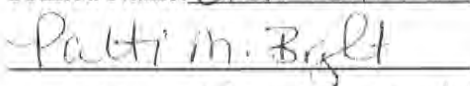


IN WITNESS WHEREOF, the said Grantor has caused these presents to be executed in its name, the day and year first above written.

Signed, sealed and delivered
in the presence of:



Printed Name: LISA BYRD



Printed Name: PATTI M. BRIGHT

**KINGWOOD CRYSTAL RIVER
RESORT CORP.**, a Florida corporation

By:  (Seal)
Ping Wang, President

STATE OF GEORGIA
COUNTY OF FULTON

I HEREBY CERTIFY that on this 24th day of April, 2018, before me, an officer duly authorized in the state and county aforesaid to take acknowledgments, personally appeared PING WANG, who () is personally known to me or () produced Driver's License(s) issued by the State of GEORGIA as identification, and who did take an oath.

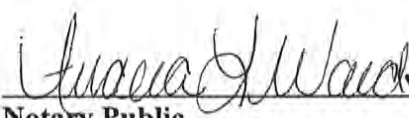

Notary Public
ANDREA L. WARD
Notary
GEORGIA
Expires: March 5, 2022
Andrea L. Ward
(Name typed, printed or stamped) Public
FULTON COUNTY
(Print, type or stamp commissioned name of Notary Public)

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL 100:

A PARCEL OF LAND, LYING IN SECTIONS 28 AND 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, BEING COMPRISED OF A PORTION OF PARCELS 1B AND 4C, OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF LOT 1, BLOCK "A", PARADISE COUNTRY CLUB, AS RECORDED IN PLAT BOOK 2, PAGE 182, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA; THENCE N04°18'31"W, ALONG A NORTHERLY PROJECTION OF THE WEST LINE OF SAID LOT 1, BLOCK "A", A DISTANCE OF 69.98 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, HAVING A CENTRAL ANGLE OF 26°21'48" AND A RADIUS OF 213.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 98.24 FEET TO THE END OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING N17°17'54"W, 97.37 FEET); THENCE N30°44'36"W, 43.32 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF KINGS BAY ROAD, SAID POINT BEING 38.00 FEET FROM, MEASURED RADially TO, THE CENTERLINE OF SAID KINGS BAY ROAD, SAID POINT ALSO BEING ON A CURVE, CONCAVE NORTHWESTERLY, HAVING A CENTRAL ANGLE OF 12°43'49" AND A RADIUS OF 1470.69 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 326.77 FEET TO THE END OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING S52°25'44"W, 326.10 FEET); THENCE S58°48'22"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 189.44 FEET; THENCE N31°27'29"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 4.99 FEET TO A POINT THAT IS 33.00 FEET FROM, MEASURED AT A RIGHT ANGLE TO, THE CENTERLINE OF SAID KINGS BAY ROAD; THENCE S58°47'28"W, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 298.10 FEET; THENCE S01°06'02"E, 200.00 FEET; THENCE S50°58'39"W, 400.00 TO A POINT ON THE EAST BOUNDARY OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, AS SHOWN ON THE PLAT OF GOLF VIEW SUBDIVISION, AS RECORDED IN PLAT BOOK 3, PAGE 7, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA; THENCE S00°37'24"E, ALONG THE EAST LINE OF SAID WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, SAID LINE ALSO BEING THE EAST LINE OF SAID GOLF VIEW SUBDIVISION, A DISTANCE OF 391.12 FEET TO THE SOUTHEAST CORNER OF SAID WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF SAID GOLF VIEW SUBDIVISION; THENCE S89°26'18"W, ALONG THE SOUTH LINE OF

SAID SECTION 28, SAID LINE BEING THE SOUTH LINE OF SAID GOLF VIEW SUBDIVISION, SAID LINE ALSO BEING THE NORTH LINE OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, A DISTANCE OF 80.00 FEET TO A POINT ON THE EAST LINE OF BLOCK "T", KIMBERLY PLANTATION ESTATES, TRACT 4, AS RECORDED IN PLAT BOOK 8, PAGES 75-77, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, NOW VACATED, SAID VACATION BEING DESCRIBED IN OFFICIAL RECORDS BOOK 388, PAGES 21-22, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA; THENCE S02°09'49"W, ALONG THE EAST LINE OF SAID BLOCK "T", A DISTANCE OF 425.45 FEET TO A POINT ON THE SOUTH LINE OF SAID BLOCK "T"; THENCE S17°27'58"W, 387.72 FEET; THENCE S38°58'30"W, 439.67 FEET; THENCE S59°17'13"W, A DISTANCE OF 173.82 FEET; THENCE S28°20'34"W, A DISTANCE OF 392.05 FEET TO THE P.C. OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A CENTRAL ANGLE OF 111°50'34" AND A RADIUS OF 100.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 195.20 FEET TO THE P.T. OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING S27°34'43"E, 165.65 FEET); THENCE S83°30'00"E, 313.82 FEET; THENCE S26°35'38"E, 220.01 FEET; THENCE S13°57'59"W, 485.97 FEET TO THE NORTHEAST CORNER OF AFOREMENTIONED PARCEL 4C; THENCE ALONG THE EASTERLY LINES OF SAID PARCEL 4C THE FOLLOWING TWO COURSES AND DISTANCES: S13°56'44"W, 34.11 FEET, AND S32°37'22"W, 140.53 FEET TO THE INTERSECTION WITH THE EASTERLY PROJECTION OF THE NORTH RIGHT-OF-WAY LINE OF WEST PLANTATION LANE AS PER OFFICIAL RECORD BOOK 251, PAGE 162; THENCE S89°07'51"W, 183.42 FEET ALONG SAID EASTERLY PROJECTION TO THE NORTHEAST CORNER OF SAID NORTH RIGHT-OF-WAY OF SAID WEST PLANTATION LANE; THENCE S00°52'09"E, 49.87 FEET ALONG THE EAST RIGHT-OF-WAY LINE OF SAID WEST PLANTATION LANE TO A POINT ON THE SOUTHERN MOST LINE OF AFOREMENTIONED PARCEL 4C; THENCE N89°01'55"E, 150.59 FEET ALONG THE SAID SOUTHERN MOST LINE OF AFOREMENTIONED PARCEL 4C, TO THE NORTHEAST CORNER OF LOT 37, BLOCK K, PARADISE COUNTRY CLUB, UNIT NO. 2, AS RECORDED IN PLAT BOOK 3, PAGE 34, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA; THENCE S01°15'18"E, ALONG THE EAST LINE OF LOTS 19-37 OF SAID BLOCK K, A DISTANCE OF 1879.19 FEET TO THE NORTHWEST CORNER OF LOT 17 OF SAID BLOCK "K"; THENCE N88°58'52"E, ALONG THE NORTH LINE OF SAID LOT 17, BLOCK "K", AND ALONG THE NORTH LINE OF LOTS 12-16 OF SAID BLOCK "K", A DISTANCE OF 620.64 FEET TO THE NORTHEAST CORNER OF SAID LOT 12, BLOCK "K"; THENCE N01°35'52"W, ALONG THE WEST LINE OF LOTS 1-10 OF SAID BLOCK "K", A DISTANCE OF 973.62 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, BLOCK "K", SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF FAIRWAY DRIVE AS SHOWN ON THE PLAT OF SAID PARADISE COUNTRY CLUB, UNIT NO. 2; THENCE S89°03'05"W, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID FAIRWAY DRIVE, A DISTANCE OF 104.89 FEET, TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SAID FAIRWAY DRIVE; THENCE N00°58'41"W, ALONG THE WEST RIGHT-OF-WAY LINE OF SAID FAIRWAY DRIVE AND ALONG THE WEST LINE OF SAID BLOCK "D" AS SHOWN ON SAID PLAT OF PARADISE COUNTRY CLUB, UNIT NO. 2, A DISTANCE OF 263.55 FEET TO A POINT ON THE NORTH LINE OF SAID BLOCK "D"; THENCE ALONG THE NORTH LINES OF SAID BLOCK D THE FOLLOWING TWO COURSES AND DISTANCES:

S87°55'16"E, 693.11 FEET, AND S64°55'39"E, 427.05 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF COUNTRY CLUB ROAD AS SHOWN ON SAID PLAT OF PARADISE COUNTRY CLUB, UNIT NO. 2; THENCE N47°40'25"E, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 437.62 FEET TO THE MOST SOUTHERLY CORNER OF LOT 41, BLOCK A AS SHOWN ON SAID PLAT OF PARADISE COUNTRY CLUB, UNIT NO. 2; THENCE N36°26'08"W, ALONG THE WEST LINE OF SAID LOT 41, BLOCK "A", A DISTANCE OF 128.85 FEET TO THE MOST NORTHWESTERLY CORNER OF SAID LOT 41, BLOCK "A", SAID POINT ALSO BEING THE MOST SOUTHERLY CORNER OF LOT 40, BLOCK "A", AS SHOWN ON THE PLAT OF PARADISE COUNTRY CLUB, AS RECORDED IN PLAT BOOK 2, PAGE 182, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, SAID POINT ALSO BEING ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A CENTRAL ANGLE OF 06°57'53" AND A RADIUS OF 422.14 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG THE WEST LINE OF SAID BLOCK "A", A DISTANCE OF 51.32 FEET TO THE END OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING N39°53'52"W, 51.28 FEET); THENCE N43°21'22"W, ALONG THE SAID WEST LINE, A DISTANCE OF 279.84 FEET, TO AN INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY, HAVING A CENTRAL ANGLE OF 39°07'49" AND A RADIUS OF 422.14 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID WEST LINE, A DISTANCE OF 288.30 FEET TO THE END OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING N23°49'21"W, 282.73 FEET); THENCE N04°15'09"W, ALONG SAID WEST LINE, A DISTANCE OF 850.39 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A CENTRAL ANGLE OF 39°05'46" AND A RADIUS OF 422.14 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID WEST LINE, A DISTANCE OF 288.05 FEET TO THE END OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING N15°22'03"E, 282.49 FEET); THENCE N34°46'38"E, ALONG SAID WEST LINE, A DISTANCE OF 280.16 FEET TO AN INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, HAVING A CENTRAL ANGLE OF 39°07'41" AND A RADIUS OF 422.14 FEET; THENCE NORTHEASTERLY AND NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID WEST LINE, A DISTANCE OF 288.28 FEET TO THE END OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING N15°19'17"E, 282.72 FEET); THENCE N04°14'29"W, ALONG SAID WEST LINE, A DISTANCE OF 802.46 FEET TO THE INTERSECTION WITH A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A CENTRAL ANGLE OF 19°59'35" AND A RADIUS OF 850.69 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID WEST LINE, A DISTANCE OF 296.85 FEET TO THE END OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING N05°45'19"E, 295.34 FEET), SAID POINT BEING A NON-TANGENT INTERSECTION WITH A CURVE, CONCAVE SOUTHWESTERLY, HAVING A CENTRAL ANGLE OF 40°00'50" AND A RADIUS OF 318.84 FEET; THENCE NORTHEASTERLY AND NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID WEST LINE, A DISTANCE OF 222.67 FEET TO THE END OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING N04°15'45"W, 218.17 FEET), SAID POINT BEING A NON-TANGENT INTERSECTION WITH A CURVE,

CONCAVE NORTHEASTERLY, HAVING A CENTRAL ANGLE OF 20°00'06" AND A RADIUS OF 850.69 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE AND ALONG SAID WEST LINE, A DISTANCE OF 296.97 FEET TO THE END OF SAID CURVE (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING N14°15'11"W, 295.47 FEET); THENCE N04°14'58"W, ALONG SAID WEST LINE, A DISTANCE OF 432.67 FEET TO THE POINT OF BEGINNING.

CONTAINING 152.81 ACRES (6,656,400 SQUARE FEET), MORE OR LESS.

PARCEL 400:

BEGIN AT THE NORTHEAST CORNER OF LOT 1, BLOCK C, PARADISE COUNTRY CLUB, AS RECORDED IN PLAT BOOK 2, PAGE 182, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, SAID POINT BEING THE SOUTHEAST CORNER OF LANDS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 406, PAGES 234 AND 235, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA; THENCE SOUTH 86°19'55" WEST, ALONG THE NORTH LINE OF SAID LOT 1, SAID LINE BEING THE SOUTH LINE OF SAID LANDS, A DISTANCE OF 150 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LANDS, SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF COUNTRY CLUB ROAD, AS SHOWN ON SAID PLAT, SAID POINT ALSO BEING 33 FEET FROM, MEASURED AT A RIGHT ANGLE TO THE CENTERLINE OF SAID COUNTRY CLUB ROAD; THENCE NORTH 3°40'05" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 30 FEET TO THE P.C. OF A CURVE CONCAVE SOUTHWESTERLY HAVING A CENTRAL ANGLE OF 26°21'42", AND A RADIUS OF 429.50 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 57.65 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 387, PAGE 803, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA (CHORD BEARING AND DISTANCE BETWEEN SAID POINT BEING NORTH 7°30'48" WEST, 57.61 FEET); THENCE NORTH 65°49'58" EAST, ALONG THE SOUTH LINE OF LANDS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 387, PAGE 803, AND ALONG THE SOUTH LINE OF LANDS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 402, PAGES 796 AND 797, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA, A DISTANCE OF 102.77 FEET TO THE SOUTHWEST CORNER OF LANDS DESCRIBED IN DEED RECORDED IN OFFICIAL RECORDS BOOK 801, PAGES 683 AND 684, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA; THEN NORTH 86°19'55" EAST, ALONG THE SOUTH LINE OF LANDS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 801, PAGES 683 AND 684, A DISTANCE OF 57.60 FEET TO THE SOUTHEAST CORNER OF LANDS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 801, PAGES 683 AND 684, SAID POINT BEING ON THE EAST LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 406, PAGES 234 AND 235, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF THE A.C.L. RAILROAD AS SHOWN ON SAID PLAT; THENCE SOUTH 3°40'05" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, SAID LINE BEING THE EAST LINE OF LANDS

DESCRIBED IN SAID OFFICIAL RECORDS BOOK 406, PAGES 234 AND 235, A DISTANCE OF 123.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.39114 ACRES (17,038 SQUARE FEET), MORE OR LESS.

PARCEL 500:

A PARCEL OF LAND, LYING IN SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, BEING COMPRISED OF A PORTION OF PARCELS 1B, 4A, 4B AND 4C, OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF PARCEL 4A AND THE SOUTHWEST CORNER OF PARCEL 2, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA; THENCE ALONG THE NORTHEASTERLY LINE OF PARCEL 4A AND THE SOUTHWESTERLY LINE OF PARCEL 2, S61°36'31"E, 158.92 FEET, TO THE NORTHEAST CORNER OF SAID PARCEL 4A, THE SOUTHEAST CORNER OF SAID PARCEL 2, AND BEING ON THE WESTERLY LINE OF PARCEL 1B; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 2 AND THE WESTERLY LINE OF SAID PARCEL 1B, N27°16'50"E, 250.00 FEET, TO AN INTERSECTION WITH A NON-TANGENT CIRCULAR CURVE, CONCAVE SOUTHEASTERLY AND HAVING A RADIUS OF 385.00 FEET; THENCE NORTHEASTERLY, ALONG THE NORTHERLY LINE OF SAID PARCEL 1B AND SAID CURVE, 152.21 FEET, THROUGH A CENTRAL ANGLE OF 22°39'08" AND A CHORD BEARING AND DISTANCE OF N47°23'15"E, 151.22 FEET; THENCE CONTINUE ALONG THE WESTERLY LINE OF SAID PARCEL 1B, N58°29'24"E, 888.54 FEET; THENCE S17°27'58"W, 387.72 FEET; THENCE S38°58'30"W, 439.67 FEET; THENCE S59°17'13"W, 173.82 FEET; THENCE S28°20'34"W, 392.05 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 100.00 FEET; THENCE SOUTHEASTERLY, ALONG SAID CURVE, 195.20 FEET, THROUGH A CENTRAL ANGLE OF 111°50'34" AND A CHORD BEARING AND DISTANCE OF S27°34'43"E, 165.65 FEET; THENCE S83°30'00"E, 313.82 FEET; THENCE S26°35'38"E, 220.01 FEET; THENCE S13°57'59"W, 485.97 FEET TO THE NORTHEAST CORNER OF AFOREMENTIONED PARCEL 4C; THENCE ALONG THE EASTERLY LINE OF SAID PARCEL 4C THE FOLLOWING TWO COURSES AND DISTANCES: S13°56'44"W, 34.11 FEET; and S32°37'22"W, 140.53 FEET, TO THE INTERSECTION WITH THE EASTERLY PROJECTION OF THE NORTH RIGHT-OF-WAY LINE OF WEST PLANTATION LANE AS PER OFFICIAL RECORD BOOK 251, PAGE 162; THENCE S89°07'51"W, 183.42 FEET ALONG SAID EASTERLY PROJECTION TO THE NORTHEAST CORNER OF SAID NORTH RIGHT-OF-WAY OF WEST PLANTATION LANE; THENCE CONTINUE S89°07'51"W, ALONG SAID NORTH RIGHT-OF-WAY LINE, 572.67 FEET; THENCE N00°00'00"E, 1303.07 FEET TO A POINT ON THE WESTERLY LINE OF PARCEL 4A AND THE SOUTHERLY

RIGHT-OF-WAY LINE OF WEST FORT ISLAND TRAIL (ALSO KNOWN AS STATE ROAD 44 AND KINGS BAY ROAD, RIGHT-OF-WAY WIDTH VARIES); THENCE ALONG SAID LINES, N57°25'17"W, 3.00 FEET, TO AN INTERSECTION WITH A NON-TANGENT CIRCULAR CURVE, CONCAVE NORTHWESTERLY AND HAVING A RADIUS OF 606.69 FEET; THENCE CONTINUE ALONG SAID LINES, NORTHEASTERLY, AN ARC DISTANCE OF 44.23 FEET, THROUGH A CENTRAL ANGLE OF 04°10'38" AND A CHORD BEARING AND DISTANCE OF N30°29'21"E, 44.22 FEET, TO THE POINT OF TANGENCY THEREOF; THENCE CONTINUE ALONG SAID LINE, N28°24'03"E, 117.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 31.047 ACRES (1,352,400 SQUARE FEET), MORE OR LESS.

PARCEL 600:

A PARCEL OF LAND, LYING IN SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, BEING COMPRISED OF A PORTION OF PARCELS 1B, 4A, 4B AND 4C, OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID PARCEL 4A AND THE SOUTHWEST CORNER OF PARCEL 2, AS DESCRIBED IN OFFICIAL RECORDS BOOK 2392, PAGES 1418 THROUGH 1428, OF THE PUBLIC RECORDS OF CITRUS COUNTY FLORIDA; THENCE S28°24'03"W, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST FORT ISLAND TRAIL (ALSO KNOWN AS STATE ROAD 44 AND KINGS BAY ROAD, RIGHT-OF-WAY WIDTH VARIES) AND ALONG THE WESTERLY LINE OF SAID PARCEL 4A, 117.00 FEET TO THE POINT OF TANGENCY OF A CIRCULAR CURVE, CONCAVE WESTERLY AND HAVING A RADIUS OF 606.69 FEET; THENCE CONTINUE ALONG SAID LINES, SOUTHWESTERLY, AN ARC DISTANCE OF 44.23 FEET, THROUGH A CENTRAL ANGLE OF 04°10'38" AND A CHORD BEARING AND DISTANCE OF S30°29'21"W, 44.22 FEET TO THE END OF THE CURVE; THENCE ALONG SAID LINES, S57°25'20"E, 3.00 FEET TO THE POINT OF BEGINNING; THENCE S00°00'00"W, 1303.07 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF AFOREMENTIONED PARCEL 4C AND THE NORTH RIGHT-OF-WAY LINE OF WEST PLANTATION LANE (50 FOOT WIDE RIGHT-OF-WAY); THENCE S89°07'51"W, ALONG SAID SOUTH LINE OF PARCEL 4C AND NORTH RIGHT-OF-WAY LINE, 980.55 FEET; THENCE ALONG SAID LINES, N79°26'30"W, 398.90 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL 4C; THENCE N10°33'56"E, 150.08 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 4C AND A POINT ON THE WESTERNMOST LINE OF AFOREMENTIONED PARCEL 1B; THENCE CONTINUE N10°33'56"E, ALONG SAID WESTERNMOST LINE OF PARCEL 1B, 63.57 FEET; THENCE ALONG SAID WESTERNMOST LINE, N00°39'25"W, 269.07 FEET TO THE SOUTHWEST CORNER OF AFOREMENTIONED PARCEL 4B; THENCE N16°56'49"W, 200.00 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 4B AND THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST FORT ISLAND TRAIL (ALSO KNOWN AS STATE ROAD 44 AND KINGS BAY ROAD, RIGHT-OF-WAY WIDTH VARIES); THENCE N73°03'02"E, ALONG THE NORTH LINE OF SAID PARCEL 4B AND SAID SOUTHERLY RIGHT-OF-WAY LINE, 910.69 FEET; THENCE ALONG SAID LINES, S16°56'58"E, 3.00 FEET; THENCE ALONG SAID LINES, N73°03'02"E, 195.24 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE, CONCAVE NORTHWESTERLY

AND HAVING A RADIUS OF 609.69 FEET; THENCE CONTINUE ALONG SAID LINES, NORTHERLY, AN ARC DISTANCE OF 311.10 FEET, THROUGH A CENTRAL ANGLE OF 29°14'09" AND A CHORD BEARING AND DISTANCE OF N58°25'57"E, 307.74 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 4B AND THE SOUTHWESTERLY CORNER OF AFOREMENTIONED PARCEL 4A; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE AND ALONG THE WESTERLY LINE OF SAID PARCEL 4A, NORTHERLY, AN ARC DISTANCE OF 119.57 FEET, THROUGH A CENTRAL ANGLE OF 11°14'13" AND A CHORD BEARING AND DISTANCE OF N38°11'46"E, 119.38 FEET TO THE POINT OF BEGINNING.

CONTAINING 29.685 ACRES (1,293,100 SQUARE FEET), MORE OR LESS.

PARCEL 700:

BEGIN AT THE MOST WESTERLY CORNER OF LOT 52, BLOCK T, KIMBERLY PLANTATION ESTATES, TRACT 4, AS RECORDED IN PLAT BOOK 8, PAGES 75, 76 AND 77, OF THE PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA; THENCE SOUTH 61°05'10" EAST, ALONG THE SOUTHWESTERLY LINE OF SAID LOT 52, A DISTANCE OF 150.92 FEET TO THE MOST SOUTHERLY CORNER OF SAID LOT 52; THENCE SOUTH 27°47'40" WEST, 249.96 FEET; THENCE NORTH 61° 05'10" WEST, PARALLEL TO THE SOUTHWESTERLY LINE OF SAID LOT 52, A DISTANCE OF 158.14 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF KINGS BAY ROAD (STATE ROAD NO. 44); THENCE NORTH 28°54'50" EAST, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 199.91 FEET TO THE P.C. OF A CURVE, CONCAVED SOUTHEASTERLY, HAVING A CENTRAL ANGLE OF 5°21'46" AND A RADIUS OF 535 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 50.08 FEET TO THE POINT OF BEGINNING (CHORD BEARING AND DISTANCE BETWEEN SAID POINTS BEING NORTH 31°35'43" EAST, 50.06 FEET).

CONTAINING 0.89674 ACRES (39,062 SQUARE FEET), MORE OR LESS.

PARCEL 800:

A PARCEL OF LAND LYING IN THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, CITRUS COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE S 89°40'40" W, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF WEST PLANTATION LANE (50 FEET WIDE AND FORMERLY KNOWN AS PLANTATION DRIVE AND PLANTATION ROAD, AS DESCRIBED IN THE RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 597, AT PAGE 109, AND OFFICIAL RECORDS BOOK 607, AT PAGE 46, OF SAID PUBLIC RECORDS), 4.99 FEET, TO THE POINT OF BEGINNING; THENCE

CONTINUE S 89°40'40" W, ALONG THE NORTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4, 803.10 FEET, TO THE EAST RIGHT-OF-WAY LINE OF NORTH GREENLEAF FOREST ROAD (50 FEET WIDE AS DESCRIBED IN THE RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 244, AT PAGE 720, OF SAID PUBLIC RECORDS); THENCE N 00°03'16" E, ALONG SAID EAST RIGHT-OF-WAY LINE, 119.76 FEET, TO THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY LINE OF WEST PLANTATION LANE; THENCE S 87°46'44" E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, 266.25 FEET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, S 78°56'33" E, 547.08 FEET, TO THE POINT OF BEGINNING.

CONTAINING 1.3610 ACRES (59,285 SQUARE FEET), MORE OR LESS.

PZ21-0041 – Outpost PUD – Applicant submittal of reports is a very large file, and is linked below from Microsoft Cloud.

[APPLICANT RESUBMITTAL 9-2-2022](#)



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	January 5, 2023
APPLICATION NO. PZ22-0089 – EASTROB, LLC RV RESORT - PUD	
PROPOSED AMENDMENT:	An Amendment to the Official Zoning Map of the City of Crystal River, Florida, to change the zoning on 14.04 acres +/- from Commercial Waterfront (CW) to Planned Unit Development (PUD), and to establish a Master Plan of Development known as "Eastrob, LLC RV Resort" for a planned recreational vehicle ("RV") park.
SUBJECT PROPERTY:	Section 28, Township 18 S, Range 17 E; specifically, Parcel ID: 17E18S28 23300 (Altkey #1092884), and Section 33, Township 18 S, Range 17 E; specifically, Parcel ID: 17E18S33 14400 (Altkey #1098017), as identified in the records of the Citrus County Property Appraiser; and which address is known as 9372 W Fort Island Trail, Crystal River, Florida. A complete legal description of the property is on file with the Planning & Development Services Department.
PROPERTY OWNER:	Eastrob, LLC
LAST OCCUPANT:	Vacant
LAND USE:	EXISTING FUTURE LAND USE is Waterfront Commercial (CW)
ZONING:	EXISTING ZONING is Waterfront Commercial (CW)
FLOOD ZONE:	According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE, with a Base Flood Elevation (BFE) of 12 feet, as found on FIRM Panel Number 12017C0189E. (Effective date: January 15, 2021)
SURROUNDING AREA:	North – Kingsbrook Condominiums (County CLR Residential Zoning) across creek (canal) South/Southeast – Plantation Golf Course and vacant (City PUD – Note: There is a pending application to renew/establish a master plan for a RV park and resort) East – Plantation Golf Course (City CH, High Intensity Commercial Zoning) West – Single family residential and vacant (County CLR Residential Zoning) across W Fort Island Trail
PREPARED BY:	Jenette Collins, AICP, Urban Planner; Department of Planning and Community Development Services

This item was initially advertised and scheduled to be heard by the Planning Commission at its November 3, 2022, meeting, but the applicant asked that the item be placed on a future agenda to allow time to address staff report issues. The applicant has since provided additional information with revised conditions and master plan modifications to address staff concerns. The items are addressed in this report. The revised conditions are presented in the attached draft ordinance shown in underline for proposed language and ~~strikethrough~~ for deleted language.

BACKGROUND INFORMATION: This is a request to rezone the subject property from CW to PUD, and to establish a master plan of development to allow a recreational vehicle (RV) park having a maximum 81 RV lots, and associated amenities including a gate house/check-in, manager's office

and RV guest gathering space, and recreational facilities. The applicant has advised that the project proposes to be a “RV Condo” while allowing for leasing of available sites.

The subject property, comprising 14.04 acres, has approximately 1,500 feet of frontage along W Fort Island Trail, a Citrus County maintained, 2-lane, minor collector road, and ranges from 150 to 650 feet in depth. The site is currently vacant, naturally wooded, and abuts a creek along its eastern boundary that extends through a culvert under W Fort Island Trail and to the coastal waters of Kings Bay (of the Crystal River).

ANALYSIS: In order to consider a master plan of development for the “RV Park” use, the zoning must be changed from CW to PUD. The Comprehensive Plan’s Future Land Use Map (FLUM) designation is CW, Waterfront Commercial, which allows a PUD as an underlying zoning district. As such, no amendment is necessary to the FLUM. The FLUM description of the CW Future Land Use category provides for water dependent businesses and water related uses. Allowed land uses include single-family residential, retail, water dependent uses, and water-related and tourist uses. Maximum impervious surface ratio (ISR) shall not exceed 50 percent (outside the City’s Community Redevelopment Area). The maximum floor to area ratio (FAR) shall not exceed 0.5 of the land area.

Zoning Considerations – The following table provides a summarized comparison of the existing CW zoning district and the proposed (rezoning) PUD district as specified in Chapter 2 of the Crystal River Land Development Code (LDC) .

Zoning District:	From: CW, Waterfront Commercial	To: PUD, Planned Unit Development
Allowed Use:	Water-related business and commercial uses, resort housing units, associated structures, and essential public services	Established for creative and responsible development projects that may include compatible residential use and related public facilities that shall be unified by a master development plan, as further described in Section 4.04.00. <i>Standards for Planned Unit Developments</i>
Max ISR:	50%	Per approved master plan (shall not exceed 50% per Future Land Use)
Max FAR:	0.5	Per approved master plan (shall not exceed 0.5 per Future Land Use)

Source: Crystal River Zoning Ordinance (Ord. No. 05-O-08)

It is noted that a RV Park shall only be allowed in a PUD District where the FLUM category is HC or CW (reference section 4.04.03, LDC). The master plan has been reviewed for conformance with section 4.04.05 *Recreational vehicle parks in a PUD district*, of the LDC. Further analysis is provided as follows.

Density/Intensity – The master plan proposes 81 RV spaces on 14.04 acres, which equates to 5.77 RV units per acre. This is less than (and in keeping with) the maximum allowed 8 RV spaces per gross acres per the LDC.

Site requirements for a PUD specify that a RV Park is allowed a maximum allocation of 70 percent of the overall site. The plan proposes to maintain 31.5 percent for common facilities and recreation

area, 8.4 percent for open space/drainage, and 10.6 percent for landscape buffer. These amenity and open space areas equate to approximately 50 percent of the total project area; the other 50 percent is allocated for RV spaces, internal roadways, and parking areas. The proposed density/intensity is found to be consistent with the requirements of the LDC for PUD and RV Parks.

Lot Dimensions/Setbacks: The RV spaces have been designed to have access from internal driveways and are dimensioned to meet two styles of RVs: Class A and Class B or C. Internal setbacks are in keeping with section 4.04.05 (C.), and have been identified on the proposed master plan. All lots and proposed structures have been positioned to maintain the required 25-foot setback from the creek (canal) area per the LDC.

Aside from the required setbacks, there is a requirement of section 4.04.05 (C.)(7.) that restroom and bath facilities shall be located within five hundred (500) feet from any RV space. The applicant has made a **waiver request** to allow the restroom/bathroom facilities to be less than the required minimum 500-foot separation from any RV space by advising that "...modern RVs have self-contained restrooms." Such request would affect approximately 30 spaces in the Class A RV site section that would be located further than 500 feet from the proposed restroom facilities. The furthest space is located approximately 1,000 feet from the restroom/bathroom facilities.

Impervious Surface Ratio (ISR) – ISR is proposed at 31.9 percent, which is below the maximum 50 percent allowed by the Comprehensive Plan in the CW Future Land Use Category.

Landscape and buffering – The master plan proposes the required 30-foot, type D landscape buffer along W Fort Island Trail and other property lines, except where the project site abuts the creek where the applicant has made a **waiver request** to not require a landscape buffer since it *"...would take away from this amenity and 1/3 use as passive recreational area."* If the Council is so inclined to consider this waiver, staff recommends a condition that, at minimum, any "Heritage Trees" be maintained and protected. Heritage Trees are defined in section 4.05.05 Requirements for trees and tree protection, as live oaks that are twenty-four (24) inches or larger diameter at breast height (DBH), and any other tree thirty (30) inches or larger DBH.

The applicant proposes a 6-foot privacy fence to be located within the proposed landscape buffer to be located along W Fort Island Trail and along the south project boundary where shown on the plan. Fences may be required as per Section 4.04.05 (C.)(3.) to protect public safety, neighboring property, or aesthetics. Staff recommends a condition that the design and location of the fence within the buffer shall require review and final approval by the Planning and Community Development Services Department Director.

Internal Circulation/Parking – The applicant proposes 24-foot wide, paved internal roadways and parking in accordance with the requirement of section 4.04.05 (C.)(4.) of the LDC for internal roadways. Since the initial submittal, the applicant has revised the site plan to demonstrate compliance with section 4.04.05 (C.)(4.) *Internal roadways and circulation*, requirements for a continuous path of travel having no dead-end or cul-de-sac.

Refuse Collection – The LDC (section 5.01.10) requires dumpster or garbage containers for commercial development. All such facilities shall be screened with plantings or fencing and shall not be located within any required buffer area, including parking lot landscaping or stormwater management area. Land Development Code requirements for dumpster containment will be applied

at time of development permit. The Citrus County Landfill is operating at a satisfactory Level of Service.

Phasing Plan – No phasing plan is proposed. However, the applicant has advised that a “condo plat” is intended to allow the sale of RV spaces. The LDC requires that PUD’s shall remain under a unified control, such that section 4.04.02 Minimum requirements of for a PUD district, of the LDC, requires that there shall be legal instruments that provide for the unified control and perpetual maintenance of the private drives, common areas and ancillary facilities to the satisfaction of the City. The final plat and related legal instruments shall be recorded in the public record of the Citrus County Clerk of Court. Staff recommends a condition to address this requirement.

Flood Plain Management – As noted in the matrix summary, the subject property lies in an AE Flood Hazard Zone, having a required base flood elevation of 12 feet above mean sea level (MSL). According to the Digital FEMA FIRM Map, elevation contours for the property vary from 1- to 5-foot above MSL, being 1-foot by the creek with the elevation grade increasing to 5 feet approaching W Fort Island Trail. The majority (center) of the site is 2 to 3 feet in elevation. Significant fill and/or floodproofing of permanent structures will be required to meet the flood elevation requirement.

Article XV. Floodplain Administration of the Crystal River Code of Ordinances , section 6-194 addresses recreational vehicles for temporary placement. As transient uses, the RVs must be road ready in event of a declared storm requiring evacuation. To satisfy these requirements, staff recommends a condition requiring that each RV on the subject property shall remain, at all times, fully licensed and ready for highway use, and that accommodations are made, if necessary, with a third-party entity to remove the RVs in the event of an emergency or mandatory evacuation order. This language shall be incorporated into the covenants and restrictions encumbering the property. A condition (reference condition 8. of the draft ordinance) to this effect has been prepared by staff. *The applicant has requested a revision of this condition to remove the requirement for a third-party entity to be required (See strikethrough/underlines in condition 8. of the draft ordinance).*

The applicant has advised that no park trailers (park models) are proposed, as park trailers are expressly prohibited by the LDC.

Environmental Factors – In the submittal, the applicant has advised that “There are no environmental constraints.” Section 4.04.05 (B.)(3) requires that RV parks shall only be permitted where allowed by PUD classification and shall not be permitted in any area found unsuitable for such development because of poor or undesirable drainage, physical topography, soil characteristics, public access or other features that may be harmful to the public health, safety, and general welfare. This area of the City has a history of drainage issues and karst topography.

Soil Types and Indications – According to the soil survey prepared for the subject property, the site contains the following soil types.

Map Unit Symbol	Acres	%	Map Unit Name	Parent Material	Typical Profile	Drainage Class	Depth to Water Table
11	0.2	1.7%	Tavares fine sand, 0 to 5 percent slopes	Eolian or sandy marine deposits	0-80": Fine Sand	Moderately well drained	42" to 72"
13	0.2	1.7%	Okeelanta Muck	Herbaceous organic material	0-38": Muck; 38-80": Fine sand	Very poorly drained	Surface (about 0 inches)

Map Unit Symbol	Acres	%	Map Unit Name	Parent Material	Typical Profile	Drainage Class	Depth to Water Table
				over sandy marine deposits			
22	11.1	78.6%	Quartzipsamments, 0 to 5 percent slopes	Sandy marine deposits	0-80": Fine Sand	Well drained	More than 80"
58	2.0	13.9%	Myakka, limestone substratum-EauGallie, limestone substratum complex	Sandy marine deposits	0-62":fine sand; 62-66" unweathered bedrock	Poorly drained	6" to 18"
99	0.6	4.2%	Water	-	-	-	-
Totals	14.1	100.0%					

Source: United States Department of Agriculture, Natural Resources Conservation Service, (USDA soil survey, 2022)

Based on the information provided by the USDA soil survey, approximately 2 acres (13.9 percent of the site) located on the project’s southern proximity contains soils that indicates the depth of water table is 6” to 18”. The master plan designates this area to be used for drainage and open space. No boring tests or supplemental information have been provided by the applicant about how the drainage pond will be designed to prevent stormwater from directly entering the aquifer. (Refer to **Stormwater Management** section below.)

Biological Survey – The LDC section 3.02.01 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. The site contains a distinguishable amount of wooded area. A Biological survey will be required at time of development permit in accordance with LDC standards.

It is noted that the Florida Department of Environmental Protection (FDEP) requires an Environmental Resource Permit (ERP) before a project begins any construction activity that would affect wetland, alter surface water flows, or contribute to water pollution. The ERP requirement is a function of the State of Florida.

Proximity to Crystal River Airport - The LDC (section 10.01.01 Submittal for all applications), requires that any development application for development proposed within the airport height notification zone established for the Crystal River Airport shall provide notification to the Federal Aviation Administration (FAA) as required by Title 14, Code of Federal Regulations, Part 77 Subpart C. The site appears to be located north and outside of the approach slope for the airport, however the FAA Notice Criteria Tool indicates that the applicant shall file with FAA for a letter of “No Hazard to Air Navigation.”

INFRASTRUCTURE:

Transportation (Ingress/Egress) – The master plan proposes a single entry/exit point at W Fort Island Trail, which is a county-maintained right-of-way designated as a minor collector on Citrus County’s Functional Classification Map Series for roadways. Citrus County Government does not require a transportation concurrency study, but does review for traffic ingress and egress lane requirements.

The following comments were provided by the County's Division of Engineering in an email dated December 12, 2022.

- We have no objection to the location of the project driveway as it is located directly opposite the street intersection for W Woodward Park St.
- We see that the applicant is proposing a fence along W. Ft Island Tr and have included a corner clip of the fence at the project entrance to allow for intersection sight visibility. We would suggest that the applicant be made to also ensure that the driveway apron meets the clear sight triangle requirements of Section 212.11.1 of the FDOT Design Manual.
- The applicant is advised that a right of way utilization permit will be required for any improvements proposed within the right of way of West Fort Island Trail, which improvements may include turn lane improvements, driveway apron, water or sewer connections. Refer to Section 7320, Protection and use of rights-of-way, of the LDC.
- Turn lane improvements and right of way dedication will be required. The right of way dedication shall be a minimum of 12-ft wide by the length of the of turn lane added. Refer to the Multimodal Transportation Element Policy 10.B.4.1.

A condition is recommended that the developer shall provide the County a professional engineer's analysis as to safety and operational capacities of the adjacent collector roadway so that the County may determine any offsite improvements that may be required for connection as may be warranted by the analysis.

The City's Multi-Modal Transportation Element (prepared by Kimley Horn in 2018), indicates in Table 2-3: Existing AADT and Level of Service¹ (LOS), that this segment of roadway has been designated at a Level of Service (LOS) Standards D. According to the Element, Table 2-4: Existing Peak Hour, Peak Direction, and Level of Service² indicates that in a peak hour, eastbound direction, this segment of roadway is functioning at a LOS D.

It is noted that W Fort Island Trail 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 LOS for out-of-county hurricane evacuation to be no greater than 16 hours for a category 5 storm event (reference **Consistency with the Comprehensive Plan** section below). The subject property is in the Coastal High Hazard Area (CHHA)³ 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**

¹ Crystal River Comprehensive Plan, Multi-Modal Transportation Element, Table 2-3 Existing AADT and Level of Service, Source: Traffic counts from Crystal River/Citrus County and FDOT (2107 Florida Traffic Online), pg. 9

² Ibid, Table 2-4: Existing Peak Hour, Peak Direction, and Level of Service, Source : Traffic Counts from Crystal River/Citrus County and FDOT (2017 Florida Traffic Online), pg. 10

³ 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].

Transportation Element, the out-of-county clearance time for 2020 projections ranged from 18.5 to 54.0 hours based on the Evacuation Level.

In a memorandum dated November 21, 2022, the applicant addresses this concern by adding text addressing park closing and renter evacuation (See strikethrough/underlines in condition 8. of the draft ordinance). The applicant is not opposed to submitting an evacuation plan per proposed condition 10. of the draft ordinance.

Water – The project is required to connect to a public potable water supply system. The City of Crystal River has adequate water supply to serve the project. Extension of utility lines constructed within the public roadway will require right-of-way utilization permits from Citrus County Government.

Sewer – The project is required to connect to the City of Crystal River sanitary sewer system. The City has adequate capacity to service the project. 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 a commercial project. 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.

As written above in **Environmental Factors**, no boring tests or supplemental information have been provided by the applicant about how the drainage pond will be designed to prevent stormwater from directly entering the aquifer, which may impact Kings Bay. The Crystal River, including Kings Bay, is listed as a “Special Water” of Outstanding Florida Waters (OFW) by the FDEP.

In a memorandum dated November 21, 2022, the applicant advised that... “The site elevation is 3’ – 5’. The only fill will be for the clubhouse facilities. Per Paul Gibbs, the proposed ponds are relatively shallow and meet the higher treatment standard given OFW status.”

CONSISTENCY WITH THE COMPREHENSIVE PLAN: The City’s Comprehensive Plan establishes its Future Land Use designations and map. The request to rezone the 14.04-acre property from CW to PUD and to establish a Master Plan of Development for the PUD is found consistent with the City’s Future Land Use Element of the Comprehensive Plan for the CW, Highway Commercial category as shown on the Future Land Use Map for the subject property.

The following objectives and policies of the **Future Land Use Element** are cited:

OBJECTIVE 3.1: *The City shall preserve, protect and improve the character of the City through the implementation of compatibility standards and the consideration of innovative development standards that may include transfer of development rights, planned unit developments, form-based regulations, conservation subdivisions, or other regulations that encourage mixed use and clustered development patterns.*

POLICIES:

A) The planned unit development or PUD concept may be utilized in Crystal River.

A-1: All planned unit development shall go through a site plan review which examines impact on the environment, compatibility with adjacent land uses, provision of on-site parking, stormwater retention, landscaping, and provision of urban services.

A-2: All planned unit development on waterfronts lots must go through a site plan review which examines impact on land uses, provisions of onsite parking, stormwater retention, landscaping, and provision of urban services.

Staff Response: The PUD provides the benefit of a Master Plan of Development that serves to mitigate against potential conflicts with adjacent land uses where compatibility is a concern. However, several issues (identified below) must be addressed to preserve, protect the City and its residents.

The following Objective and Policies of the **Coastal Management Element** are cited:

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.

C) The Coastal High-Hazard Area (CHHA) is defined as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. All proposed Comprehensive Plan Amendments and new developments within the CHHA must meet the following criteria:

- 1. The adopted LOS for "out of county" hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale.*
- 2. A 12 hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of a development contemplated by the proposed comprehensive plan amendment is available; or*
- 3. Appropriate mitigation is provided that will satisfy Policy C1. Or 2). Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities not to exceed the amount required for a developer to accommodate impacts reasonably attributable to development.*
 - a. City shall enter into a binding contract with the developer detailing with any required mitigation.*
 - b. If the LOS for the host evacuees has not been established the LOS shall not exceed 16 hours for a category 5 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 Ft. Island Trail, US 19, and the remainder of the evacuation route through the county.

OBJECTIVE 6.1: *The City of Crystal River shall ensure that the provision of roads, potable water, sanitary sewer, **drainage** and solid waste facilities and services required to maintain the adopted Level of Service standards shall be consistent and phased with the level of development proposed in the Future Land Use Element*

POLICY:

D) Stormwater Management – *Ensure through monitoring programs and development approvals that stormwater management systems do not degrade coastal resources.*

Staff Response: No boring tests or supplemental information have been provided by the applicant about how the drainage pond will be designed to prevent stormwater from directly entering the aquifer and posing a risk to groundwater quality beneath the site, which may impact Kings Bay.

The following Objective, and Policies of the **Manatee Protection Element** are cited:

Marina/Boat Facilities

OBJECTIVE 1.2. *New marinas or /boat facilities and boat ramps in the coastal waters of the City of Crystal River shall be located on sites which exhibit the following criteria:*

- 1) *Minimize manatee/boat overlap; and*
- 2) *Minimize the disturbance of wetlands.*

Only two sites which meet both criteria 1 and 2 have been identified as suitable sites for new facilities on the Crystal River and Kings Bay: one at Fort Island and one near the mouth of the Crystal River (see MP 4). Neither location is within the City of Crystal River.

POLICIES:

- A.** *A new marina or boating facility or boat ramp may only be constructed if an existing boat ramp facility of similar capacity within an Essential Habitat area is permanently closed.*
- B.** *Nothing in this policy shall be construed to prohibit safety improvements to existing public boat ramps.*
- C.** *Utilize brochures, signage and other public relation tools to encourage boaters whose destination is the Gulf to use boat ramps which reduces their potential boat/manatee overlap to a minimum instead of unnecessarily navigating critical habitats or other coastal rivers in which manatees are known to congregate.*

Staff Response: The master plan initially proposed a canoe/kayak livery, launch, ramp as an ancillary use of the RV Park's available recreational amenities. The **Manatee Protection Element** of the Comprehensive Plan prohibits the establishment of any new marinas or boating launching facilities within the coastal waters of the Crystal River Kings Bay area for

the protection of essential manatee habitat. This includes the waterways leading into King's Bay. The existing creek (waterway) along the project's eastern boundary, extends through a culvert under Fort Island Trail to the coastal waters of Kings Bay.

The request to have a ramp and boat launch facility was found inconsistent with the above cited Objective and Policies of the **Manatee Protection Element**. Staff recommended that the proposed canoe/kayak facility and ramp be prohibited to protect manatee habitat and minimize manatee/boat overlap.

Since the initial submittal, the applicant has revised the master plan to remove the ramp and has modified condition 11. in the draft ordinance to allow for one dock (allowed by the element) and provides standards for allowing non-motorized canoe and kayaks.

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

FINDINGS: As conveyed in subsection (B.) of 8.02.03 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 official zoning map (rezoning), and amend the official zoning map to PUD together with a PUD master plan.

The RV park design, setbacks and other dimensional standards shall comply with all requirements set forth in Section 4.04.05, of the LDC, for RV parks, except for any deviations (waivers) that may be approved by the Council as requested by the applicant.

The following findings are presented:

1. The request is to change the zoning on 14.04 acres +/- from Commercial Waterfront (CW) to Planned Unit Development (PUD), and to establish a Master Plan of Development known as Eastrob, LLC RV Resort" for a planned RV park having 81 RV spaces (platted for sales) and related amenities.
2. The request to rezone property from CW to PUD and to establish a Master Plan of Development for the PUD is found consistent with the City's Future Land Use Element of the Comprehensive Plan for the CW, Highway Commercial category as designated on the Future Land Use Map provided adequate assurances can be made to mitigate any negative concerns expressed in this report.
3. The project shall be served by central water and central sewer.
4. A waiver request has been made by the applicant to allow the restroom/bathroom facilities to be less than the required minimum 500-separation from any RV space.
5. A waiver request has been made by the application to not require a landscape buffer where the project site abuts the creek.
6. Inadequate information has been provided by the applicant about how the drainage pond will be designed to prevent stormwater from directly entering the aquifer and posing a risk to groundwater quality beneath the site, which may impact Kings Bay, and is inconsistent with the

Coastal Management Element policy to ensure that stormwater management facilities do not degrade coastal resources.

7. The proposed project in the CHHA, gains access from W Fort Island Trail, that is identified in the Comprehensive Plan, Multi-Modal Transportation Element, as being part of the Crystal River Evacuation Route system. The out-of-county clearance time for 2020 projections ranged from 18.5 to 54.0 hours which exceeds the evacuation LOS. The additional evacuation trips from the site will create additional clearance times for the County along Ft. Island Trail, US 19, and the remainder of the evacuation route through the county.
8. Turn lane improvements and right-of-way dedication to the county will be required.

STAFF RECOMMENDATION: Staff is unable to support the requested application due to concerns expressed herein and findings concluded above. The applicant has addressed concerns expressed by staff, although additional professional reports may be necessary to fully address such aspects as stormwater drainage in respect to aquifer protection, and evacuation concerns. Conditions of approval have been provided in **Exhibit B** of the draft ordinance (see backup) to assist in mitigating concerns expressed herein.

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES: Please see Staff's PowerPoint presentation.

PLANNING COMMISSION ACTION: As conveyed in subsection (C.) (#4) of 10.03.04. (Procedures for action by the Planning Commission) of the LDC, the Planning Commission shall recommend to the City Council that the application(s) be approved, approved with conditions (changes), or denied.

- 1) PZ22-0089 - Zoning Map PUD Amendment

ATTACHMENTS:

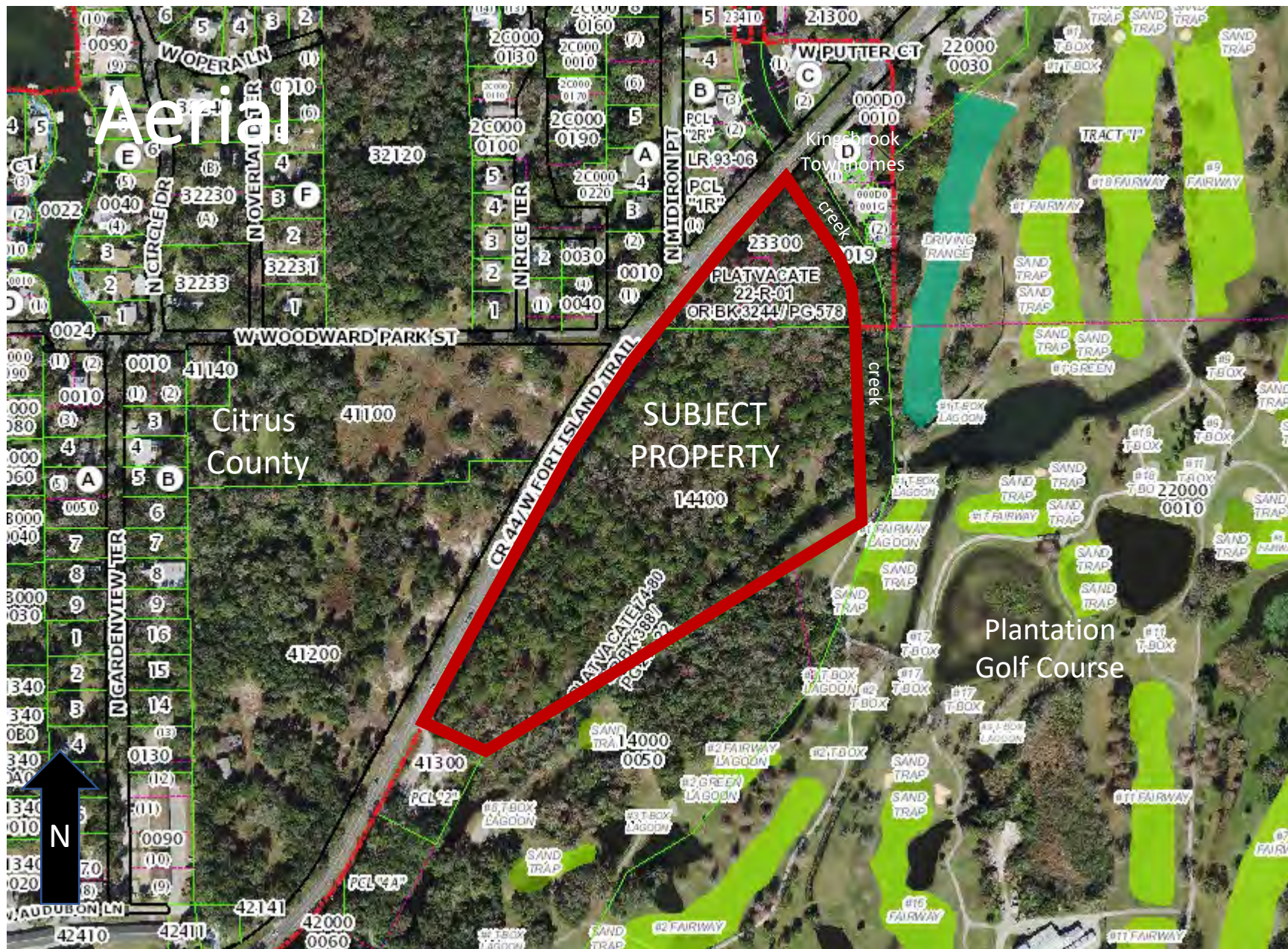
1. Staff PowerPoint Presentation
2. Email from Cynthia Jones, Citrus County Division of Engineering, dated December 7, 2022.
3. Draft Ordinance
4. Applicant's Submittal with supporting documents



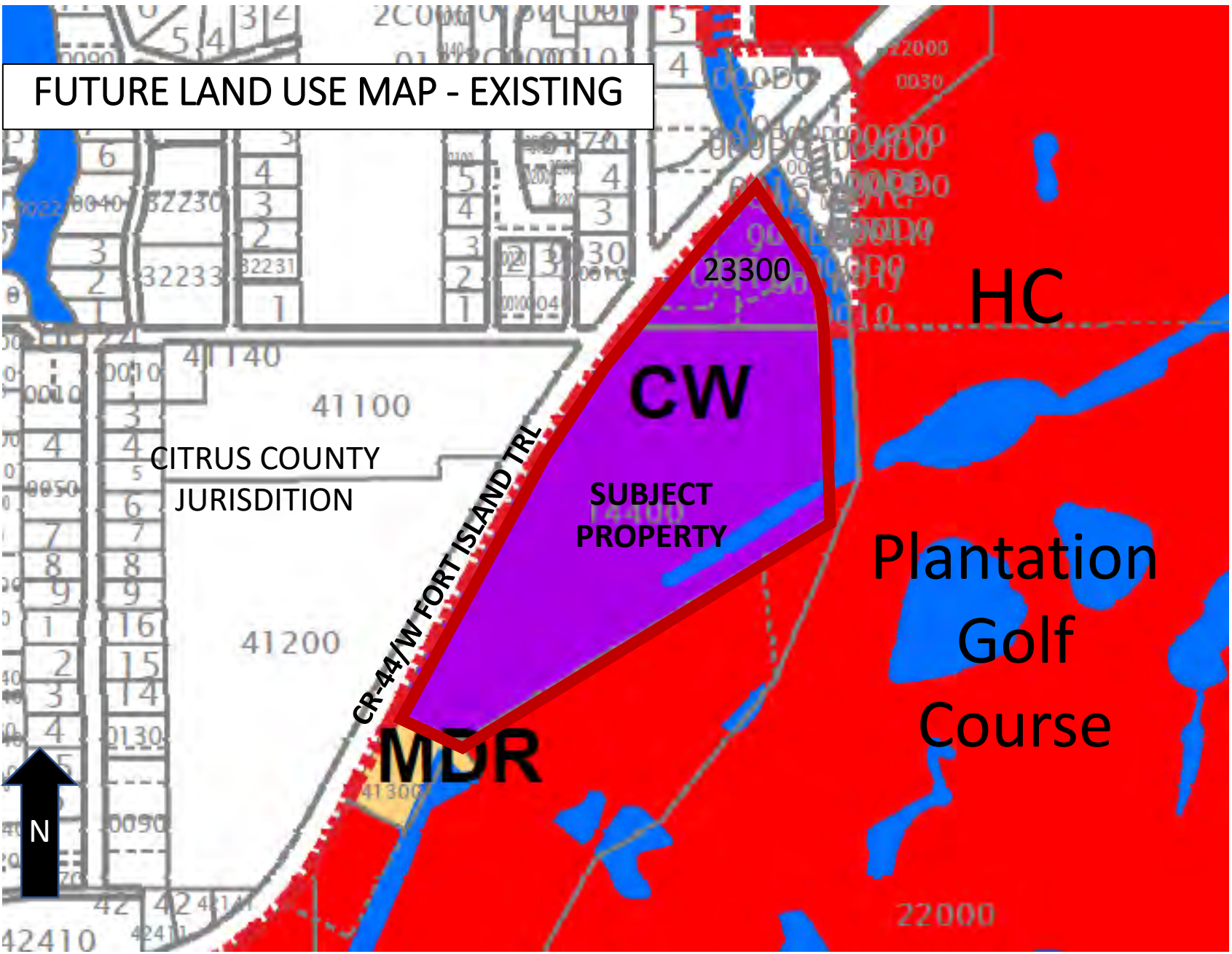
PZ22-0089

**REZONING TO PUD AND ADOPT A MASTER PLAN OF
DEVELOPMENT KNOWN AS EASTROB, LLC RV RESORT**

EASTROB, LLC



Crystal River Planning Commission Meeting of January 5, 2023



FUTURE LAND USE MAP - EXISTING

CITRUS COUNTY JURISDICTION

CR-44/W FORT ISLAND TR

CW

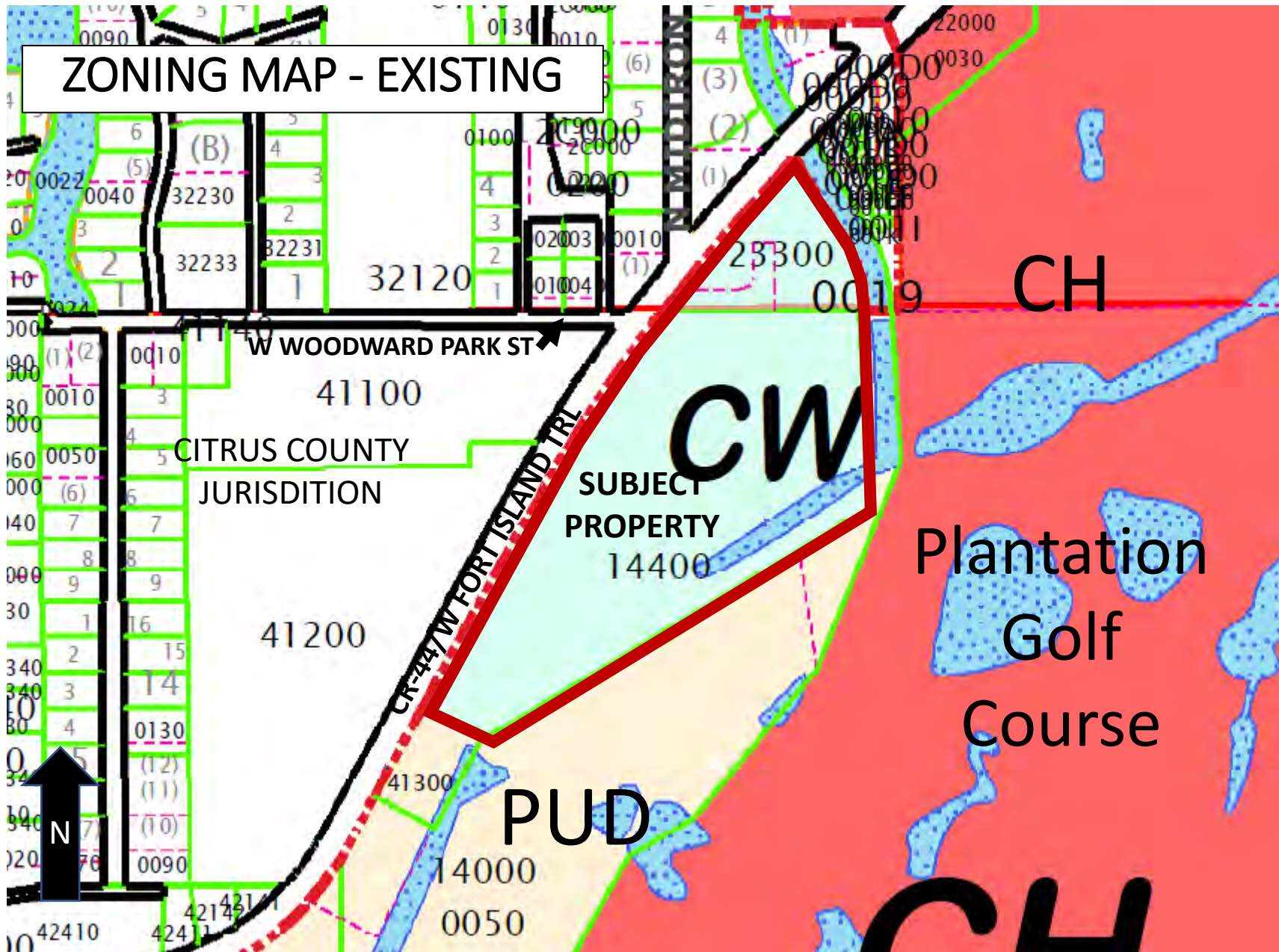
SUBJECT PROPERTY

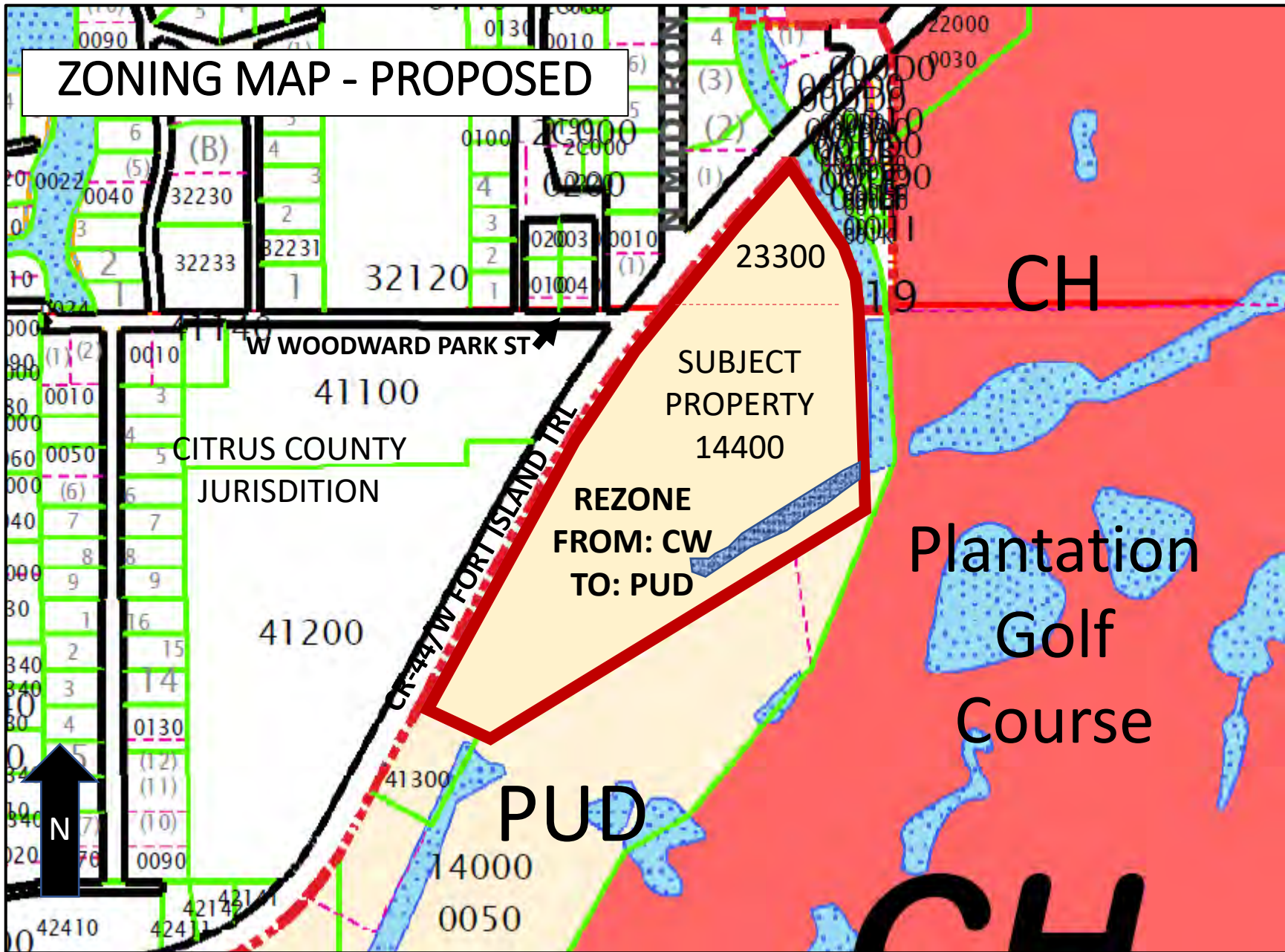
HC

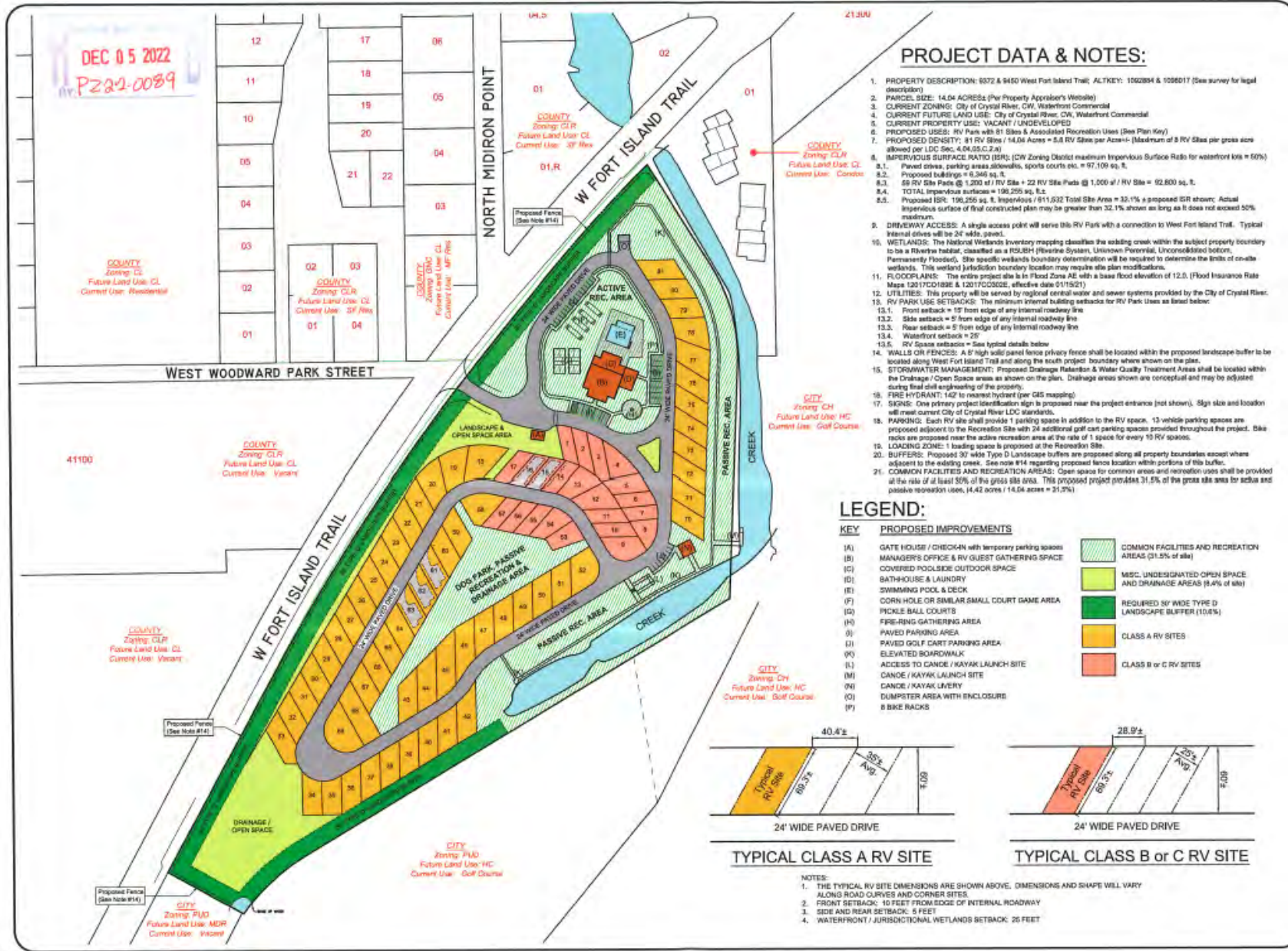
Plantation Golf Course

MDR









DEC 05 2022
P221-0089

PROJECT DATA & NOTES:

- PROPERTY DESCRIPTION: 6372 & 9450 West Fort Island Trail; ALTKY: 1502894 & 1096017 (See survey for legal description)
- PARCEL SIZE: 14.04 ACRES (Per Property Appraiser's Website)
- CURRENT ZONING: City of Crystal River, CR, Waterfront Commercial
- CURRENT FUTURE LAND USE: City of Crystal River, CR, Waterfront Commercial
- CURRENT PROPERTY USE: VACANT / UNDEVELOPED
- PROPOSED USES: RV Park with 81 Sites & Associated Recreation Uses (See Plan Key)
- PROPOSED DENSITY: 81 RV Sites / 14.04 Acres = 5.8 RV Sites per Acre +/- Maximum of 8 RV Sites per gross acre allowed per LDC Sec. 4.04.05.C.2.a)
- IMPERVIOUS SURFACE RATIO (ISR): (CR Zoning District maximum Impervious Surface Ratio for waterfront lots = 50%)
 - Paved drives, parking areas, sidewalks, sports courts etc. = 97,109 sq. ft.
 - Proposed buildings @ 6,360 sq. ft.
 - 89 RV Site Pads @ 1,200 sq. ft. / RV Site = 22 RV Site Pads @ 1,000 sq. ft. / RV Site = 92,800 sq. ft.
 - TOTAL Impervious Surface = 196,259 sq. ft.
 - Proposed ISR: 196,259 sq. ft. Impervious / 611,632 Total Site Area = 32.1% as proposed ISR shown; Actual Impervious Surface of final constructed plan may be greater than 32.1% shown as long as it does not exceed 50% maximum.
- DRIVEWAY ACCESS: A single access point will serve this RV Park with a connection to West Fort Island Trail. Typical Internal drives will be 24' wide, paved.
- WETLANDS: The National Wetlands Inventory mapping identifies the existing creek within the subject property boundary to be a Riverine habitat, classified as a R2UB1 (Riverine System, Unknown Periodic, Unconsolidated bottom, Permanently Flooded). Site specific wetlands boundary determination will be required to determine the limits of on-site wetlands. This wetland jurisdiction boundary location may require site plan modifications.
- FLOOD PLAINS: The entire project site is in Flood Zone All with a base flood elevation of 12.0. (Flood Insurance Rate Maps 1201TC0018E & 1201TC002E, effective date 01/15/21)
- UTILITIES: This property will be served by regional central water and sewer systems provided by the City of Crystal River.
- RV PARK USE SETBACKS: The minimum internal building setbacks for RV Park Uses as listed below:
 - 13.1. Front setback = 10' from edge of any internal roadway line
 - 13.2. Side setback = 5' from edge of any internal roadway line
 - 13.3. Rear setback = 5' from edge of any internal roadway line
 - 13.4. Waterfront setback = 20'
 - 13.5. RV Space setbacks = See typical details below
- WALLS OR FENCES: A 6" high solid panel fence privacy fence shall be located within the proposed landscape buffer to be located along West Fort Island Trail and along the south project boundary where shown on the plan.
- STORMWATER MANAGEMENT: Proposed Drainage Retention & Water Quality Treatment Areas shall be located within the Drainage / Open Space areas as shown on the plan. Drainage areas shown are conceptual and may be adjusted during final civil engineering of the property.
- FIRE HYDRANT: 142' to nearest hydrant (per GIS mapping)
- SKINS: One primary project identification sign is proposed near the project entrance (not shown). Sign size and location will meet current City of Crystal River LDC standards.
- PARKING: Each RV site shall provide 1 parking space in addition to the RV space. 13 vehicle parking spaces are proposed adjacent to the Recreation Site with 26 additional golf cart parking spaces provided throughout the project. Bike racks are proposed near the active recreation area at the site of 1' spaces for every 10 RV spaces.
- LOADING ZONE: Loading space is proposed at the Recreation Site.
- BUFFERS: Proposed 30' wide Type D Landscape buffers are proposed along all property boundaries except where adjacent to the existing creek. See note #14 regarding proposed fence location within portions of this buffer.
- COMMON FACILITIES AND RECREATION AREAS: Open space for common areas and recreation uses shall be provided at the rate of at least 50% of the gross site area. This proposed project provides 31.5% of the gross site area for active and passive recreation uses, (4.42 acres / 14.04 acres = 31.5%)

LEGEND:

KEY	PROPOSED IMPROVEMENTS	COMMON FACILITIES AND RECREATION AREAS (31.5% of site)
(A)	GATE HOUSE / CHECK-IN with temporary parking spaces	MISC. UNDESIGNATED OPEN SPACE AND DRAINAGE AREAS (9.4% of site)
(B)	MANAGER'S OFFICE & RV GUEST GATHERING SPACE	REQUIRED 30' WIDE TYPE D LANDSCAPE BUFFER (10.6%)
(C)	COVERED POOLSIDE OUTDOOR SPACE	CLASS A RV SITES
(D)	BATH-HOUSE & LAUNDRY	CLASS B or C RV SITES
(E)	SWIMMING POOL & DECK	
(F)	CORN HOLE OR SIMILAR SMALL COURT GAME AREA	
(G)	PICKLE BALL COURTS	
(H)	FISHING GATHERING AREA	
(I)	PAVED PARKING AREA	
(J)	PAVED GOLF CART PARKING AREA	
(K)	ELEVATED BOARDWALK	
(L)	ACCESS TO CANOE / KAYAK LAUNCH SITE	
(M)	CANOE / KAYAK LAUNCH SITE	
(N)	CANOE / KAYAK LAUNCH SITE	
(O)	DUMPSTER AREA WITH ENCLOSURE	
(P)	8 BIKE RACKS	



TYPICAL CLASS A RV SITE TYPICAL CLASS B or C RV SITE

- NOTES:
- THE TYPICAL RV SITE DIMENSIONS ARE SHOWN ABOVE. DIMENSIONS AND SHAPES WILL VARY ALONG ROAD CURVES AND CORNER SITES.
 - FRONT SETBACK: 10 FEET FROM EDGE OF INTERNAL ROADWAY.
 - SIDE AND REAR SETBACK: 5 FEET
 - WATERFRONT / JURISDICTIONAL WETLANDS SETBACK: 25 FEET



1713 East Cleveland Street
Hernando, FL 34442
Phone: 352-637-1122
Cell: 352-637-0000
Paul C. Gibbs
Registered Landscape Architect
No. LA0001168
State of Florida



Paul Gibbs,
RLA LA
0001189 State
of Florida
Digitally signed
by Paul Gibbs,
RLA LA 0001189
State of Florida
Date: 2022.12.02
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**EASTROB,
LLC**

RV RESORT

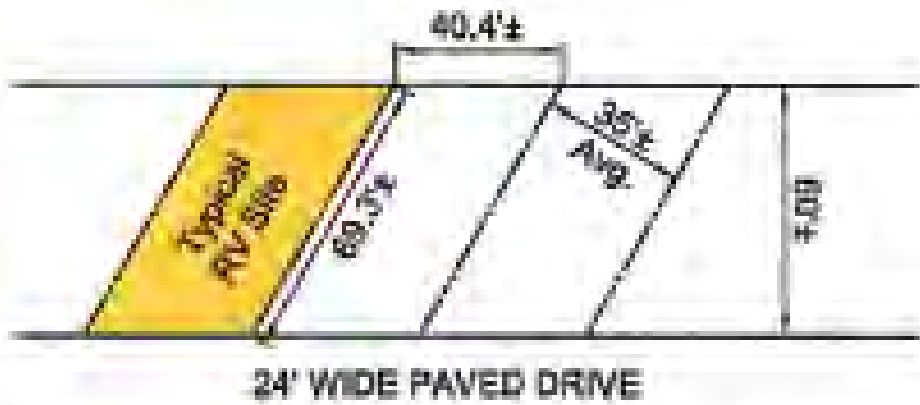
**PUD Master
Site Plan
09/15/22**

6372 & 9450 West Fort
Island Trail
Crystal River, FL

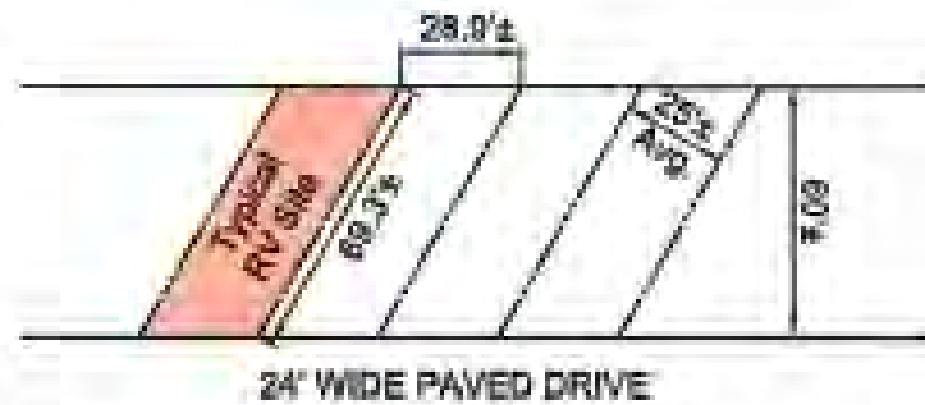


DRAWN BY: POC
DATE: 09/15/22
REVISIONS:
SCALE: 1" = 30'

**SHEET
1 OF 1**



TYPICAL CLASS A RV SITE



TYPICAL CLASS B or C RV SITE

NOTES:

1. THE TYPICAL RV SITE DIMENSIONS ARE SHOWN ABOVE. DIMENSIONS AND SHAPE WILL VARY ALONG ROAD CURVES AND CORNER SITES.
2. FRONT SETBACK: 10 FEET FROM EDGE OF INTERNAL ROADWAY
3. SIDE AND REAR SETBACK: 5 FEET
4. WATERFRONT / JURISDICTIONAL WETLANDS SETBACK: 20 FEET

Subject Property on W Fort Island Trail (Posted 10-10-2022)



Crystal River Planning Commission Meeting of January 5, 2023

Looking east on Fort Island Trail toward bridge (subject property on right)



Crystal River Planning Commission Meeting of January 5, 2023

Looking southeast on creek from bridge (subject property on right)



Crystal River Planning Commission Meeting of January 5, 2023

Looking west on Fort Island Trail (subject property on left)



Looking north across street from subject property toward Midiron Point



Crystal River Planning Commission Meeting of January 5, 2023



QUESTIONS?

PZ22-0089

**REZONING TO PUD AND ADOPT A MASTER PLAN OF
DEVELOPMENT KNOWN AS EASTROB, LLC RV RESORT**

EASTROB, LLC

From: [Jenette Collins](#)
To: ["Cynthia L. Jones"](#)
Subject: RE: [EXTERNAL]Request for Input - Eastrob LLC RV Resort - W Fort Island Trail
Date: Wednesday, December 07, 2022 3:24:00 PM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)

Thank you Cindy. Your comments will be added to the findings report for this application.

Jenette Collins, AICP
Urban Planner

Planning & Community Development Services

[City of Crystal River](#)

123 NW Highway 19

Crystal River, Florida 34428

Direct: 352-795-4216 x 340

jcollins@crystalriverfl.org

Link to Crystal River Land Development Code [Mini TOC: APPENDIX A - LAND DEVELOPMENT CODE](#) | [Code of Ordinances](#) | [Crystal River, FL](#) | [Municode Library](#)

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From: Cynthia L. Jones <cynthia.jones@citrusbocc.com>

Sent: Wednesday, December 07, 2022 3:13 PM

To: Jenette Collins <jcollins@crystalriverfl.org>

Cc: Brian Herrmann <BHerrmann@crystalriverfl.org>; Zachary Cciera <zciera@crystalriverfl.org>; Walt Eastmond <WALT.EASTMOND@citrusbocc.com>

Subject: RE: [EXTERNAL]Request for Input - Eastrob LLC RV Resort - W Fort Island Trail

Good Morning,

First let me apologize for the late reply. We appreciate the opportunity to comment on this project. We have a few comments:

- We have no objection to the location of the project driveway as it is located directly opposite the street intersection for W Woodward Park St.
- We see that the applicant is proposing a fence along W. Ft Island Tr and have included a corner clip of the fence at the project entrance to allow for intersection sight visibility. We would suggest that the applicant be made to also ensure that the driveway apron meets the clear sight triangle requirements of Section 212.11.1 of the FDOT Design Manual.
- The applicant is advised that a right of way utilization permit will be required for any improvements proposed within the right of way of West Fort Island Trail, which improvements may include turn lane improvements, driveway apron, water or sewer connections. Refer to Section 7320, Protection and use of rights-of-way, of the LDC.
- Turn lane improvements and right of way dedication will be required. The right of way dedication shall be a minimum of 12-ft wide by the length of the of turn lane added. Refer to the Multimodal Transportation Element Policy 10.B.4.1.

We appreciate the opportunity to provide comment.

Sincerely,

Cynthia L. Jones, E.I.
Engineer II
Engineering Division
Department of Public Works
Citrus County Board of County Commissioners
3600 W. Sovereign Path, Suite 241
Lecanto, FL 34461

Ph: (352) 527-5247

Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: Jenette Collins <[jcollins@crystalriverfl.org](mailto:collins@crystalriverfl.org)>

Sent: Monday, October 3, 2022 10:19 AM

To: Cynthia L. Jones <cynthia.jones@citrusbocc.com>

Cc: bherrmann@crystalriverfl.org; Zachary Cciera <zciciera@crystalriverfl.org>

Subject: [EXTERNAL]Request for Input - Eastrob LLC RV Resort - W Fort Island Trail

WARNING: This email originated from an external Domain **DO NOT CLICK** unless you recognize the sender and know the content is safe.

Good Morning Cindy,

The City of Crystal River has received (another) application for a PUD RV Park Resort gaining access from W Fort Island Trail. I am forwarding the information....sorry for a few days delay given last week's potential storm event.

I am attaching the site plans and applicants submittal for your information. The project proposes one entry/exit on this collector system. Let me know if you have any questions.

Would it be possible to receive comments by October 14, 2022? Let me know.

Thank you,

Jenette Collins, AICP
Urban Planner

Planning & Community Development Services

City of Crystal River

123 NW Highway 19

Crystal River, Florida 34428

Direct: 352-795-4216 x 340

jcollins@crystalriverfl.org

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DRAFT 3 ORDINANCE 23-O-07
(WITH APPLICANT'S MODIFICATIONS IN STRIKETHROUGH/UNDERLINE)

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA, BY CHANGING THE ZONING ON PROPERTY OWNED BY EASTROB, LLC, COMPRISING 14.04 ACRES (MOL) LYING IN SECTION 28, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY, PARCEL 23300 (AK #1092884), AND SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY, PARCEL 14400 (AK #1098017), AS DESCRIBED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, LOCATED AT 9372 W FORT ISLAND TRAIL, CRYSTAL RIVER, FROM COMMERCIAL WATERFRONT (CW) TO PLANNED UNIT DEVELOPMENT (PUD), AND BY ADOPTING A MASTER PLAN OF DEVELOPMENT KNOWN AS “EASTROB, LLC RV RESORT” FOR A PLANNED RECREATIONAL VEHICLE (“RV”) PARK; PROVIDING FOR CODIFICATION; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR SEVERABILITY; 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 City Council adopted the City of Crystal River Land Development Code (LDC) as Ordinance 05-O-08; and

WHEREAS, the City of Crystal River Planning Commission held a public hearing on <DATE>, and voted <0-0> to recommend to the City Council that the request to amend the official zoning map by adopting a PUD to establish a Master Plan of Development concerning that certain real property specifically described the attached Exhibit A and in Section 3, below, be <APPROVED/DENIED>; 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 a public hearing as required by law; and

WHEREAS, this Ordinance, upon adoption by the City Council of the City of Crystal River, effectively approves the PUD known as “Eastrob, LLC RV Resort”; and

WHEREAS, approval of this Ordinance is conditioned upon the applicant’s agreement to accept the conditions and obligations set forth in the Conditions of Approval incorporated herein,

failure of which will result in termination of the PUD Master Plan; 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 PUD 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 from Commercial Waterfront (CW) to Planned Unit Development (PUD), and by adopting a Master Plan of Development for the PUD known as “Eastrob, LLC RV Resort” for certain real property specifically described the attached **Exhibit A** and in Section 3, below, 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, Part 1, General Provisions of the Code of Ordinances of the City of Crystal River, as otherwise authorized by applicable Florida Statutes.

SECTION 3. PUD AMENDMENT TO THE ZONING MAP

PZ22-0089 EASTROB, LLC RV RESORT

An amendment to the official zoning map of the City of Crystal River by rezoning the subject property from Commercial Waterfront (CW) to Planned Unit Development (PUD), and by adopting a Master Plan of Development for the “Eastrob, LLC RV Resort,” as presented in application PZ22-0089 for the subject property as described in **Exhibit A**, subject to the Conditions of Approval specified in **Exhibit B**, and in accordance with that certain PUD Master Plan as shown in **Exhibit C**, which exhibit is are attached hereto and incorporated herein by reference.

SECTION 4. 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 5. MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING

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 the public hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the City 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. 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 8. 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 _____, 2023.

THIS ORDINANCE was placed on a second reading and a public hearing held on the _____ day of _____, 2023, and upon motion duly made and seconded was passed on second reading.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

APPROVED AS TO FORM AND LEGALITY:

VOTE OF COUNCIL:

**ROBERT W. BATSEL, JR., ESQUIRE
CITY ATTORNEY**

Meek _____
Guy _____
Brown _____
Fitzpatrick _____
Holmes _____

EXHIBIT A

Eastrob LLC, RV Resort Property Description

For real property lying in Section 28, Township 18 South, Range 17 East, Citrus County, Florida, specifically Parcel ID: 17E18S28 23300 (AK #1092884), and lying in Section 33, Township 18 South, Range 17 East, specifically Parcel ID: 17E18S33 14400 (AK #1098017), as identified in the records of the Citrus County Property Appraiser, and more particularly described as follows:

Begin at the intersection of the North boundary of Section 33, Township 18 South, Range 17 East, with the Easterly right of way line of Kings Bay Road, thence run N. 89°58'32"E., along the North boundary of said Section 33, 462.78 feet, thence S. 02°42'25"W., 425.38 feet, thence S. 59°00'00"W., 888.66 feet, thence along the arc of a curve to the left 52.39 feet, chord bearing and length being S. 55°06'05"W., 52.35 feet, thence along the arc of a curve to the left 99.63 feet, chord bearing and length being S. 43°47'22"W., 99.35 feet, thence N. 61°05'10"W. 153.26 feet more or less to the Southeasterly right-of-way line of Kings Bay Road, thence N. 28°54'49"E., 429.47 feet to the P.C. of a curve concaved Southeasterly, thence along the arc of said curve a distance of 643.26 feet to the P.T. of said curve, chord bearing and length being N. 33°46'50"E., 642.50 feet to the Point of Beginning. (formerly described as Lots 52 thru 66 in Block T, all of the Block U, and all of Oak Hill Circle as shown on the Plat of Kimberly Plantation Estates, Trace 4, as recorded in Plat Book 8, Pages 75 thru 77, Public Records of Citrus County, Florida, now vacated)

AND

COM AT THE SE COR OF THE W 1/2, SE 1/4, SW 1/4, SE 1/4 OF 28-18-17, THN S 89DEG 56' 33"W 80 FEET TO THE POB, THN CONTINUE S 89DEG 56' 33" W462.78 FEET TO THE EAST ROW OF SR 44, THN ALONG SAID EAST ROW THE FOLLOWING COURSES, N 39DEG 05' 19" E 58.41, THN N 39DEG 31' 50" E 128.02 FEET, THN N 40DEG 54' 47" E 136.63 FEET, THN N 43DEG 19' 47" E 102.24 FEET, THN N 44DEG 21' 50" E 35.8 FEET, THN S 31DEG 57' 45" E 210.75 FEET, THN S 28DEG 48' 35" E 35 FEET, THN S 12DEG 50' 26" E 141.16 FEET TO THE POB. (Formerly known as Lots 1, 2, 3 and 4, Block E, GOLF VIEW SUBDIVISION, recorded in Plat Book 3, Page 7, of the Public Records of Citrus County, Florida, vacated in Resolution #22-R-01, as recorded in OR 3244, PG 578, Public Records of Citrus County, Florida, & part of Mashie Road, vacated in Resolution #80-92, as recorded in OR 1203, PG 1257, Public Records of Citrus County, Florida.)

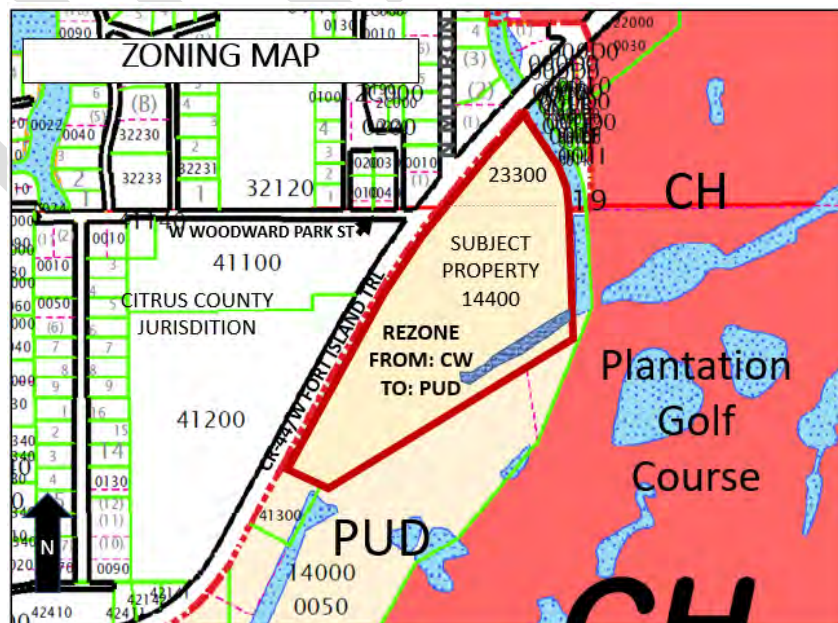


EXHIBIT B

Eastrob LLC, RV Resort PUD Conditions of Approval

The PUD Master Plan approval shall be conditioned upon Developer's performance of the following obligations and ongoing compliance with the following requirements concerning use, operation and maintenance of the subject property, as well as development timing and infrastructure. Failure to abide by the following terms shall constitute a violation of the City River Code of Ordinances and may result in termination of the *PUD Master Plan* and/or code enforcement action against Developer or its successor(s) or assign(s).

1. Development Concept. The project shall be developed as a Planned Unit Development ("PUD" or "Project") substantially in accordance with this Ordinance. The Project is a total of 14.04 acres and will be developed as a commercial Recreational Vehicle Park (for purpose of transient guest lodging by persons with recreational vehicle-type units) consisting of a maximum 81 Recreational Vehicle¹ ("RV") lots, a gate house (check-in), manager's office, bathhouse/laundry building, covered poolside area and swimming pool, active and passive recreation areas, and associated parking areas.
2. Planned Unit Development Plan. The Project shall be developed in a manner that is consistent with the *PUD Master Plan* (PUD Master Site Plan 09/15/22) attached hereto and incorporated as composite Exhibit C, pursuant to Crystal River Land Development Code (LDC), Section 10.01.03.
3. Planned Unit Development Conditions. The approval and ongoing effectiveness of the *PUD Master Plan* approved through this ordinance is conditioned on satisfaction and ongoing compliance with the following conditions:
 - A. Detailed site improvement plans shall be submitted to the City prior to commencement of construction and shall demonstrate compliance with stormwater level-of-service standards.
 - B. Prior to the approval of the permit for site improvement plans, the following conditions must be satisfied by the Developer:
 - i. The Project must connect to potable water and sanitary sewer as required by the City of Crystal River Code of Ordinances. Concurrency for potable water and sanitary sewer must be met in accordance with Section 6.01.05 Requirements for concurrency for sanitary sewer, solid waste, drainage, and potable water, of the Crystal River Land Development Code (LDC). The Developer shall retain the services of a registered professional engineer to analyze the City's offsite utility systems (potable water transmission and sanitary sewer collection) to determine if any offsite improvements are needed for the planned increase in utility demands. Should any offsite improvements to the transmission or collection systems be determined by City to be necessary to serve this Project, such improvements shall be the responsibility of the Developer. The Developer acknowledges that the fire-flow available for this project is

¹ For purposes of this Ordinance and Exhibits, "recreational vehicle" shall have the definition set forth in section 320.01(1)(b), Florida Statutes, and shall be fully licensed and ready for highway use at all times. "Ready for highway use" means the recreational vehicle is not affixed to the ground, is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices, has no permanent attachments such as additions, rooms, stairs, decks or porches, and is capable of removal within twelve hours. Notwithstanding the foregoing, "recreational vehicles" shall not include "park trailers" as defined in section 320.01(1)(b)(7), which are not permitted within the subject property.

limited to the flows and pressures currently available to the property. The Developer shall be responsible for obtaining right-of-way utilization permits from Citrus County Government for construction of lines within W Fort Island Trail.

- ii. As part of the City's potable water service to this Project, the Developer shall provide one master water meter for the project at a location that is agreed upon by the City of Crystal River Department of Public Works.
 - iii. The Developer shall retain the services of a registered professional engineer to analyze safety and operational capacities of the adjacent County collector roadway (West Fort Island Trail) and the need for intersection or right of way improvements. Offsite improvements determined by Citrus County Government to be necessary to serve this Project shall be the responsibility of the Developer. The Developer shall coordinate with Citrus County, Division of Engineering, to obtain the necessary right-of-way utilization permits from the Citrus County Board of County Commissioners for driveway connections and required improvements to W Fort Island Trail as warranted by the analysis.
 - iv. The Developer shall submit and process a lot combination with the City to combine the subject property into a single parcel or, alternatively, subdivide the subject property through the plat process set forth in the City's Code of Ordinances and Florida Statutes.
 - v. A Declaration of Covenants and Restrictions and associated property owner association (POA) articles of organizations, bylaws, and other documents and/or other legal instruments providing for unified control and perpetual maintenance of the private drives, common areas (including, but not limited to buffers) and ancillary facilities to the satisfaction of the City shall be submitted as part of the development permit. The final plat and related covenants/legal instruments shall be recorded in the public records of the Citrus County Clerk of Court.
4. RV Lots and amenities shall be allocated as shown on the *PUD Master Plan* attached hereto as **Exhibit C**. The Recreational Vehicle Park design, setbacks and other dimensional standards shall comply with all requirements set forth in Section 4.04.05 *Recreational vehicle parks in a PUD district*, of the Crystal River LDC, except as specified herein:
- A. Restrooms and bath facility may exceed the 500-foot minimum distance required from recreational vehicle spaces as presented on the *PUD Master Plan*.
 - B. Landscape buffering shall not be required along the creek (canal) side where such area is labeled as a "PASSIVE-REC. AREA" on the *PUD Master Plan*, except that "Heritage Trees" (as defined in Section 4.05.05 *Requirements for trees and tree protection*, of the Crystal River LDC) shall be maintained and protected.
5. The Developer, as part of the buffering requirement, may provide a 6-foot privacy fence within the landscape buffer to be located along W Fort Island Trail and along the south Project boundary where shown on the *PUD Master Plan*. Design and location of the privacy fence within the buffer shall require review and final approval by the Crystal River Planning and Community Development Services Department Director.

6. A Tree Survey demonstrating tree protection standards of the Crystal River LDC must be submitted and approved at time of development permit.
7. Access gates (if planned at entry/exit point) shall be siren activated (or allow access by another method) as found acceptable by the City's emergency regulatory agencies. In this case, adequate driveway stacking distance must be maintained at the entrance to deter vehicles from queuing onto the public right-of-way.
8. Evacuation/Site Vacation:
 - A. The Developer or its successor or assign, such as a successor declarant or property owners association, which owns the common areas within the subject property, shall ensure that each recreational vehicle located on the subject property remains, at all times, fully licensed and ready for highway use and shall ensure compliance with applicable laws governing RV Park occupants. For purposes of this section, "ready for highway use" means the recreational vehicle is not permanently affixed to the ground, is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices, has no permanent attachments such as additions, rooms, stairs, decks or porches, and is capable of removal within twelve hours. In addition, the temporary structures must be removed prior to departure. The foregoing requirement shall be incorporated into a Declaration of Covenants and Restrictions encumbering the subject property, which shall also require all owners of lots, that recreational vehicles within the subject property ~~to contract with a third party entity responsible for immediate removal of the recreational vehicle be removed and the park shall close operating~~ in the event of an emergency or mandatory evacuation order. Such Declaration shall be submitted to City for approval pursuant to section 3.B.v., above.
 - B. On permanent vacation of the RV site, any ancillary uses shall be removed.
9. No park trailers (park models) shall be placed on the subject property.
10. An emergency evacuation plan will be submitted for the City's approval at time of development permit. Permanent or habitable spaces within structures must meet the required FEMA Flood Insurance Rate Map (FIRM) base flood elevation or FEMA flood proofing standards (for non-residential buildings) in effect at time of development.
11. Manatee Protection Plan (MPP)
 - A. To avoid manatee/boat overlap, no boating facility or boat ramp (~~including boat, canoe, kayak or paddleboard launch area or facility~~) shall be permitted within the subject property.²
 - B. Site shall be allowed one (1) dock site as per site plan (lineal) on canal per master site plan. Site shall include a private launch site for non-motorized canoe and kayaks (<16 ft. in length). No other docks shall be allowed on the canal boundary. No vessels (to include

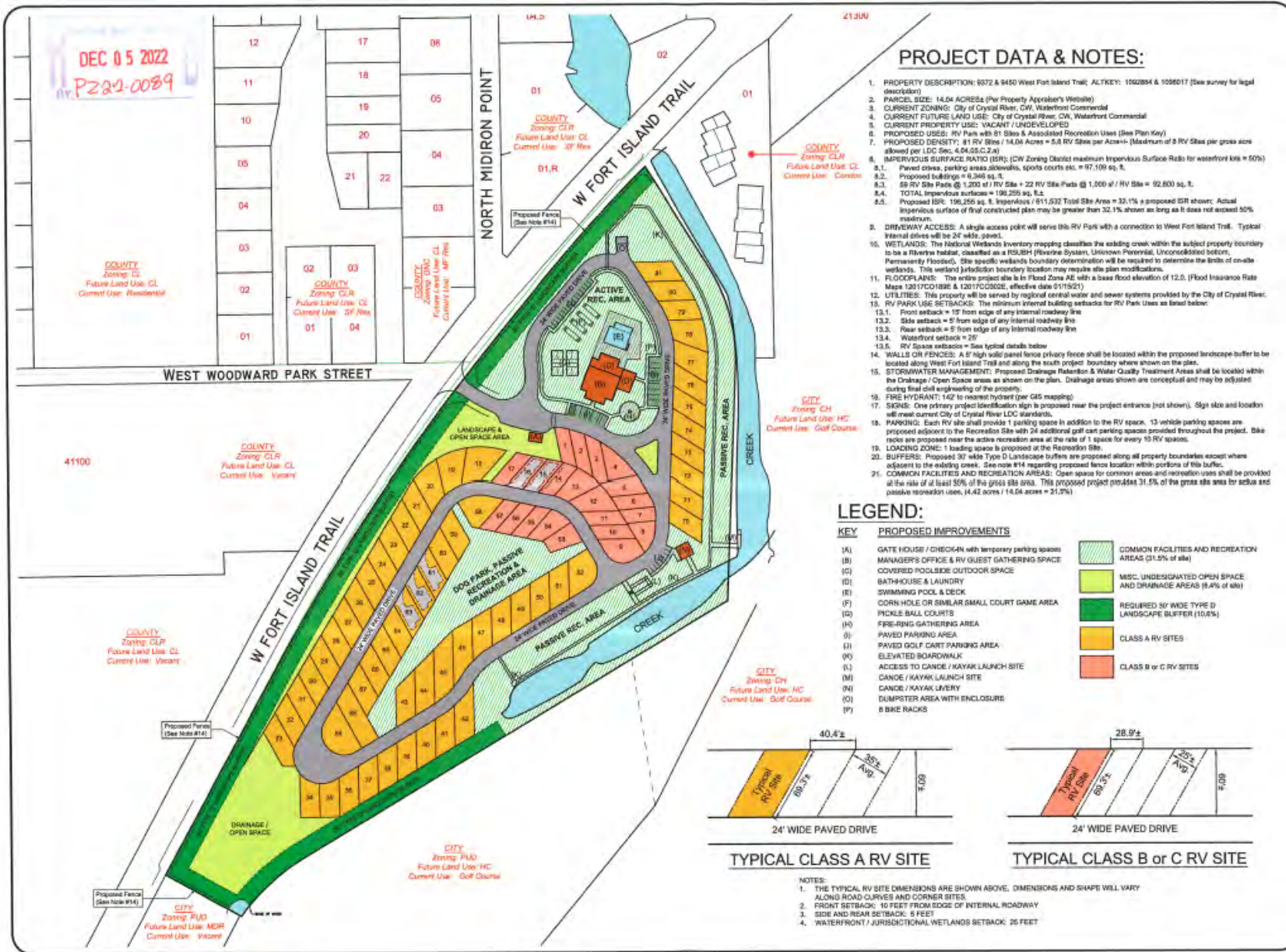
²It is noted that the PUD Master Plan attached as ~~Exhibit C~~ includes a "Ramp" "Canoe/Kayak Launch" and "Canoe/Kayak Livery" depicted and assigned as Legend Key items (L), (M), and (N), but such use is expressly prohibited by the City's Comprehensive Plan, Manatee Protection Element, and these conditions of approval.

canoes or kayaks) shall be moored or launched to the canal boundary/shoreline.

12. A determination for expiration of development rights for the *PUD Master Plan* shall be in accordance with those procedures set forth in Section 10.00.04 *Expiration of development permits*, of the Crystal River LDC, except that the term to obtain a development permit for site improvement plans shall be for ~~three (3)~~ five (5) years.
13. The Developer is responsible for obtaining any and all permits and approvals required by the City and all other federal, state, and local government permits to operate the property as provided herein.
14. Where standards are not specified herein, the Crystal River Land Development Code standards (or current code standards) will apply.
15. Minor modifications to this Planned Unit Development may be approved by the City Manager (or his designee) as outlined within Section 10.05.02, *Procedures for Minor Amendments*, of the Crystal River LDC.
16. The failure of Developer or its successors or assigns to materially satisfy any condition or perform or comply with any obligation set forth herein shall constitute a violation of the City Code of Ordinances that may be enforced through the City's code enforcement, which could lead to the imposition of restrictions or limitations on future development until compliance is achieved

End of Exhibit B

EXHIBIT C PUD Master Plan



Community Land Design, Inc.
 Landscape Architecture

1713 East Cleveland Street
 Hernando, FL 34442
 Phone: 352-637-1162
 (352) 648-9000
 paul@communityland.com

Paul C. Gibbs
 Registered Landscape Architect
 #LAC01198
 State of Florida

The firm has been electronically signed and sealed by Paul C. Gibbs. Impartial Landmark Mediation and Arbitration is available. The seal of this document is not certified digital text and will not be valid unless the seal code is verified on the electronic version.

Paul Gibbs,
 RLA LA
 0001189 State
 of Florida

Digitally signed by Paul Gibbs,
 RLA LA 0001189
 State of Florida
 Date: 2022.12.02
 09:32:49 -05'00'

EASTROB, LLC

RV RESORT

PUD Master
 Site Plan
 09/15/22

9372 & 9450 West Fort
 Island Trail
 Crystal River, FL

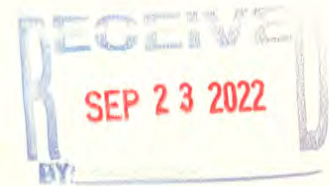
Graphic Scale Bar: 0, 20, 40, 80 Feet

SCALE: 1" = 30'

DRAWN BY: PCD
 DATE: 09/15/22
 REVISIONS: (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)

SHEET 1 OF 1

LAW OFFICE OF
CLARK A. STILLWELL, LLC
ATTORNEY AT LAW



BRANNEN BANK BUILDING
320 U.S. HIGHWAY 41 SOUTH
INVERNESS, FLORIDA 34450

TELEPHONE: (352) 726-6767
FAX: (352) 726-8283
caslaw@tampabay.rr.com

MAILING ADDRESS:
POST OFFICE BOX 250
INVERNESS, FL 34451-0250

September 23, 2022

Jenette Collins, AICP
Urban Planner
City of Crystal River
123 NW Highway 19
Crystal River, Florida 34428

RE: Eastrob, LLC – PUD Application
AK 1092884 – 2.04 Acres (MOL) and AK 1098017 – 12.0 Acres (MOL)
Total Acreage 14.04 Acres (MOL)
Section 28, Township 18, Range 17
State Road 44 West

Dear Jenette:

On behalf of our above client, Eastrob, LLC, we enclose the City PUD application for an eighty-one (81) unit RV park on the noted subject parcels. As you are aware the City's LDR's does not have a specific land use district for RV facilities, nor is such use listed in the code as an allowed use in the City's varied land use districts. Recognizing such, the city has historically allowed RV parks in the PUD district, LDC Sect. 4.04.01(B) and (C) within the city's commercial districts.

Here, the land use/zoning map in waterfront commercial (WC). The proposed tourism related use is consistent with the CW listed uses such as hotel/motel/resort. The site plan (Exhibit "H") proposes the following onsite uses:

1. 81 RV sites; (no park models are proposed);
2. 4.42 acres (MOL) (0.315% of site) of support amenities to include recreational areas and park office.

The site is located in the AE flood zone (BFE 12.00) (Exhibit "E"). Accordingly, no park models are proposed in the park. All other types of RV's as defined by F.S. 320.01(1)(b) are allowed. Density is 58 units per acre. ISR is 31.9% - below city code. Open space is 18.3% of site. Onsite recreation is 4.42 acres and consists of small recreation building, pool, common area/walking trails along the canal. The site is proximate to tourism related business along west State Road 44 leading to the Gulf of Mexico.

The application and PUD Master Site Plan (MSP) is consistent with city RV park code standards. Applicant requests two (2) small deviations from City code standards. First, the restrooms are located > 500 feet from some RV sites. Modern RV's have self contained restrooms. Nature, larger RV lots for large RV Class A vehicles are located the furthest from restrooms. Second, there is no buffer along canal. Such would take away from this amenity and 1/3 use as passive recreational area.

The applicant believes the site is well suited for this use. The location on State Road 44 west proximate to tourist facilities, public boat ramps, restaurants, and the Gulf of Mexico/Crystal River. It meets statutory tests of the City Plan's consistency and compatibilities. Site has central utilities. There are no wetlands or other environmental constraints. Site accesses off a major collector road.

As the City is aware, additional tourism related housing is needed during peak tourism times, scallop season, manatee season and special events like stone crab and manatee festivals. Site will service such plus the County's daily robust tourism sector. Currently the west Citrus area has RV parks which are dated and do not provide modern RV park amenities. The site plan is consistent with the City's recent ordinance for RV parks. The applicant seeks minor deviations from this standard.

Please review the application for completeness and advise. A filing fee of \$1,075.00 is enclosed. Thank you and your departments due consideration of such.

Very truly yours,

LAW OFFICE of CLARK, A. STILLWELL, LLC



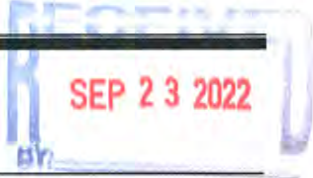
Clark A. Stillwell

CAS/cv
Enclosure
cc: Client



PLANNED UNIT DEVELOPMENT (PUD) REZONING APPLICATION

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



Applicant Information:

Name: Law Office of Clark A. Stillwell
Address: 320 US HWY 41 S, Inverness, Florida 34451
Phone #: 352-726-6767 Fax #: 352-726-6767 Cell #: _____
Email Address: caslaw@tampabay.rr.com

Property Description:

Parcel Account #: _____ Alt. Key # 1098017 and 1092884
Street Address (or street & avenue location): 9450 & 9372 W Fort Island Trail, Crystal River

Legal Description: See Exhibit "A"

(or attachment)

Property Acreage: 14.04 Sq. ft.: 611,532
Present F.L.U.M. Designation: CW
Present Zoning Designation: CW

PROPOSED NEW PUD OR PUD AMENDMENT (circle)

Reason for the Request: To develop RV Park (81 sites) with amenities to service demand for hospitality units for area-wide tourism business in Crystal River.

Explain Consistency with the Future Land Use Plan: See Exhibit "F", Par. II.

Additional Contact Information (other than Owner or Agent) N/A

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

Fee: PUD < 20 Acres @\$1,000 plus \$5/acre or > 20 Acres @\$2,000 plus \$5/Acre; PUD AMENDMENT \$500 - To be paid at time of application submittal

Attachments:

1. Survey & Legal Description Exhibits "A" and "G"
2. Deed, or other proof of ownership Exhibit "A"
3. Map (see Checklist) Exhibits "B" "C" "D" and "E"

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

Check	See Requirements (Sec. 10.01.03 LDC)
Ex. "B"	A. The application shall include a map of the area that can be found on the Citrus County Property Appraiser website (www.citruspa.org)
Ex. "C"	1. The current zoning district designations for the subject property and all adjacent properties. The zoning map can be found at www.crystalriverfl.org
Ex. "D"	2. The land use categories from the Future Land Use Map that can be found at www.crystalriverfl.org
Ex. "F"	B. A statement shall be provided including the following information:
Ex. "F"	1. A justification for the proposed zoning.
Ex. "A"	2. Deed, or other proof of ownership

Rezoning Checklist

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

Determination of Compliance

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

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

STANDARD APPLICATION

STAFF USE ONLY

		Status	Date	Signature
Applications determined to be complete	1	Pre-application conference held		
	2	Date application received (initial submittal)		
	3	Application determined complete		
	4	Case number assigned		
	5	Notice of completeness sent to applicant		
Applications determined to be incomplete	6	Application is not complete		
	7	Notice of missing materials sent to applicant		
	8	Date of submittal of missing materials or resubmittal of entire application		
	9	Application determined complete		
	10	Case number assigned		
	11	Notice of completeness sent to applicant		
Withdrawn	12	Application withdrawn for failure to submit missing materials		
	13	Notice of withdrawal sent to applicant		

Type of Application	Check Type
Site plan for development without supplemental standards	
Minor subdivisions	
Minor development permits	
Minor amendments to development permits	
Administrative waivers	
Site plan for development subject to supplemental standards	
Variance	
Appeal of administrative decisions	
Preliminary and final subdivision plats	
PUD master plan and rezoning	X
Rezoning	
Amendment to the LDC	
Major amendments to development permit	
Other (specify): _____	

Required Attachments for All Applications (Sec. 10.01.02):

1. A property survey containing the legal description, land area, and existing improvements on the site. The survey shall be signed by a surveyor licensed in the State, and shall have been performed not more than two (2) years prior to the date of application. Exhibit "G"
2. Proof of payment of applicable fees. Enclosed
3. An application regarding development within or affecting wetlands (see Chapter 3) shall include proof of receipt of applicable permits or exemptions from regional, State, or federal agencies with permitting authority for wetlands. Any wetlands are located on canal boundary.
4. All site plans and drawings for an application shall be prepared at the same scale. The sheet size shall not be less than eleven inches by seventeen inches (11 x 17) and shall not be more than by thirty-six inches by forty-eight inches (36 x 48). Exhibit "H"
5. The number of copies of the application materials as specified by the City.
6. Any development application for development proposed within the airport height notification zone established for the Crystal River Airport shall provide notification to the FAA as required by Title 14, Code of Federal Regulations, Part 77 Subpart C. Comments by the FAA shall be included as part of the submittal. N/A

OWNERSHIP INFORMATION

Property Owner: Eastrob, LLC

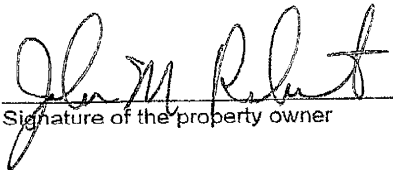
Address: 27941 US HWY 19 N, Clearwater, Florida 33761

Phone #: _____ Cell phone #: _____ Fax #: _____

Email address: _____

Property Address: 9372 W Fort Island Trail, Crystal River, Florida

OWNER'S SIGNATURE:

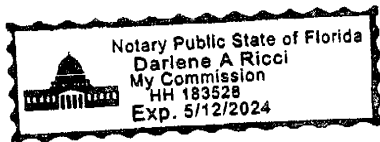

Signature of the property owner

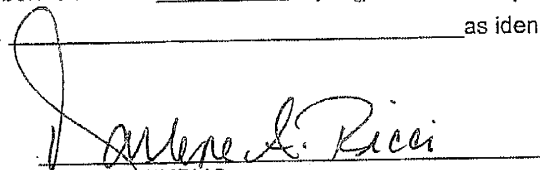
Signature of the property owner

NOTARIZATION FOR OWNER'S SIGNATURE

STATE OF Florida COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 21st day of SEPTEMBER, 2022 who is
 personally known to me or who has produced _____ as identification
 and who did/did not take an oath.




 NOTARY PUBLIC
 Commission No. HH 183528
 Commission Expires: 5/12/2024

City of Crystal River Development Services
123 NW Hwy 19, Crystal River, FL 34428(352-795-6511)

www.crystalriverfl.org

If the applicant or agent is a representative of the property owner, a notarized statement authorizing the representative to act as an agent of the property owner with regard to the application and associated procedure, shall be completed with this application.

Agent's Name: Law Office of Clark A. Stillwell
Agent's Street Address: 320 US HWY 41 S
City: Inverness ST: Florida Zip: 34450
Phone #: 352-726-6767 Cell phone #: _____ Fax # 352-726-8283
Email address: caslaw@tampabay.rr.com

AGENT AUTHORIZATION

Clark A. Stillwell, agent, is hereby authorized as my legal representative and designated agent to speak in my behalf for the subject matter.

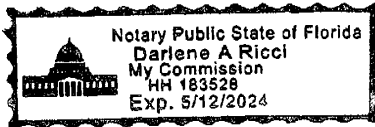


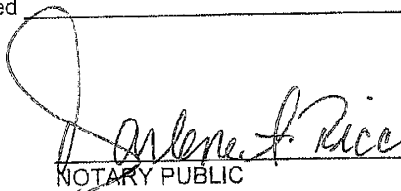
Signature of the Property Owner

NOTARIZATION FOR OWNER'S SIGNATURE

STATE OF Florida COUNTY OF Pinellas

The foregoing instrument was acknowledged before me this 21st day of September, 2022, who is
 personally known to me or who has produced _____ as identification
and who did/did not take an oath.





NOTARY PUBLIC
Commission No. HH 183528
Commission Expires: 5/12/2024

Exhibit List
Eastrob, LLC
Alternate Key No.: 1092884 and 1098017

Exhibit "A" – PA printout – Deed

Exhibit "B" – GIS Aerial – PA Aerial

Exhibit "C" – Crystal River Current Zoning Map

Exhibit "D" – Crystal River FLUE Map

Exhibit "E" – FIRM Map

Exhibit "F" – Application Text

Exhibit "G" – Survey

Exhibit "H" – Site Plan

Altkey: 1098017
EASTROB LLC

Exhibit "A"

Parcel ID: 17E18S33 14400
9450 W FORT ISLAND TRL , CRYSTAL RIVER

Citrus County Property Appraiser, Cregg E. Dalton

PC Code 1000 - VACANT COMM
Bldg Counts Res 0 / MH 0 / Comm 0
Nbhd 0119 - HWY 19 CRYSTAL RIVER AREA
Tax District 000R - CITY OF CRYSTAL RIVER
Subdivision 003469 - UNREC TRACTS IN 33-18S-17E
Short Legal BEG AT INTERSECTION OF N BNDRY OF SEC 33-18-17 WITH E'LY R/WLN OF KINGS BAY RD TH RUN N 89DEG 58M 32S E AL THE N BNDRYOF SD SEC 33 A DIST OF 462.78 FT TH S 02DEG 42M 25S W 425.38
Est. Parcel Sqft 522,865
Est. Parcel Acres 12.00
Map SC-TW-RG 33-18S-17E

Mailing Address

Name EASTROB LLC
Mailing Address 27941 US HWY 19 N
CLEARWATER FL 33761

All Owners

Name	Owner Type
EASTROB LLC	BU - Business

Value History and Tax Amount

Year	Land Value	Impr Value	Just Value	Non-Sch. Assessed	Non-Sch. Exemptions	Non-Sch. Taxable	HX Savings	Tax Estimate	Tax Link
2021	\$637,620	\$0	\$637,620	\$318,963	\$0	\$318,963	\$0	\$8,594.97	Link
2020	\$637,620	\$0	\$637,620	\$289,966	\$0	\$289,966	\$0	\$7,746.28	Link

Buyer Beware!

Property taxes may be affected with change in ownership. When buying real estate property, you should not assume that property taxes will remain the same. Whenever there is a change in ownership, the assessed value of the property may reset to full market value, which could result in higher property taxes. Please use our tax estimator to approximate your new property taxes. Homestead exemptions and agricultural classifications are not transferable to the new owner. You must apply for your own exemptions and agricultural classifications.

Sales

Sale Date	Sale Price	Book/Page	Instr Type	V/I
06/09/2021	\$650,000	3184/0071	14-SALE / MORE THAN 1 PARCEL	V
04/30/2020	\$100	3058/2118	02-MIN DOC STAMP (\$100)	V
08/01/2005	\$825,000	1906/0329	14-SALE / MORE THAN 1 PARCEL	V
03/01/2005	\$100	1864/1531	02-MIN DOC STAMP (\$100)	V
02/01/2005	\$100	1864/1533	02-MIN DOC STAMP (\$100)	V

09/01/1997	\$100,000	1203/1257	14-SALE / MORE THAN 1 PARCEL	V
01/01/1992	\$100,000	0956/0119	14-SALE / MORE THAN 1 PARCEL	V
12/01/1981	\$700,000	0588/1438	14-SALE / MORE THAN 1 PARCEL	V
12/01/1980	\$540,750	0569/1923	14-SALE / MORE THAN 1 PARCEL	V
09/01/1980	\$527,625	0563/0598	14-SALE / MORE THAN 1 PARCEL	V

DISCLAIMER

Sales do not generally appear in database until approximately 8 to 10 weeks after the recording date. If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

Land & Agricultural

Line	Land Use	Type	Units	Frontage	Depth	Ag Flag	Classified Value	Just Value	Zoning
1	1000-COMMERCIAL OFF HWY	A-ACREAGE	12.00		.0				CW

Total Misc Value

Altkey: 1092884
EASTROB LLC

Parcel ID: 17E18S28 23300
9372 W FORT ISLAND TRL , CRYSTAL RIVER

Citrus County Property Appraiser, Cregg E. Dalton

PC Code 1000 - VACANT COMM
Bldg Counts Res 0 / MH 0 / Comm 0
Nbhd 0119 - HWY 19 CRYSTAL RIVER AREA
Tax District 000R - CITY OF CRYSTAL RIVER
Subdivision 000781 - GOLF VIEW
Short Legal COM AT THE SE COR OF THE W 1/2, SE 1/4, SW 1/4, SE 1/4 OF 28-18-17, THN S 89DEG 56' 33"W 80 FEET TO THE POB, THN CONTINUE S 89DEG 56' 33" W
Est. Parcel Sqft 88,667
Est. Parcel Acres 2.04
Map SC-TW-RG 28-18S-17E

Mailing Address

Name EASTROB LLC
Mailing Address 27941 US HWY 19 N
CLEARWATER FL 33761

All Owners

Name	Owner Type
EASTROB LLC	BU - Business

Value History and Tax Amount

Year	Land Value	Impr Value	Just Value	Non-Sch. Assessed	Non-Sch. Exemptions	Non-Sch. Taxable	HX Savings	Tax Estimate	Tax Link
2021	\$108,380	\$0	\$108,380	\$108,380	\$0	\$108,380	\$0	\$2,196.35	Link
2020	\$108,380	\$0	\$108,380	\$108,380	\$0	\$108,380	\$0	\$2,021.07	Link

Buyer Beware!

Property taxes may be affected with change in ownership. When buying real estate property, you should not assume that property taxes will remain the same. Whenever there is a change in ownership, the assessed value of the property may reset to full market value, which could result in higher property taxes. Please use our tax estimator to approximate your new property taxes. Homestead exemptions and agricultural classifications are not transferable to the new owner. You must apply for your own exemptions and agricultural classifications.

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04/30/2020	\$100	3058/2118	02-MIN DOC STAMP (\$100)	V
08/01/2005	\$825,000	1906/0329	14-SALE / MORE THAN 1 PARCEL	V
03/01/2005	\$100	1864/1531	02-MIN DOC STAMP (\$100)	V
02/01/2005	\$100	1864/1533	02-MIN DOC STAMP (\$100)	V
09/01/1997	\$100,000	1203/1257	00-WARRANTY DEED	V

01/01/1992	\$100,000	0956/0119	14-SALE / MORE THAN 1 PARCEL	V
12/01/1981	\$450,000	0588/1438	14-SALE / MORE THAN 1 PARCEL	V
12/01/1981	\$100	0588/1431	01-CORRECTIVE/QC/TD/COT	V

DISCLAIMER

Sales do not generally appear in database until approximately 8 to 10 weeks after the recording date. If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

Permit Summary

Permit Date	Permit Number	Description	Amount	Occupancy Date
09/01/1981	30208	CONDO BLDG B UNIT 3	\$37,284	04/01/1984

Land & Agricultural

Line	Land Use	Type	Units	Frontage	Depth	Ag Flag	Classified Value	Just Value	Zoning
1	1000-COMMERCIAL OFF HWY	A-ACREAGE	2.04	.0					CW

Total Misc Value

This instrument prepared by
Robert I. MacLaren, II
Attorney at Law
Osborne & Osborne, P.A.
Post Office Drawer 40
Boca Raton, Florida 33429
File No.: 20-28633
Parcel ID: 17E18S280100 000E0 0010 Altkey: 1092884
Parcel ID: 17E18S33 14400 Alt Key: 1098017

WARRANTY DEED

(Statutory Form - Section 689.02, F.S.)

THIS INDENTURE, made as of the 29th day of June, 2021, between **EAST BALD EAGLE PROPERTIES I, LLC, a Florida limited liability company**, Grantor*, and **EASTROB, LLC, a Florida limited liability company**, whose Post Office address is 27941 U.S. Highway 19 North, Clearwater, Florida 33761, Grantee*.

WITNESSETH that said Grantor, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Citrus County, Florida, to-wit:

See Exhibit "A" attached hereto

SUBJECT TO: all matters of record, zoning, restrictions, prohibitions and other requirements imposed by governmental authority; restrictions and matters appearing on the plat or otherwise common to the subdivision; public utility easements of record; assessments and taxes for the year 2021 and subsequent years, without seeking to reimpose any of same;

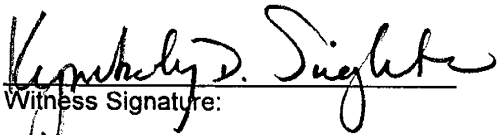
and said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

**Grantor" and "Grantee" are used for singular or plural, as context requires.

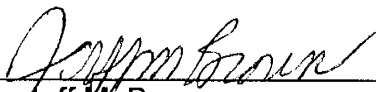
IN WITNESS WHEREOF, Grantor has caused this Warranty Deed to be executed in its name by its proper and authorized representative as of the day and year first above written.

Signed, sealed and delivered in our presence:


EAST BALDEAGLE PROPERTIES I, LLC,
a Florida limited liability company


Witness Signature:

Kimberly D. Singleton
Witness Printed Name:

By: 
Jeff M. Brown
Its Manager

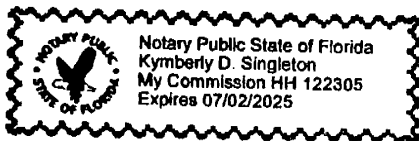
750 South Dixie Highway
Boca Raton, Florida 33432


Witness Signature:

ROBERT I. McLAREN III
Witness Printed Name:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization by Jeff M. Brown, who is the Manager of EAST BALD EAGLE PROPERTIES I, LLC, a Florida limited liability company, on behalf of such company, and who is personally known to me, or who has produced _____ as identification, on this 9 day of June, 2021.



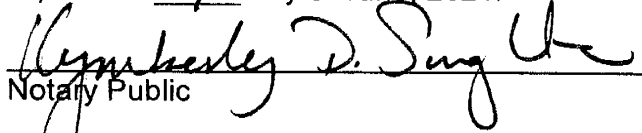

Notary Public

Exhibit "A"

Legal Description

Begin at the intersection of the North boundary of Section 33, Township 18 South, Range 17 East, with the Easterly right of way line of Kings Bay Road, thence run N. 89°58'32"E., along the North boundary of said Section 33, 462.78 feet, thence S. 02°42'25"W., 425.38 feet, thence S. 59°00'00"W., 888.66 feet, thence along the arc of a curve to the left 52.39 feet, chord bearing and length being S. 55°06'05"W., 52.35 feet, thence along the arc of a curve to the left 99.63 feet, chord bearing and length being S. 43°47'22"W., 99.35 feet, thence N. 61°05'10"W. 153.26 feet more or less to the Southeasterly right-of-way line of Kings Bay Road, thence N. 28°54'49"E., 429.47 feet to the P.C. of a curve concaved Southeasterly, thence along the arc of said curve a distance of 643.26 feet to the P.T. of said curve, chord bearing and length being N. 33°46'50"E., 642.50 feet to the Point of Beginning. (formerly described as Lots 52 thru 66 in Block T, all of the Block U, and all of Oak Hill Circle as shown on the Plat of Kimberly Plantation Estates, Trace 4, as recorded in Plat Book 8, Pages 75 thru 77, Public Records of Citrus County, Florida, now vacated)

AND

Lots 1, 2, 3 and 4, Block E, GOLF VIEW SUBDIVISION, recorded in Plat Book 3, Page 7, of the Public Records of Citrus County, Florida.



Geographic Information Systems
 Cynthia Shelton
 Director

Prepared By: Web User
 Date: 2/8/2022
 Source: Enterprise Geodatabase
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Eastrob, LLC



CR Zoning Map

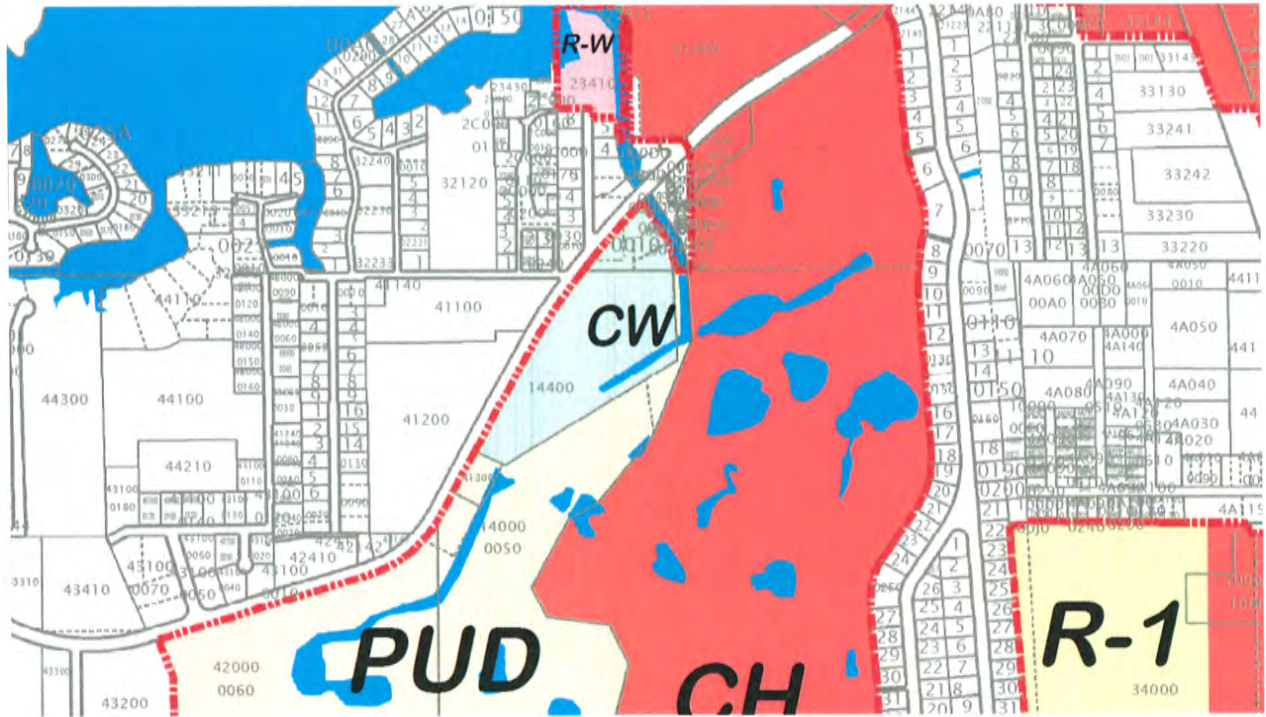
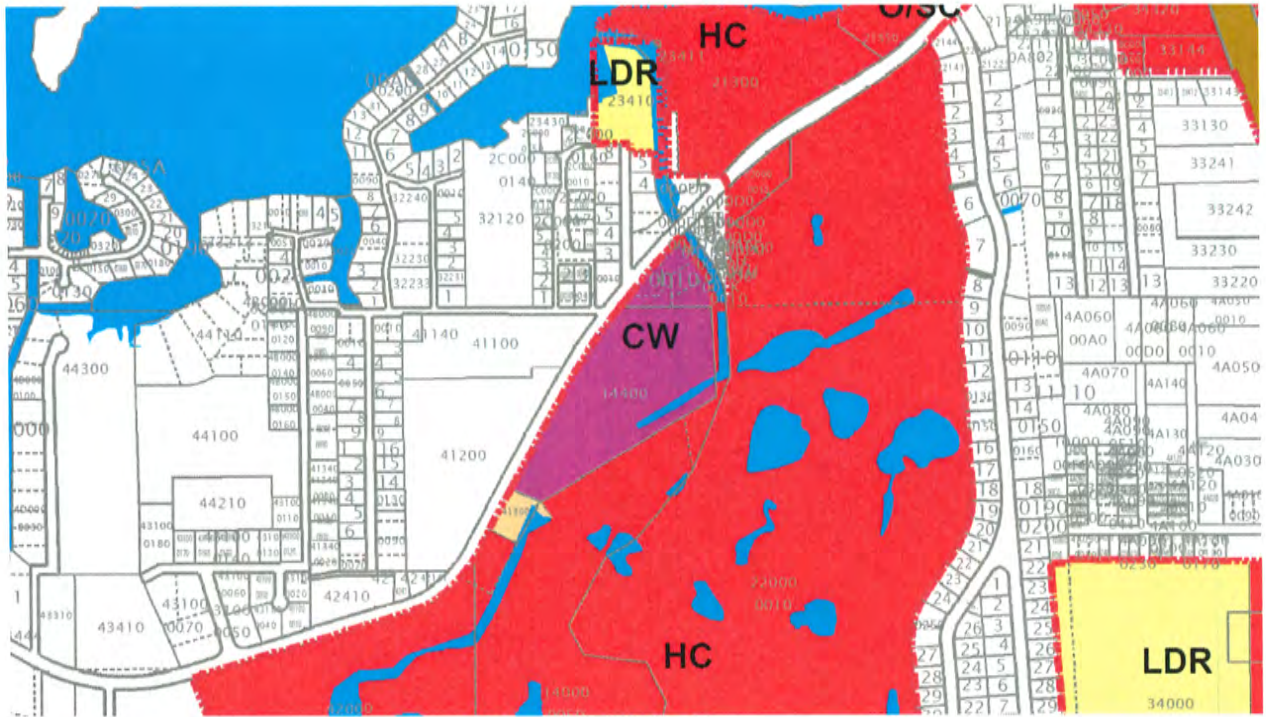
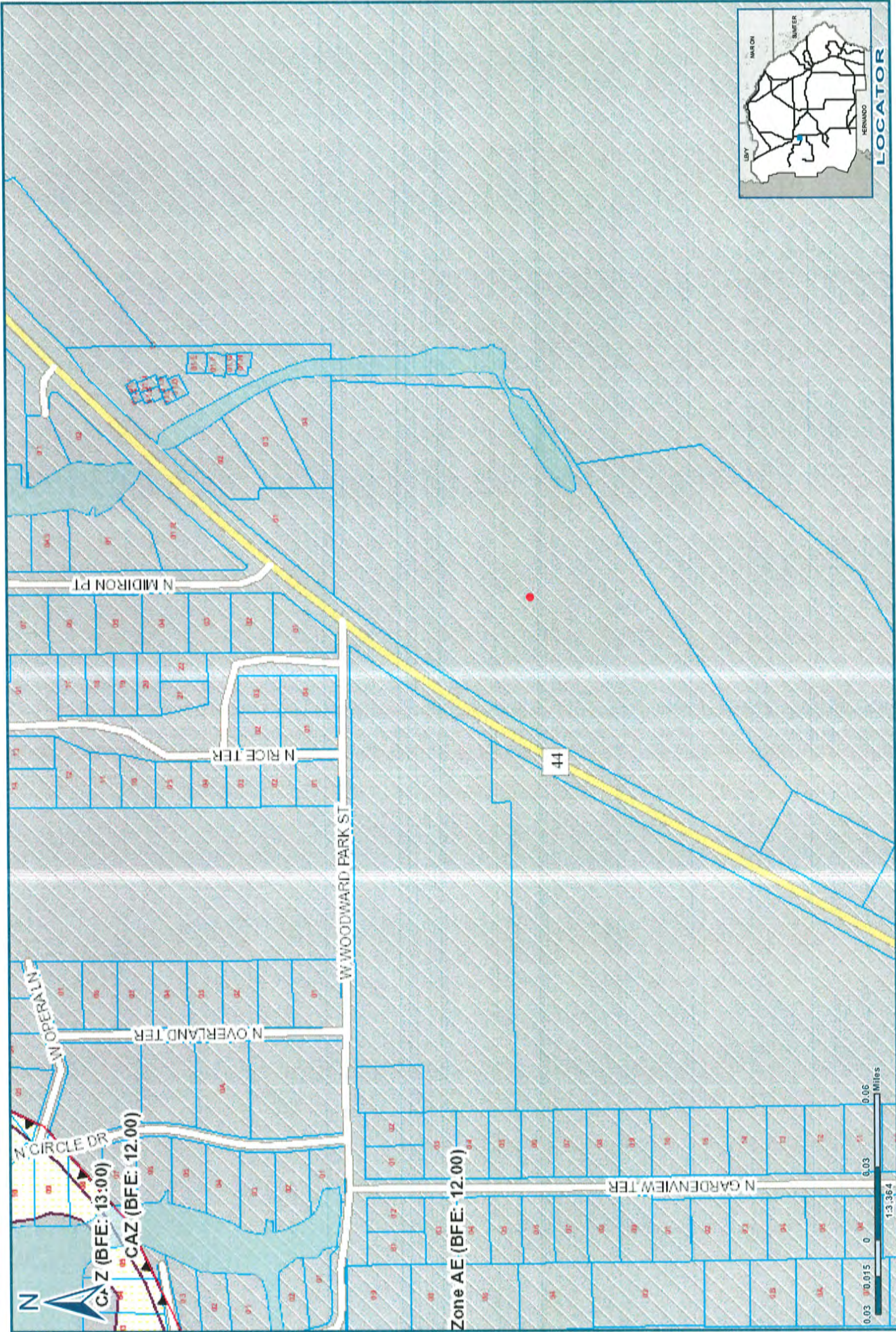


Exhibit "D"

CR FLUE





Geographic Information Systems

Cynthia Skeithorn
Director

Prepared By: Web User

Date: 2/8/2022

Source: Enterprise Geodatabase

Copyright © 2014 Citrus County B.O.C.C.

FIRM Map



Information is to be used for general purposes only. Citrus County does not warrant the accuracy, reliability, or completeness of the information. Citrus County is not responsible for any errors or omissions in this information. Citrus County is not liable for any damages, including consequential damages, arising from the use of this information. Citrus County is not responsible for any loss of data or information. Citrus County is not responsible for any loss of profit or business. Citrus County is not responsible for any loss of income or other financial loss. Citrus County is not responsible for any loss of reputation or other intangible loss. Citrus County is not responsible for any loss of time or other non-monetary loss. Citrus County is not responsible for any loss of opportunity or other non-monetary loss. Citrus County is not responsible for any loss of honor or other non-monetary loss. Citrus County is not responsible for any loss of respect or other non-monetary loss. Citrus County is not responsible for any loss of dignity or other non-monetary loss. Citrus County is not responsible for any loss of self-respect or other non-monetary loss. Citrus County is not responsible for any loss of self-esteem or other non-monetary loss. Citrus County is not responsible for any loss of self-worth or other non-monetary loss. Citrus County is not responsible for any loss of self-identity or other non-monetary loss. Citrus County is not responsible for any loss of self-image or other non-monetary loss. Citrus County is not responsible for any loss of self-concept or other non-monetary loss. Citrus County is not responsible for any loss of self-perception or other non-monetary loss. Citrus County is not responsible for any loss of self-awareness or other non-monetary loss. Citrus County is not responsible for any loss of self-knowledge or other non-monetary loss. Citrus County is not responsible for any loss of self-understanding or other non-monetary loss. Citrus County is not responsible for any loss of self-realization or other non-monetary loss. Citrus County is not responsible for any loss of self-fulfillment or other non-monetary loss. Citrus County is not responsible for any loss of self-actualization or other non-monetary loss. Citrus County is not responsible for any loss of self-actualization or other non-monetary loss.



Exhibit "F" – Application Text
Eastrob, LLC
9372 W Fort Island Trail, Crystal River, Florida
AK 1092884 – 2.04 Acres (MOL) and AK 1098017 – 12.0 Acres (MOL)
Total 14.04 Acres MOL

- I. General Facts/Site Characteristics: The subject parcel is 14.04 acres (MOL). The parcel was annexed into the City in 2013 (ordinance #13-O-01). Parcel is zoned CW – Waterfront Commercial. It is vacant. Flood zone is AE; soils are tavares fine sand, 0 to 5 percent slopes, quartzipsammments, 0 to 5 percent slopes, water, okeelanta muck, myakka, limestone substratum-eaugallie, limestone substratum complex. Site is accessed by an arterial road, State Road 44 west. Central utilities are available to the site. There are no environmental constraints. Proposed units is 5.8/RV per acre. Per MSP no park models are to be included in the park – all other RV's as defined by the state will be allowed.

The following land use districts and current uses are as follows:

1. North – State Road 44W – single family
2. East – Multi-family – golf course
3. South – Plantation Inn Golf Course
4. West - Vacant

- II. Plan Consistency: WC district per its text emphasizes water dependent uses to include tourism related facilities. Per prior City interpretations – a PUD district overlay for RV park on top of WC is consistent with WC district. Per LDC, Section 4.04.01; the PUD purpose is to provide flexible land use and design regulation. Subsection (C) expresses an intent that a PUD is allowed in any district where Plan consistency is met. Here, applicant meets PUD minimum standards, Section 4.04.02 – use and design requirements Section 4.04.03 and compatibility Section 4.04.04.

The application is consistent with City's FLUE – Goal 1 and 2; Obj. 1.1(A) and (C), Obj. 2.1(E) and Obj. 3.1 A-1/A-2(D).

- III. Concurrency: Site has central utilities and design will meet regional stormwater standards. Site meets hurricane evacuation standards; RV's have been demonstrated to be first to evacuate per Regional Planning studies.
- IV. Compatibility: Aerial maps show a variety of land uses in the area – hotels, golf course, retail, single family, multi family etc. The single family use is not a direct abutter to the site – State Road 44 west separates such from the parcel. Historically, single family uses have been compatible with multi family in the area and Plantation Inn with its tourism uses. There are no offsite impacts from proposed park. Finally, it should be noted, per

regional council that RV park evacuation times are faster than traditional single family or multi family residential.

- V. Conclusion: The application is consistent with City Plan and LDC. It meets statutory text of compatibility. It furthers the City established tourist business(es). The requested deviations do not distract from City's RV park basic standards and intent.

Exhibit "G"

Map of Boundary Survey
 Lying in Section 28 & 33, Township 18 South,
 Range 17 East, Citrus County, Florida

- Notes:
1. Bearings hereon are based on an assumed value of South 89°58'33" West, for the South boundary of Section 28, Township 18 South, Range 17 East, and bearing is identical with the Plat of record.
 2. Features and improvements, (i.e. foundations, utilities, septic tanks, etc.) not visible beneath the surface of the ground are specifically depicted or noted hereon. If a septic tank is shown upon the map, it was located by probing the ground and not by excavation. Additional wells and septic tanks may exist which are unshown to the surveyor.
 3. All easements, overhead wires, and symbols shown hereon may be exaggerated for pictorial purposes only and are not to scale.
 4. Property lines should not be reconstructed based on distances to improvements.
 5. All easements, encroachments, and other matters shown hereon are the responsibility of the owner of the subject property.
 6. This survey does not reflect or determine ownership.
 7. This survey is certified to the date of the date acquisition in the field (shown hereon as survey date), ONLY.
 8. Instruments of record reflecting easements, rights-of-way, and/or encroachments were furnished to the surveyor via a Title Commitment. No search of the public records has been done by the surveyor for any encroachments for subject property or adjoining properties.
 9. The building setbacks shown hereon were taken from the record plat or information furnished to the surveyor only. Therefore, if no building setbacks are shown hereon, this does not imply that there are none on subject property. The building setbacks shown hereon are the current zoning setbacks (whether storm or not) are verified at the proper building department with the current zoning of the subject property.
 10. Subject property shown hereon may be a division of a parent tract based on information provided by the client. If so, this survey does not guarantee the accuracy of the information provided for all information are verified at the proper building department with the current zoning of the subject property.
 11. Information from the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map shown hereon was current as of the effective or revised date of said map. Map revisions and amendments are periodically made by FEMA and may not be reflected on said map.

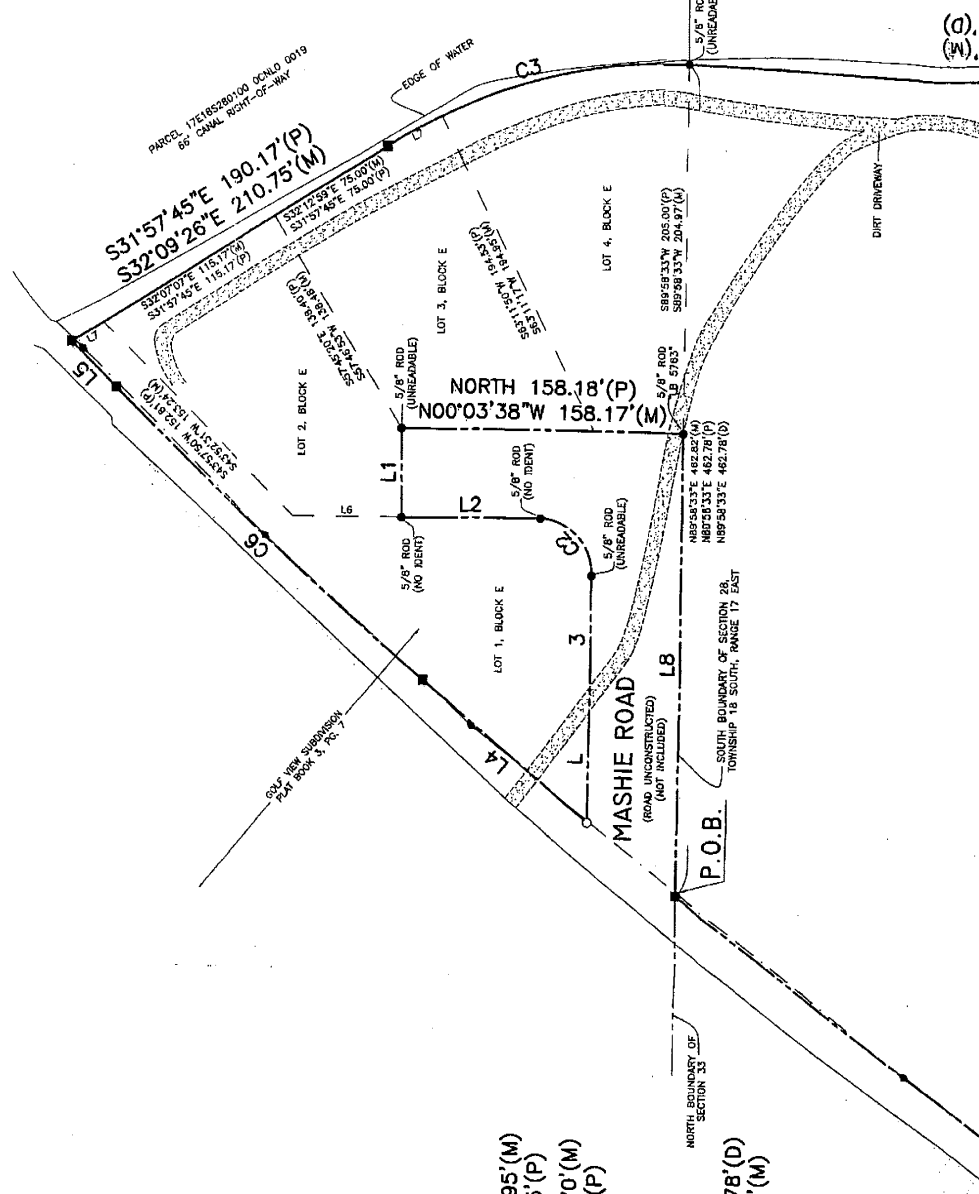
Description: (by client)
 Begin at the intersection of the North Boundary of Section 33, Township 18 South, Range 17 East, with the Easterly right of way line of Kings Bay Road, thence run N. 89°58'33"E., along the North boundary of said Section 33, 462.78 feet, thence S. 02°42'25"W., 425.38 feet, thence S. 59°00'00"W., 888.66 feet, thence along the arc of a curve to the left 52.39 feet, chord bearing and length being S. 55°06'05"W., 52.35 feet, thence along the arc of a curve to the left 99.63 feet, chord bearing and length being S. 43°47'22"W., 99.35 feet, thence N. 61°05'10"W., 153.26 feet more or less to the Southeastly right-of-way line of Kings Bay Road, thence N. 28°54'49"E., 429.47 feet to the P.C. of a curve concave Southeastly, thence along the arc of said curve a distance of 643.26 feet to the P.T. of said curve, chord bearing and length being N. 33°46'50"E., 642.50 feet to the Point of Beginning. (formerly described as Lots 52 thru 66 in Block T, all of the Block U, and all of Oak Hill Circle as shown on the Plat of Kimberly Plantation Estates, Trace 4, as recorded in Plat Book 8, Pages 75 thru 77, Public Records of Citrus County, Florida, Now vacated)

AND

Lots 1, 2, 3, and 4, Block E Golf View Subdivision, recorded in Plat Book 3, Page 7, of the Public Records of Citrus County, Florida.

- L1 S89°14'45"W 49.83'(M)
WEST 50'(P)
- L2 S00°25'29"E 78.16'(M)
SOUTH 78.20'(P)
- L3 S89°58'33"W 137.08'(M)
S89°58'33"E 137.08'(P)
- L4 N39°31'50"E 121.95'(M)
N39°31'50"E 121.95'(P)
- L5 N45°01'07"E 35.70'(M)
N43°19'47"E 35.8'(P)
- L6 SOUTH 61.57'(P)
S07°23'29"E 61.57'(M)
- L7 S28°45'35"E 35.00'(P)
S28°59'57"E 35.00'(M)
- L8 S31°57'45"E 80.56'(P)
S32°00'26"E 80.56'(M)
- L8 N89°58'33"E 257.78'(D)
N89°58'33"E 257.84'(M)

CURVE	RADIUS	ARC	PERCENT	CENTRAL ANGLE	CHORD	CHORD BEARING
C(10)	3519.63	645.17	32.3	67.40	644.40	N32°58'14"E
C(10)	3519.63	645.26	32.3	67.40	642.50	N33°46'50"E
C(10)	3519.63	645.26	32.3	67.40	642.78	N43°19'47"E
C(30)	311.81	177.58	17.58	17.58	177.58	S17°54'15"E
C(40)	365.02	52.90	26.45	7.82	52.88	S54°27'45"W
C(40)	365.01	52.90	26.45	7.82	52.85	S55°09'03"W
C(10)	335.01	66.44	48.45	14.38	66.17	S13°00'56"W
C(10)	335.01	66.44	48.45	14.38	66.35	S13°47'22"W
C(10)	335.01	66.44	48.45	14.38	66.52	N1°56'51"E
C(10)	2831.86	236.98	11.95	4.50	236.85	N41°34'47"E

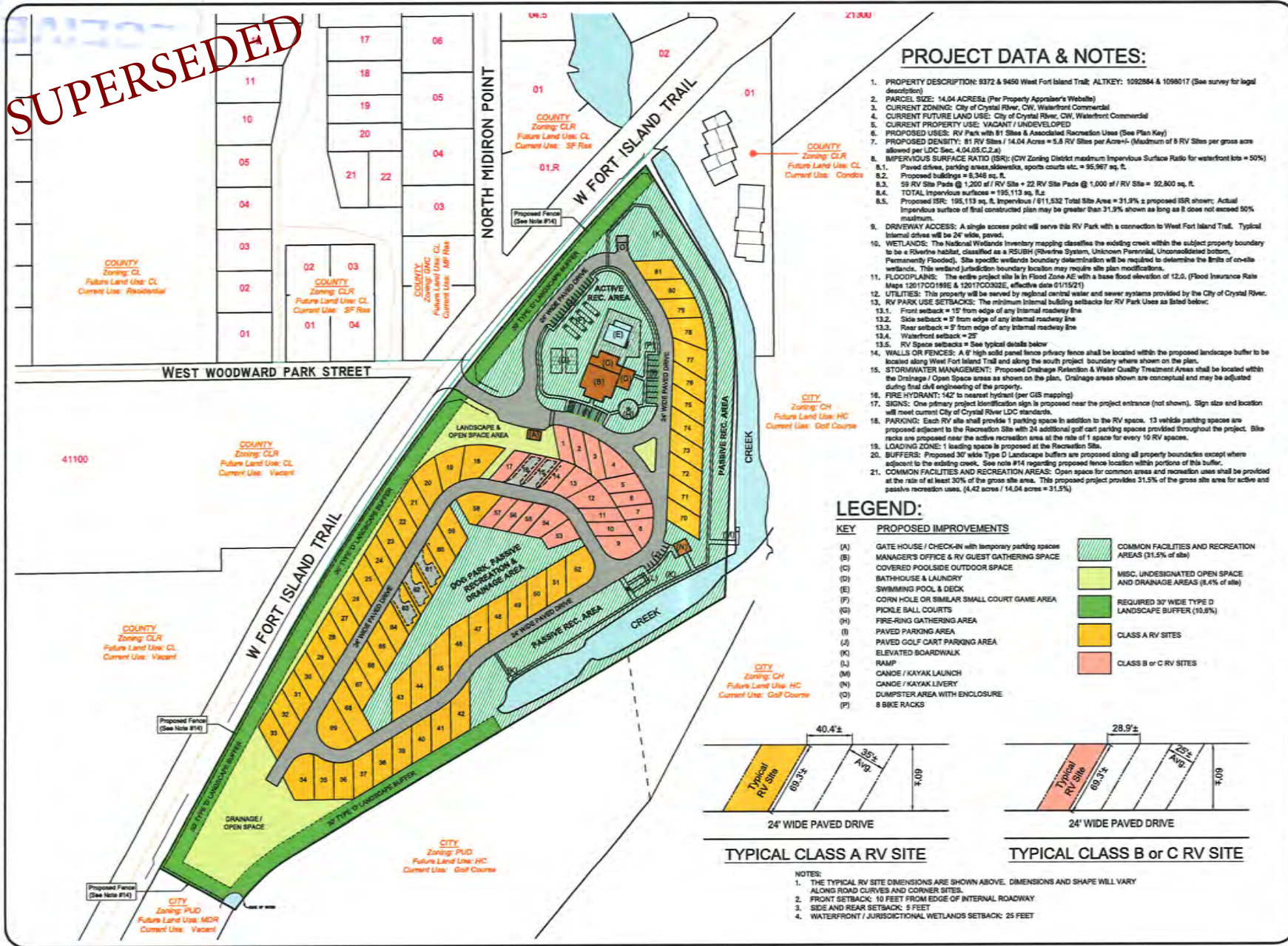


(D) 8
(E) 9

SEP 23 2022

SUPERSEDED

Exhibit "H"



1779 East Cleveland Street
Hernando, FL 34442
Phone: 352-437-1742
E: paul@eastcoastlandscape.com

Paul C. Gibbs
Registered Landscape Architect
#A0001189
State of Florida

This plan has been electronically signed and sealed by Paul C. Gibbs. Signature: Landscape Architect only. A physical signature is not required. All other information on this plan is not controlled, signed and sealed and the State authorization rules must be verified on any electronic copies.



Paul Gibbs,
RLA LA
0001189 State
of Florida

Digitally signed
by Paul Gibbs,
RLA LA 0001189
State of Florida
Date: 2022.09.15
11:43:19 -0400

EASTROB, LLC

RV RESORT

PUD Master Site Plan
09/15/22

9372 & 9450 West Fort Island Trail, Crystal River, FL



DRAWN BY: PCG
DATE: 09/15/22
SCALE: 1" = 75'

SHEET 1 OF 1

SUPERSEDED



LEGEND:

KEY	PROPOSED IMPROVEMENTS
(A)	GATE HOUSE / CHECK-IN with temporary parking spaces
(B)	MANAGER'S OFFICE & RV GUEST GATHERING SPACE
(C)	COVERED POOLSIDE OUTDOOR SPACE
(D)	BATHHOUSE & LAUNDRY
(E)	SWIMMING POOL & DECK
(F)	CORN HOLE OR SIMILAR SMALL COURT GAME AREA
(G)	PICKLE BALL COURTS
(H)	FIRE-RING GATHERING AREA
(I)	PAVED PARKING AREA
(J)	PAVED GOLF CART PARKING AREA
(K)	ELEVATED BOARDWALK
(L)	RAMP
(M)	CANOE / KAYAK LAUNCH
(N)	CANOE / KAYAK LIVERY
(O)	DUMPSTER AREA WITH ENCLOSURE
(P)	8 BIKE RACKS

TYPICAL CLASS A RV SITE

TYPICAL CLASS B or C RV SITE

NOTES:

1. THE TYPICAL RV SITE DIMENSIONS ARE SHOWN ABOVE. DIMENSIONS AND SHAPE WILL VARY ALONG ROAD CURVES AND CORNER SITES.
2. FRONT SETBACK: 10 FEET FROM EDGE OF INTERNAL ROADWAY
3. SIDE AND REAR SETBACK: 5 FEET
4. WATERFRONT / JURISDICTIONAL WETLANDS SETBACK: 25 FEET

SEP 23 2022

BY:

LAW OFFICE OF
CLARK A. STILLWELL, LLC
ATTORNEY AT LAW

BANK OF INVERNESS BUILDING
320 U.S. HIGHWAY 41 SOUTH
INVERNESS, FLORIDA 34450

TELEPHONE: (352) 726-6767
FAX: (352) 726-8283
caslaw@tampabay.rr.com

MAILING ADDRESS:
POST OFFICE BOX 250
INVERNESS, FLORIDA 34451

MEMORANDUM

**TO: Jenette Collins, AICP, Urban Planner
City of Crystal River**

**FROM: Clark A. Stilwell, Esquire
LAW OFFICE of CLARK A. STILLWELL, LLC**

DATE: October 7, 2022

RE: Eastrob, LLC – PUD Application

Jenette:

The subject park will be a “RV Condo” with a leasing pool of available sites who desire such. Similar to other RV parks in the County, to include some hotels/motels within the City.

CAS/cv

From: caslaw@tampabay.rr.com
To: [Jenette Collins](#)
Subject: RE: Eastrob, LLC - PUD Application
Date: Monday, October 10, 2022 9:36:39 AM
Attachments: [image001.png](#)
[image003.png](#)

If “condood”, there will be a condo plat and association.

Clark A. Stillwell
Law Office of Clark A. Stillwell, LLC
Post Office Box 250
Inverness, Florida 34451-0250
(352) 726-6767
(352) 726-8283-Facsimile
caslaw@tampabay.rr.com

From: Jenette Collins <jcollins@crystalriverfl.org>
Sent: Monday, October 10, 2022 8:20 AM
To: caslaw@tampabay.rr.com
Subject: RE: Eastrob, LLC - PUD Application

Thank you. I will be recommending a condition to require unified control.

Jenette Collins, AICP
Urban Planner

Planning & Community Development Services
[City of Crystal River](#)
123 NW Highway 19
Crystal River, Florida 34428
Direct: 352-795-4216 x 340
jcollins@crystalriverfl.org

Link to Crystal River Land Development Code [Mini TOC: APPENDIX A - LAND DEVELOPMENT CODE](#) | [Code of Ordinances](#) | [Crystal River, FL](#) | [Municode Library](#)

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From: caslaw@tampabay.rr.com <caslaw@tampabay.rr.com>
Sent: Friday, October 07, 2022 11:30 AM
To: Jenette Collins <jcollins@crystalriverfl.org>
Subject: Eastrob, LLC - PUD Application

Clark A. Stillwell
Law Office of Clark A. Stillwell, LLC
Post Office Box 250
Inverness, Florida 34451-0250
(352) 726-6767
(352) 726-8283-Facsimile
caslaw@tampabay.rr.com

LAW OFFICE OF
CLARK A. STILLWELL, LLC
ATTORNEY AT LAW

RECEIVED
OCT 27 2022
RY: P222-0089

BANK OF INVERNESS BUILDING
320 U.S. HIGHWAY 41 SOUTH
INVERNESS, FLORIDA 34450

TELEPHONE: (352) 726-6767
FAX: (352) 726-8283
caslaw@tampabay.rr.com

MAILING ADDRESS:
POST OFFICE BOX 250
INVERNESS, FLORIDA 34451

MEMORANDUM

**TO: Jenette Collins, AICP, Urban Planner
City of Crystal River**

**FROM: Clark A. Stilwell, Esquire
LAW OFFICE of CLARK A. STILLWELL, LLC**

DATE: October 27, 2022

RE: Eastrob, LLC – PUD Application

Jenette:

I'll try and get you material for the Planning Commission hearing on two (2) points in your staff report (1) Manatee Protection Plan (MPP) and (2) hurricane evacuation times, but I thought each could be further addressed by conditions which would mitigate each issue:

1. On MPP issue: Add a condition no mooring boats on shoreline, no docks along shoreline, no renting of any motorized vessel/boat. Note, canoes/kayak < 16 feet are not licensed vessels by the state. F.S. 328.00(15)(ee)(3) (attached). The intent of MPP is to minimize manatee interaction with motorized vessels/boats by limiting docking facilities. Seriously I'm unaware of any manatee deaths from an impact with a kayak. Also, the number of rental kayaks/canoes could be limited to a specific number – 12?

2. The evacuation issue: Standard to be met is defined by F.S. 163.3178(8)(a) – 12 hour evacuation time for a Cat 5 storm event. Subparagraph (2) of the statute speaks to “residents of the development”. An RV park is a commercial use, like a motel, its renters are not “residents”. On hurricane evacuation time, the sites RV units need only move to Rock Crusher Road to be outside of the CCHH flood area from a Cat 5 event. Further, they (RV’s) do not need shelter facilities. Tourists represent a small portion of total county evacuees vehicles (see attached) - 0.011%. As materials related – tourists evacuate at significantly higher rates than site built or mobile home owners. In lieu of a study, add a condition that upon mandatory evacuation order of Citrus County, the park will be closed and renters directed to leave. They’re not going to stay if there is no utilities! As you know, Citrus County history of ordering mandatory evacuation orders west of US 19 for storm events of far less magnitude than Cat 5 level addressed in the statute. Such a condition would exceed the intent of the statute and facilitate both renter and public safety.

I’ll call next week, out of town until then. Thanks.

CAS/cv
Enclosure
cc: Client
Paul Gibbs

OCT 27 2022
BY: P222-0089

11 different coastal regions in Floyd, for example, including four regions in Florida, and all 11 curves were distributed over more than a 24-hour period. All four of the 2004 major hurricanes in Florida (Charley, Frances, Ivan, and Jeanne) had evacuations that covered more than 24 hours. Evacuation departures in Katrina in Mississippi and Louisiana and in Rita in Texas in 2005 occurred over a period of two days or more. The same was true of Bertha and Fran in South Carolina in 1996, Georges in Florida in 1998, Lili in Texas and Louisiana in 2002, and Isabel in Virginia and Maryland in 2003.

One-day Evacuations

The prevalence of two-evacuations stems from good forecasts and a precautionary approach by public safety officials, particularly in stronger storms. If the National Hurricane Center goes forward with plans to extend the lead times for Hurricane Watches and Warnings by 12 hours, early issuance of evacuation notices will probably continue.

However, good early forecasts won't always be the case, or for other reasons evacuations notices won't be issued early enough to afford the luxury of having two days in which to evacuate. In those instances evacuations in certain areas will need to be rushed to completion following issuance of evacuation notices, and the duration of evacuations will be less than two days. If the goal of clearance time calculations is to estimate the minimum amount of time necessary to complete an evacuation safely, response curves of shorter duration than two days should be assumed.

The quickest of the one-day curves assumes that all evacuees depart within 12 hours of an evacuation notice being issued, with just 10% having left prior to the evacuation notice. Examples of approximately 12-hour response curves are Broward and Miami-Dade Counties in Andrew in 1992, Pinellas County in Elena in 1985, and Escambia County in Frederic in 1979. Storms in which evacuation departures were distributed over a 12 to 18 hour period include David in Miami-Dade in 1979 and Opal in northwest Florida in 1995. Eloise in northwest Florida in 1975 is a rare example of evacuation departures occurring over a period of just six hours, but in some locations as little as 45% of the public evacuated.

IV. Planning Assumptions for Vacationers

Compared to residents, there is relatively little data documenting how vacationers respond to hurricane threats, and no SRES survey was conducted with vacationers to ascertain their intentions. Recommendations for behavioral assumptions for tourists are derived from intended-response survey findings with visitors to other locations and from existing data on how vacationers have responded in other locations, including the

Carolinas.

A. Evacuation Rates

There is no evidence that vacationers are reluctant to evacuate when a hurricane interrupts their visit to a coastal community. Based on observations of vacationer behavior in other locations and surveys in other locations concerning intended responses, it is reasonable to assume that 90% to 95% of vacationers will evacuate their accommodations *if evacuation orders are issued*.

B. Type of Refuge

Officials sometimes report a large number of vacationers in public shelters, but they represent a very small percentage of the total visitor population. Fewer than 5% of the evacuating vacationers will go to public shelters. Between 25% and 50% will seek inland hotels and motels. The remainder will return home or stay with friends and relatives in Florida, although the number returning home will depend on the distances traveled by tourists from home. Those most likely to return home live within a one-day drive of where they vacation.

C. Destinations

Up to 5% of tourist evacuees will stay within the county where their vacation accommodations were located or go to a nearby county to use a public shelter. At least half will go elsewhere in Florida to continue their vacation or wait out the storm. Up to half will return home, if they live within a one-day drive.

D. Vehicle Use

The great majority of tourists have a vehicle available to them when on vacation, often their own. Virtually all of the vehicles will be used in evacuating, either to other tourist destinations, home, or airports.

E. Evacuation Timing

Tourists leave at least as early as residents. The same curves used for residents should be used for tourists, unless officials order vacationers to evacuate earlier.

RECEIVED
OCT 27 2022
P222-0089

West's Florida Statutes Annotated
Title XXIV. Vessels (Chapters 326-328) (Refs & Annos)
Chapter 328. Vessels: Title Certificates; Liens; Registration (Refs & Annos)
Part I. Vessels; Title Certificates; Liens (Refs & Annos)

West's F.S.A. § 328.0015

328.0015. Definitions

Effective: July 1, 2023

Currentness

<Effective July 1, 2023>

(1) As used in this part, the term:

- (a) "Barge" means a vessel that is not self-propelled or fitted for propulsion by sail, paddle, oar, or similar device.
- (b) "Builder's certificate" means a certificate of the facts of build of a vessel described in 46 C.F.R. s. 67.99.
- (c) "Buyer" means a person who buys or contracts to buy a vessel.
- (d) "Cancel," with respect to a certificate of title, means to make the certificate ineffective.
- (e) "Certificate of origin" means a record created by a manufacturer or importer as the manufacturer's or importer's proof of identity of a vessel. The term includes a manufacturer's certificate or statement of origin and an importer's certificate or statement of origin. The term does not include a builder's certificate.
- (f) "Certificate of title" means a record, created by the department or by a governmental agency of another jurisdiction under the law of that jurisdiction, that is designated as a certificate of title by the department or agency and is evidence of ownership of a vessel.
- (g) "Dealer" means a person, including a manufacturer, in the business of selling vessels.
- (h) "Department" means the Department of Highway Safety and Motor Vehicles.
- (i) "Documented vessel" means a vessel covered by a certificate of documentation issued pursuant to 46 U.S.C. s. 12105. The term does not include a foreign-documented vessel.

(j) "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(k) "Electronic certificate of title" means a certificate of title consisting of information that is stored solely in an electronic medium and is retrievable in perceivable form.

(l) "Foreign-documented vessel" means a vessel the ownership of which is recorded in a registry maintained by a country other than the United States which identifies each person who has an ownership interest in a vessel and includes a unique alphanumeric designation for the vessel.

(m) "Good faith" means honesty in fact and the observance of reasonable commercial standards of fair dealing.

(n) "Hull damaged" means compromised with respect to the integrity of a vessel's hull by a collision, allision, lightning strike, fire, explosion, running aground, or similar occurrence, or the sinking of a vessel in a manner that creates a significant risk to the integrity of the vessel's hull.

(o) "Hull identification number" means the alphanumeric designation assigned to a vessel pursuant to 33 C.F.R. part 181.

(p) "Lien creditor," with respect to a vessel, means:

1. A creditor that has acquired a lien on the vessel by attachment, levy, or the like;
2. An assignee for benefit of creditors from the time of assignment;
3. A trustee in bankruptcy from the date of the filing of the petition; or
4. A receiver in equity from the time of appointment.

(q) "Owner" means a person who has legal title to a vessel.

(r) "Owner of record" means the owner indicated in the files of the department or, if the files indicate more than one owner, the one first indicated.

(s) "Person" means an individual, corporation, business trust, estate, trust, statutory trust, partnership, limited liability company, association, joint venture, public corporation, government or governmental subdivision, agency, or instrumentality, or any other legal or commercial entity.

(t) "Purchase" means to take by sale, lease, mortgage, pledge, consensual lien, security interest, gift, or any other voluntary transaction that creates an interest in a vessel.

(u) "Purchaser" means a person who takes by purchase.

(v) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(w) "Secured party," with respect to a vessel, means a person:

1. In whose favor a security interest is created or provided for under a security agreement, regardless of whether any obligation to be secured is outstanding;

2. Who is a consignor as defined under chapter 679; or

3. Who holds a security interest arising under s. 672.401, s. 672.505, s. 672.711(3), or s. 680.508(5).

(x) "Secured party of record" means the secured party whose name is indicated as the name of the secured party in the files of the department or, if the files indicate more than one secured party, the one first indicated.

(y) "Security interest" means an interest in a vessel which secures payment or performance of an obligation if the interest is created by contract or arises under s. 672.401, s. 672.505, s. 672.711(3), or s. 680.508(5). The term includes any interest of a consignor in a vessel in a transaction that is subject to chapter 679. The term does not include the special property interest of a buyer of a vessel on identification of that vessel to a contract for sale under s. 672.501, but a buyer also may acquire a security interest by complying with chapter 679. Except as otherwise provided in s. 672.505, the right of a seller or lessor of a vessel under chapter 672 or chapter 680 to retain or acquire possession of the vessel is not a security interest, but a seller or lessor also may acquire a security interest by complying with chapter 679. The retention or reservation of title by a seller of a vessel notwithstanding shipment or delivery to the buyer under s. 672.401 is limited in effect to a reservation of a security interest. Whether a transaction in the form of a lease creates a security interest is determined as provided in part II of chapter 671.

(z) "Sign" means, with present intent to authenticate or adopt a record, to:

1. Make or adopt a tangible symbol; or

2. Attach to or logically associate with the record an electronic symbol, sound, or process.

(aa) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(bb) "State of principal use" means the state on the waters of which a vessel is or will be used, operated, navigated, or employed more than on the waters of any other state during a calendar year.

(cc) "Title brand" means a designation of previous damage, use, or condition that must be indicated on a certificate of title.

(dd) "Transfer of ownership" means a voluntary or involuntary conveyance of an interest in a vessel.

(ee) "Vessel" means a watercraft used or capable of being used as a means of transportation on water, except:

1. A seaplane;

2. An amphibious vehicle for which a certificate of title is issued pursuant to chapter 319 or a similar statute of another state;

3. Non-motor powered watercraft less than 16 feet in length;

4. Watercraft that operate only on a permanently fixed, manufactured course and the movement of which is restricted to or guided by means of a mechanical device to which the watercraft is attached or by which the watercraft is controlled;

5. A stationary floating structure that:

a. Does not have and is not designed to have a mode of propulsion of its own;

b. Is dependent for utilities upon a continuous utility hookup to a source originating on shore; and

c. Has a permanent, continuous hookup to a shoreside sewage system;

6. Watercraft owned by the United States, a state, or a foreign government or a political subdivision of any of them; and

7. Watercraft used solely as a lifeboat on another watercraft.

(ff) "Vessel number" means the alphanumeric designation for a vessel issued pursuant to 46 U.S.C. s. 12301.

(gg) "Written certificate of title" means a certificate of title consisting of information inscribed on a tangible medium.

(2) The following definitions and terms also apply to this part:

- (a) “Agreement” as defined in s. 671.201(3).
- (b) “Buyer in ordinary course of business” as defined in s. 671.201(9).
- (c) “Conspicuous” as defined in s. 671.201(10).
- (d) “Consumer goods” as defined in s. 679.1021(1)(w).
- (e) “Debtor” as defined in s. 679.1021(1)(bb).
- (f) “Knowledge” as defined in s. 671.209.
- (g) “Lease” as defined in s. 680.1031(1)(j).
- (h) “Lessor” as defined in s. 680.1031(1)(p).
- (i) “Notice” as defined s. 671.209.
- (j) “Representative” as defined in s. 671.201(36).
- (k) “Sale” as defined in s. 672.106(1).
- (l) “Security agreement” as defined in s. 679.1021(1)(uuu).
- (m) “Seller” as defined in s. 672.103(1)(d).
- (n) “Send” as defined in s. 671.201(39).
- (o) “Value” as defined in s. 671.211.

Credits

Added by Laws 2019, c. 2019-76, § 2, eff. July 1, 2023.

Editors' Notes

APPLICABILITY

<For applicability of Laws 2019, c. 2019-76, see §§ 328.37 and 328.28.>

West's F. S. A. § 328.0015, FL ST § 328.0015

Current with laws, joint and concurrent resolutions and memorials through July 1, 2022, in effect from the 2022 Second Regular Session. Some statute sections may be more current, see credits for details.

End of Document

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Essential Habitat - A criteria for determining areas where dock facilities should be limited. Essential Habitat is any land or water area constituting elements necessary to the survival and recovery of the manatee population from endangered status which may require special management considerations and protective measures. The constituent elements include, but are not limited to: space for individual and population growth and for normal behavior; available food sources with adequate water depth and quality; warm and fresh water sources; sites for breeding and rearing of offspring; and habitats protected from disturbances that are representative of the geographical and seasonal distribution of the species.

From: caslaw@tampabay.rr.com
To: [Jenette Collins](#)
Cc: "[John Brown](#)"; rbatsel@lawyersocala.com; [Ken Frink](#); [Brian Herrmann](#); [Paul Gibbs](#)
Subject: RE: MEMO Jenette Collins 9
Date: Tuesday, November 29, 2022 9:45:53 AM
Attachments: [image001.png](#)
[image003.png](#)

1. No ramp – we'll label "canoe/kayak launch site".
2. Is good.

Clark A. Stillwell
Law Office of Clark A. Stillwell, LLC
Post Office Box 250
Inverness, Florida 34451-0250
(352) 726-6767
(352) 726-8283-Facsimile
caslaw@tampabay.rr.com

From: Jenette Collins <jcollins@crystalriverfl.org>
Sent: Monday, November 28, 2022 3:25 PM
To: caslaw@tampabay.rr.com
Cc: John Brown <jwbrown3309@gmail.com>; rbatsel@lawyersocala.com; Ken Frink <KFrink@crystalriverfl.org>; Brian Herrmann <BHerrmann@crystalriverfl.org>
Subject: RE: MEMO Jenette Collins 9

Clark - I have updated the draft ordinance to include your modifications (see cross-outs underlines) of the three conditions 8, 11, and 12. Will revisit my staff report to address updates.

A couple of things...

1. Regarding your modified Condition 11, the master plan shows ramp as (L)....see Legend. Will require revised plan.
2. You modified Condition 12 (expiration) to hinge on the SWFWMD permit issuance, but it doesn't say when the applicant would file with the District. It's not preferable to tie the time to another agency's timeline. Would a five (5) year term be more reasonable and remove the SWFWMD tie?

Thanks,

Jenette Collins, AICP
Urban Planner

Planning & Community Development Services
[City of Crystal River](#)

From: Jenette Collins
Sent: Monday, November 28, 2022 9:31 AM
To: 'caslaw@tampabay.rr.com' <caslaw@tampabay.rr.com>
Cc: John Brown <jwbrown3309@gmail.com>; rbatsel@lawyersocala.com; Ken Frink <KFrink@crystalriverfl.org>; Brian Herrmann <BHerrmann@crystalriverfl.org>
Subject: RE: MEMO Jenette Collins 9

Clark,

This confirms receipt of the three docs you sent for updating the application record for PZ22-0089 Eastrob RVP PUD scheduled for the January 5, 2023 PC meeting.

Thank you,
Jenette Collins, AICP
Urban Planner

Planning & Community Development Services
[City of Crystal River](#)
123 NW Highway 19
Crystal River, Florida 34428
Direct: 352-795-4216 x 340
jcollins@crystalriverfl.org

Link to Crystal River Land Development Code [Mini TOC: APPENDIX A - LAND DEVELOPMENT CODE](#) | [Code of Ordinances](#) | [Crystal River, FL](#) | [Municode Library](#)

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From: caslaw@tampabay.rr.com <caslaw@tampabay.rr.com>
Sent: Monday, November 21, 2022 10:30 AM
To: Jenette Collins <jcollins@crystalriverfl.org>
Cc: John Brown <jwbrown3309@gmail.com>; rbatsel@lawyersocala.com; Ken Frink <KFrink@crystalriverfl.org>
Subject: MEMO Jenette Collins 9

Clark A. Stillwell
Law Office of Clark A. Stillwell, LLC
Post Office Box 250
Inverness, Florida 34451-0250
(352) 726-6767
(352) 726-8283-Facsimile
caslaw@tampabay.rr.com

EXHIBIT B

Eastrob LLC, RV Resort PUD Conditions of Approval

The PUD Master Plan approval shall be conditioned upon Developer's performance of the following obligations and ongoing compliance with the following requirements concerning use, operation and maintenance of the subject property, as well as development timing and infrastructure. Failure to abide by the following terms shall constitute a violation of the City River Code of Ordinances and may result in termination of the *PUD Master Plan* and/or code enforcement action against Developer or its successor(s) or assign(s).

1. Development Concept. The project shall be developed as a Planned Unit Development ("PUD" or "Project") substantially in accordance with this Ordinance. The Project is a total of 14.04 acres and will be developed as a commercial Recreational Vehicle Park (for purpose of transient guest lodging by persons with recreational vehicle-type units) consisting of a maximum 81 Recreational Vehicle¹ ("RV") lots, a gate house (check-in), manager's office, bathhouse/laundry building, covered poolside area and swimming pool, active and passive recreation areas, and associated parking areas.
2. Planned Unit Development Plan. The Project shall be developed in a manner that is consistent with the *PUD Master Plan* (PUD Master Site Plan 09/15/22) attached hereto and incorporated as composite Exhibit C, pursuant to Crystal River Land Development Code (LDC), Section 10.01.03.
3. Planned Unit Development Conditions. The approval and ongoing effectiveness of the *PUD Master Plan* approved through this ordinance is conditioned on satisfaction and ongoing compliance with the following conditions:
 - A. Detailed site improvement plans shall be submitted to the City prior to commencement of construction and shall demonstrate compliance with stormwater level-of-service standards.
 - B. Prior to the approval of the permit for site improvement plans, the following conditions must be satisfied by the Developer:
 - i. The Project must connect to potable water and sanitary sewer as required by the City of Crystal River Code of Ordinances. Concurrency for potable water and sanitary sewer must be met in accordance with Section 6.01.05 Requirements for concurrency for sanitary sewer, solid waste, drainage, and potable water, of the Crystal River Land Development Code (LDC). The Developer shall

¹ For purposes of this Ordinance and Exhibits, "recreational vehicle" shall have the definition set forth in section 320.01(1)(b), Florida Statutes, and shall be fully licensed and ready for highway use at all times. "Ready for highway use" means the recreational vehicle is not affixed to the ground, is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices, has no permanent attachments such as additions, rooms, stairs, decks or porches, and is capable of removal within twelve hours. Notwithstanding the foregoing, "recreational vehicles" shall not include "park trailers" as defined in section 320.01(1)(b)(7), which are not permitted within the subject property.

retain the services of a registered professional engineer to analyze the City's offsite utility systems (potable water transmission and sanitary sewer collection) to determine if any offsite improvements are needed for the planned increase in utility demands. Should any offsite improvements to the transmission or collection systems be determined by City to be necessary to serve this Project, such improvements shall be the responsibility of the Developer. The Developer acknowledges that the fire-flow available for this project is limited to the flows and pressures currently available to the property. The Developer shall be responsible for obtaining right-of-way utilization permits from Citrus County Government for construction of lines within W Fort Island Trail.

- ii. As part of the City's potable water service to this Project, the Developer shall provide one master water meter for the project at a location that is agreed upon by the City of Crystal River Department of Public Works.
 - iii. The Developer shall retain the services of a registered professional engineer to analyze safety and operational capacities of the adjacent County collector roadway (West Fort Island Trail) and the need for intersection or right of way improvements. Offsite improvements determined by Citrus County Government to be necessary to serve this Project shall be the responsibility of the Developer. The Developer shall coordinate with Citrus County, Division of Engineering, to obtain the necessary right-of-way utilization permits from the Citrus County Board of County Commissioners for driveway connections and required improvements to W Fort Island Trail as warranted by the analysis.
 - i. The Developer shall submit and process a lot combination with the City to combine the subject property into a single parcel or, alternatively, subdivide the subject property through the plat process set forth in the City's Code of Ordinances and Florida Statutes.
 - ii. A Declaration of Covenants and Restrictions and associated property owner association (POA) articles of organizations, bylaws, and other documents and/or other legal instruments providing for unified control and perpetual maintenance of the private drives, common areas (including, but not limited to buffers) and ancillary facilities to the satisfaction of the City shall be submitted as part of the development permit. The final plat and related covenants/legal instruments shall be recorded in the public records of the Citrus County Clerk of Court.
4. RV Lots and amenities shall be allocated as shown on the *PUD Master Plan* attached hereto as **Exhibit C**. The Recreational Vehicle Park design, setbacks and other dimensional

standards shall comply with all requirements set forth in Section 4.04.05 Recreational vehicle parks in a PUD district, of the Crystal River LDC, except as specified herein:

- A. Restrooms and bath facility may exceed the 500-foot minimum distance required from recreational vehicle spaces as presented on the *PUD Master Plan*.
 - B. Landscape buffering shall not be required along the creek (canal) side where such area is labeled as a “PASSIVE-REC. AREA” on the *PUD Master Plan*, except that “Heritage Trees” (as defined in Section 4.05.05 Requirements for trees and tree protection, of the Crystal River LDC) shall be maintained and protected.
5. The Developer, as part of the buffering requirement, may provide a 6-foot privacy fence within the landscape buffer to be located along W Fort Island Trail and along the south Project boundary where shown on the *PUD Master Plan*. Design and location of the privacy fence within the buffer shall require review and final approval by the Crystal River Planning and Community Development Services Department Director.
 6. A Tree Survey demonstrating tree protection standards of the Crystal River LDC must be submitted and approved at time of development permit.
 7. Access gates (if planned at entry/exit point) shall be siren activated (or allow access by another method) as found acceptable by the City’s emergency regulatory agencies. In this case, adequate driveway stacking distance must be maintained at the entrance to deter vehicles from queuing onto the public right-of-way.
 8. Evacuation/Site Vacation:
 - A. The Developer or its successor or assign, such as a successor declarant or property owners association, which owns the common areas within the subject property, shall ensure that each recreational vehicle located on the subject property remains, at all times, fully licensed and ready for highway use and shall ensure compliance with applicable laws governing RV Park occupants. For purposes of this section, “ready for highway use” means the recreational vehicle is not permanently affixed to the ground, is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices, has no permanent attachments such as additions, rooms, stairs, decks or porches, and is capable of removal within twelve hours. The foregoing requirement shall be incorporated into a Declaration of Covenants and Restrictions encumbering the subject property, which shall also require all owners of lots, that recreational vehicles within the subject property be removed and the park shall close operating in the event of an emergency or mandatory evacuation order. Such Declaration shall be submitted to City for approval pursuant to section 3.B.iv., above.
 - B. On permanent vacation of the RV site, any ancillary uses shall be removed.
 9. No park trailers (park models) shall be placed on the subject property.
 10. An emergency evacuation plan will be submitted for the City’s approval at time of

development permit. Permanent or habitable spaces within structures must meet the required FEMA Flood Insurance Rate Map (FIRM) base flood elevation or FEMA flood proofing standards (for non-residential buildings) in effect at time of development.

11. Manatee Protection Plan (MPP):

- A. To avoid manatee/boat overlap, no boating facility or boat ramp shall be permitted within the subject property.
 - B. Site shall be allowed one (1) dock site as per site plan (lineal) on canal per master site plan. Site shall include a private launch site for non-motorized canoe and kayaks (< 16 ft. in length). No other docks shall be allowed on the canal boundary. No vessels (to include canoes and kayaks) shall be moored or launched to the canal boundary/shoreline.
12. A determination for expiration of development rights for the *PUD Master Plan* shall be in accordance with those procedures set forth in Section 10.00.04 *Expiration of development permits*, of the Crystal River LDC, except that the term to obtain a development permit for site improvement plans shall be for three (3) years from issuance of applicant's SWFWMD stormwater permit.
13. The Developer is responsible for obtaining any and all permits and approvals required by the City and all other federal, state, and local government permits to operate the property as provided herein.
14. Where standards are not specified herein, the Crystal River Land Development Code standards (or current code standards) will apply.
15. Minor modifications to this Planned Unit Development may be approved by the City Manager (or his designee) as outlined within Section 10.05.02, *Procedures for Minor Amendments*, of the Crystal River LDC.
16. The failure of Developer or its successors or assigns to materially satisfy any condition or perform or comply with any obligation set forth herein shall constitute a violation of the City Code of Ordinances that may be enforced through the City's code enforcement, which could lead to the imposition of restrictions or limitations on future development until compliance is achieved

End of Exhibit B

From: caslaw@tampabay.rr.com
To: [Jenette Collins](#)
Cc: [Paul Gibbs](#); [John Brown](#)
Subject: FW: EASTROB RV Resort Plan
Date: Friday, December 02, 2022 9:50:06 AM
Attachments: [CLD Eastrob RV Resort PUD Master Plan Revised 120222.pdf](#)

Jenette:

Please see revised site plan attached per your note on internal access.

Clark A. Stillwell
Law Office of Clark A. Stillwell, LLC
Post Office Box 250
Inverness, Florida 34451-0250
(352) 726-6767
(352) 726-8283-Facsimile
caslaw@tampabay.rr.com

From: Paul Gibbs <paulcld2000@tampabay.rr.com>
Sent: Friday, December 2, 2022 9:35 AM
To: Clark A. Stillwell <caslaw@tampabay.rr.com>
Subject: EASTROB RV Resort Plan

Clark,

See attached plan updates removing the road stub near lot 33. The ISR calculations in Note 8 was updated slightly to match the plan updates. Revision block updated.

Paul Gibbs, Landscape Architect
COMMUNITY LAND DESIGN, Inc.
1773 East Cleveland Street
Hernando, FL 34442
(352) 637-1742

DEC 05 2022
BY: PZ22-0089

COUNTY
Zoning: CL
Future Land Use: CL
Current Use: Residential

COUNTY
Zoning: CLR
Future Land Use: CL
Current Use: SF Res

COUNTY
Zoning: GNC
Future Land Use: CL
Current Use: MF Res

COUNTY
Zoning: CLR
Future Land Use: CL
Current Use: Vacant

COUNTY
Zoning: CLR
Future Land Use: CL
Current Use: Vacant

CITY
Zoning: PUD
Future Land Use: HC
Current Use: Golf Course

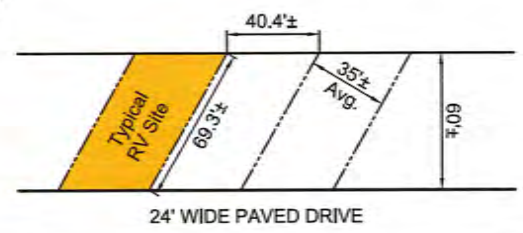
CITY
Zoning: PUD
Future Land Use: MDR
Current Use: Vacant

PROJECT DATA & NOTES:

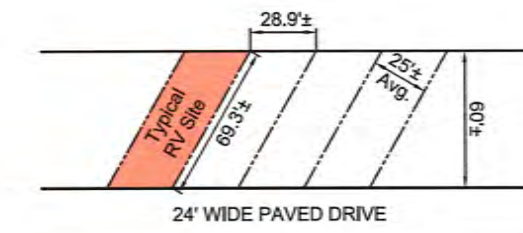
- PROPERTY DESCRIPTION: 9372 & 9450 West Fort Island Trail; ALTKEY: 1092884 & 1098017 (See survey for legal description)
- PARCEL SIZE: 14.04 ACRES± (Per Property Appraiser's Website)
- CURRENT ZONING: City of Crystal River, CW, Waterfront Commercial
- CURRENT FUTURE LAND USE: City of Crystal River, CW, Waterfront Commercial
- CURRENT PROPERTY USE: VACANT / UNDEVELOPED
- PROPOSED USES: RV Park with 81 Sites & Associated Recreation Uses (See Plan Key)
- PROPOSED DENSITY: 81 RV Sites / 14.04 Acres = 5.8 RV Sites per Acre± (Maximum of 8 RV Sites per gross acre allowed per LDC Sec. 4.04.05.C.2.a)
- IMPERVIOUS SURFACE RATIO (ISR): (CW Zoning District maximum Impervious Surface Ratio for waterfront lots = 50%)
 - Paved drives, parking areas, sidewalks, sports courts etc. = 97,109 sq. ft.
 - Proposed buildings = 6,346 sq. ft.
 - 59 RV Site Pads @ 1,200 sf / RV Site + 22 RV Site Pads @ 1,000 sf / RV Site = 92,800 sq. ft.
 - TOTAL Impervious surfaces = 196,255 sq. ft.±
 - Proposed ISR: 196,255 sq. ft. Impervious / 611,532 Total Site Area = 32.1% ± proposed ISR shown: Actual Impervious surface of final constructed plan may be greater than 32.1% shown as long as it does not exceed 50% maximum.
- DRIVEWAY ACCESS: A single access point will serve this RV Park with a connection to West Fort Island Trail. Typical internal drives will be 24' wide, paved.
- WETLANDS: The National Wetlands Inventory mapping classifies the existing creek within the subject property boundary to be a Riverine habitat, classified as a RSUBH (Riverine System, Unknown Perennial, Unconsolidated bottom, Permanently Flooded). Site specific wetlands boundary determination will be required to determine the limits of on-site wetlands. This wetland jurisdiction boundary location may require site plan modifications.
- FLOODPLAINS: The entire project site is in Flood Zone AE with a base flood elevation of 12.0. (Flood Insurance Rate Maps 12017CO189E & 12017CO302E, effective date 01/15/21)
- UTILITIES: This property will be served by regional central water and sewer systems provided by the City of Crystal River.
- RV PARK USE SETBACKS: The minimum internal building setbacks for RV Park Uses as listed below:
 - Front setback = 15' from edge of any internal roadway line
 - Side setback = 5' from edge of any internal roadway line
 - Rear setback = 5' from edge of any internal roadway line
 - Waterfront setback = 25'
 - RV Space setbacks = See typical details below
- WALLS OR FENCES: A 6' high solid panel fence privacy fence shall be located within the proposed landscape buffer to be located along West Fort Island Trail and along the south project boundary where shown on the plan.
- STORMWATER MANAGEMENT: Proposed Drainage Retention & Water Quality Treatment Areas shall be located within the Drainage / Open Space areas as shown on the plan. Drainage areas shown are conceptual and may be adjusted during final civil engineering of the property.
- FIRE HYDRANT: 142' to nearest hydrant (per GIS mapping)
- SIGNS: One primary project identification sign is proposed near the project entrance (not shown). Sign size and location will meet current City of Crystal River LDC standards.
- PARKING: Each RV site shall provide 1 parking space in addition to the RV space. 13 vehicle parking spaces are proposed adjacent to the Recreation Site with 24 additional golf cart parking spaces provided throughout the project. Bike racks are proposed near the active recreation area at the rate of 1 space for every 10 RV spaces.
- LOADING ZONE: 1 loading space is proposed at the Recreation Site.
- BUFFERS: Proposed 30' wide Type D Landscape buffers are proposed along all property boundaries except where adjacent to the existing creek. See note #14 regarding proposed fence location within portions of this buffer.
- COMMON FACILITIES AND RECREATION AREAS: Open space for common areas and recreation uses shall be provided at the rate of at least 30% of the gross site area. This proposed project provides 31.5% of the gross site area for active and passive recreation uses, (4.42 acres / 14.04 acres = 31.5%)

LEGEND:

KEY	PROPOSED IMPROVEMENTS	
(A)	GATE HOUSE / CHECK-IN with temporary parking spaces	COMMON FACILITIES AND RECREATION AREAS (31.5% of site)
(B)	MANAGER'S OFFICE & RV GUEST GATHERING SPACE	MISC. UNDESIGNATED OPEN SPACE AND DRAINAGE AREAS (8.4% of site)
(C)	COVERED POOLSIDE OUTDOOR SPACE	REQUIRED 30' WIDE TYPE D LANDSCAPE BUFFER (10.6%)
(D)	BATHHOUSE & LAUNDRY	CLASS A RV SITES
(E)	SWIMMING POOL & DECK	CLASS B or C RV SITES
(F)	CORN HOLE OR SIMILAR SMALL COURT GAME AREA	
(G)	PICKLE BALL COURTS	
(H)	FIRE-RING GATHERING AREA	
(I)	PAVED PARKING AREA	
(J)	PAVED GOLF CART PARKING AREA	
(K)	ELEVATED BOARDWALK	
(L)	ACCESS TO CANOE / KAYAK LAUNCH SITE	
(M)	CANOE / KAYAK LAUNCH SITE	
(N)	CANOE / KAYAK LIVERY	
(O)	DUMPSTER AREA WITH ENCLOSURE	
(P)	8 BIKE RACKS	



TYPICAL CLASS A RV SITE



TYPICAL CLASS B or C RV SITE

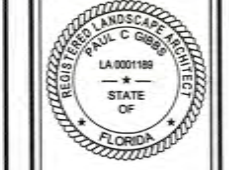
- NOTES:
- THE TYPICAL RV SITE DIMENSIONS ARE SHOWN ABOVE. DIMENSIONS AND SHAPE WILL VARY ALONG ROAD CURVES AND CORNER SITES.
 - FRONT SETBACK: 10 FEET FROM EDGE OF INTERNAL ROADWAY
 - SIDE AND REAR SETBACK: 5 FEET
 - WATERFRONT / JURISDICTIONAL WETLANDS SETBACK: 25 FEET



1773 East Cleveland Street
Hernando, FL 34442
Phone: 352-637-1742
E: paulgibbs2000@jampabay.com

Paul C. Gibbs
Registered Landscape Architect
#LA0001189
State of Florida

This item has been electronically signed and sealed by Paul C. Gibbs, Registered Landscape Architect using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.



Paul Gibbs,
RLA LA
0001189 State
of Florida

Digitally signed
by Paul Gibbs,
RLA LA 0001189
State of Florida
Date: 2022.12.02
09:32:49 -05'00'

EASTROB,
LLC

RV RESORT

PUD Master
Site Plan
09/15/22

9372 & 9450 West Fort
Island Trail
Crystal River, FL



DRAWN BY:	PCG
DATE:	09/15/22
REVISIONS:	1. 09/15/22 Modify General Project Launch Labels 2. 09/15/22 Update Launch Labels
SCALE:	1" = 75'

SHEET
1 OF 1



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	January 5, 2023	
APPLICATION NO. PZ22-0110/PZ22-0111 – BLUMENAUER & BLUMENAUER, PA representing JGIPE AUTO BODY LLC		
PROPOSED AMENDMENTS:	COMPREHENSIVE PLAN	Small-Scale Amendment of the Comprehensive Plan’s Future Land Use Map (FLUM) to change the subject property from Medium Density Residential (MDR) to Highway Commercial (HC).
	ZONING MAP	Amendment of the Official Zoning Map to change the subject property from Medium Density Residential (R-2) to High Intensity Commercial (CH).
SUBJECT PROPERTY:	Section 22, Township 18S, Range 17E; specifically, Lot 394 of Knights Addition To Crystal River, as recorded in Plat Book 1, Page 28, of the Public Records of Citrus County, Florida (AK#1080720), and which address is 837 NE 5 th Terrace, Crystal River. A complete legal description of the property is on file with the Planning & Development Services Department.	
PROPERTY OWNER:	JGipe Auto Body, LLC	
LAST OCCUPANT:	unimproved lot	
ACREAGE	Approximately 0.24 acre	
FLOOD ZONE:	According to the Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with a Base Flood Elevation (BFE) of 11 feet, as found on FIRM Panel Number 12017C0189E. (Effective date: January 15, 2021)	
SURROUNDING AREA (FLUM/ZONING):	North – MDR/R-2 (committed residential/single family residence)	
	South – CH/HC (across NE 5 th Terrace is committed commercial/auto body shop)	
	East – MDR/R-2 (committed residential/unimproved lot)	
	West – MDR/R-2 (committed residential/single family residence)	
PREPARED BY:	Jenette Collins, AICP, Urban Planner, Planning and Community Development Services Department	

BACKGROUND INFORMATION: The applicant makes the requests to change the future land use category and zoning district on Lot 394 of Knights Addition to Crystal River to allow for parking of vehicles being serviced and repaired by Special T Auto business which is located across the street at 835 NE 5th Street (business fronts SR-44/Gulf-to-Lake Highway). On October 14, 2022, the City’s Code Enforcement office found the subject property in violation of City Ordinance 2.01.04 for using the 0.24-acre lot as a parking lot/storage area to the Special T Auto business. The subject property is zoned as MDR that does not allow for the said use. The applicant makes the applications for FLUM amendment and rezoning to abate the business’ code violation.

The subject property is a 100-foot wide by 105-foot deep lot that fronts on NE 5th Terrace, a city maintained, local right-of-way.

ANALYSIS: The following items have been evaluated by staff to prepare findings and a recommendation to the Planning Commission.

Comprehensive Plan – Future Land Use Map Amendment: This request is to change the land use category on the subject property from MDR to HC.

Comprehensive Plan FLUM Category:	From MDR, Medium Density Residential	Proposed to HC, Highway Commercial
Category Description:	Single- and multi-family residential development and customary residential accessory uses incidental to the residential uses on site. Public or private pre-school and primary school, facilities, essential services and utilities may be allowable, subject to supplemental development and design standards. Residential density shall be from 3.1 to 8 units per acre. Maximum impervious surface shall not exceed 55 percent.	Retail uses, professional offices, vehicle sales, service, and repair, service stations, restaurants, convenience stores, lodging, financial institutions, theaters, and entertainment uses. Light assembly, essential services and utilities are allowable, subject to supplemental development and design standards. Maximum impervious surface shall not exceed 75 percent outside the Community Redevelopment Area and 85 percent within the Community Redevelopment Area.

Source: Crystal River Comprehensive Plan, Future Land Use Element (Ord. No. 11-O-06)

Zoning Map Amendment: This request is to rezone the subject property from R-2 to CH to provide consistency with the requested FLUM amendment. This part of the property is currently designated as CH zoning on the Official Zoning Map. If this request is approved by the City Council, then new commercial development shall be designed to comply with the Crystal River Land Development Code (LDC). The rezoning would result in the following density/intensity changes as per the LDC.

Zoning District:	From R-2, Medium Density Residential	Proposed to CH, High Intensity Commercial
Max Density/Use:	8.0 du/acre	Large-scale business, commercial, light assembly, and institutional uses
Max ISR:	55%	75%
Max FAR:	n/a	0.7
Minimum Required planted buffers (Based on Adjacent Zoning)	NORTH:	Single-family home ¹ on platted lot shall not be required to provide a buffer.
	SOUTH:	n/a
	EAST:	n/a
	WEST:	n/a
		"D" (20'-width) adjacent to R-2 District
		"C" (15'-width) adjacent to local street
		"D" (20'-width) adjacent to R-2 District
		"D" (20'-width) adjacent to R-2 District

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

Compatibility with Adjacent Land Uses: The applicant proposes the zoning amendment to allow for parking of vehicles being serviced by the commercial auto repair shop located across NE 5th Terrace. Although the 0.24-acre lot is across the street and faces a commercial block that is designated as CH District,

¹Single-family home shall comply with section 4.05.05, LDC, regarding minimum requirements to provide trees.

the property is situated in a residentially committed block. The residential block comprises 12 residential lots of which 9 lots have been improved with single-family residences. Since a rezoning must take into consideration all potential uses that may be allowed in a CH zoning district, compatibility must be addressed between existing and future land use patterns. Given the existing residential development and the high intensity commercial uses that may be allowed in a CH district, staff finds that the CH district would not be compatible with the surrounding R-2 zoning. More specifically, that the intensity of development allowed in the CH district would not be similar in scale, bulk, and other aspects of site design as is found in the residential neighborhood. As such, the request is found to be inconsistent with the intent of the Comprehensive Plan (see section below ***Consistency with the Comprehensive Plan***).

Other Zoning Considerations: In the submittal, the applicant states that the property has been used over 15 years for parking vehicles associated with the commercial auto repair shop across the street. The existing R-2 zoning district does not allow for this use. In section 2.03.02, *Table of permitted uses*, of the LDC, as enacted in 2005 (Ordinance No. 05-O-08), vehicle service and repair (including accessory uses incidental to the principal business) are permitted only in the CH and IND, Industrial zoning districts. A review of the Citrus County Property Appraiser's "Pictometry" (aerial) maps shown in two-year intervals beginning the year of 2003, shows the parking of vehicles on the subject property started to occur sometime in or about 2014, although staff cannot determine if the parking was associated with the auto repair shop. [Note: To consider vested rights status (per section 9.06.00 Vested rights, of the LDC), the use would need to have been in place prior to the enactment of the LDC.]

Community Redevelopment Area: The subject property is not located in the City's designated Community Redevelopment Area (CRA). Therefore, the CRA development standards are not applicable to this site.

Environmental Factors: The subject property is unimproved. According to the Federal Emergency Management Agency (FEMA), FIRM Map, elevation contours vary from 6- to 7-foot above mean sea level. Development will be required to meet FEMA FIRM BFE as summarized in the introduction table above.

According to the United States Department of Agriculture (USDA) Soil Survey, the soil type found on the subject property is described as follows:

- Approximately 86 percent of the site is classified as (11) Tavares fine sand, 0 to 5 percent slopes (parent material: Eolian or sandy marine deposits), having a drainage class defined as moderately well drained, and having a depth to water table of about 42 to 60 inches.
- Approximately 14 percent of the site is classified as (2) Adamsville fine sand, 0 to 2 percent slopes (parent material: sandy marine deposits), having a drainage class defined as somewhat poorly drained, and having a depth to water table of about 18 to 42 inches.

No environmental issues are evident based on the application submittal.

INFRASTRUCTURE:

Transportation (Ingress/Egress) – The subject property fronts and gains access from NE 5th Terrace, a 50-foot, public maintained, improved right-of-way. This local road is maintained by the City.

Water – The City currently has adequate water supply to serve future development.

Sewer – The City currently has adequate sewer capacity to serve future development.

Stormwater Management – Stormwater management requirements must be approved as established by the Southwest Florida Water Management District (SWFWMD) for any intended commercial project. All stormwater 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.

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

Future Land Use Element

GOAL 3: *Crystal River will promote and maintain the character of community through consistent land use.*

OBJECTIVE 3.2: *The Character and quality of existing residential neighborhoods will be maintained or upgraded.*

POLICIES:

A) *The City will permit only residential developments, residential accessory uses, and limited specified uses which are compatible with residential uses in residential neighborhoods. Limited specified uses will be allowable only for those uses which meet the supplemental standards of being residential support uses, or uses which are compatible with residential character of the surrounding neighborhoods and otherwise consistent with the Comprehensive Plan. Compatibility shall be determined by intensity of use as well as similarity in scale, bulk, and other aspects of site design.*

B) *Existing residential neighborhoods will be designated for future residential use at a compatible density*

Staff Comment: Based on the analysis provided above, the proposed FLUM amendment from MDR to CH, and the rezoning from R-2 to HC, are found incompatible with the residential neighborhood character of the platted block in which the subject property is located.

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 are presented:

1. The request is a Small-Scale Amendment of the Comprehensive Plan for a 0.24 acre +/- lot to amend the future land use category from Medium Density Residential (MDR) to Highway Commercial (HC) category on the Future Land Use Map.
2. The request is to re-zone a 0.24 acre +/- lot on the Official Zoning Map from Medium Density Residential (R-2) to High Intensity Commercial (CH) district.
3. The proposed land use and zoning amendments are for one lot located in a neighborhood block that comprises 12 residential lots of which 9 lots have been improved with single-family residences.
4. The request to amend the Future Land Use Map to CH is found inconsistent with the Objective 3.2 of the Future Land Use Element of the Comprehensive Plan since the proposed amendment to change one lot to CH is incompatible with the residential neighborhood block.
5. The request to amend the Official Zoning Map to HC is found inconsistent with Policy A of Objective 3.2 of the Future Land Use Element of the Comprehensive Plan since the intensity of development

allowed in the CH district would not be similar in scale, bulk, and other aspects of site design as is found in the residential neighborhood block.

6. Adequate City public facilities are currently available to service the subject area.

STAFF RECOMMENDATION: Staff is unable to support the proposed applications due to the findings concluded above.

SUPPORTING DIAGRAMS, ILLUSTRATIONS & TABLES:

Please see Staff's PowerPoint presentation.

PLANNING COMMISSION ACTION:

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

1. PZ22-0110 – Future Land Use Map Amendment
2. PZ22-0111 – Zoning Amendment

ATTACHMENTS:

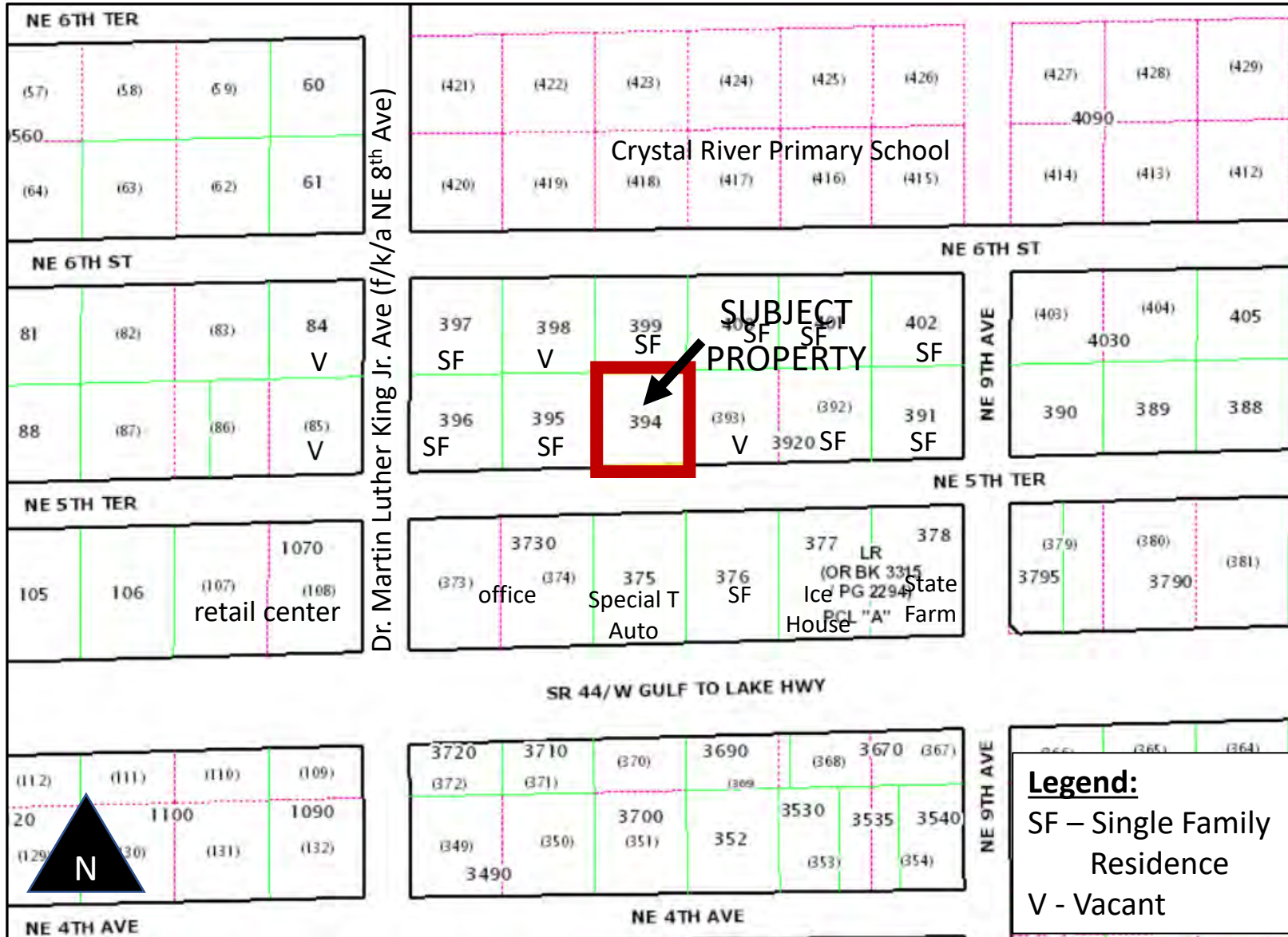
1. Staff PowerPoint Presentation
2. Draft Ordinance proposals
3. Applicant's Submittal with supporting documents



PZ22-0110 & PZ22-0111

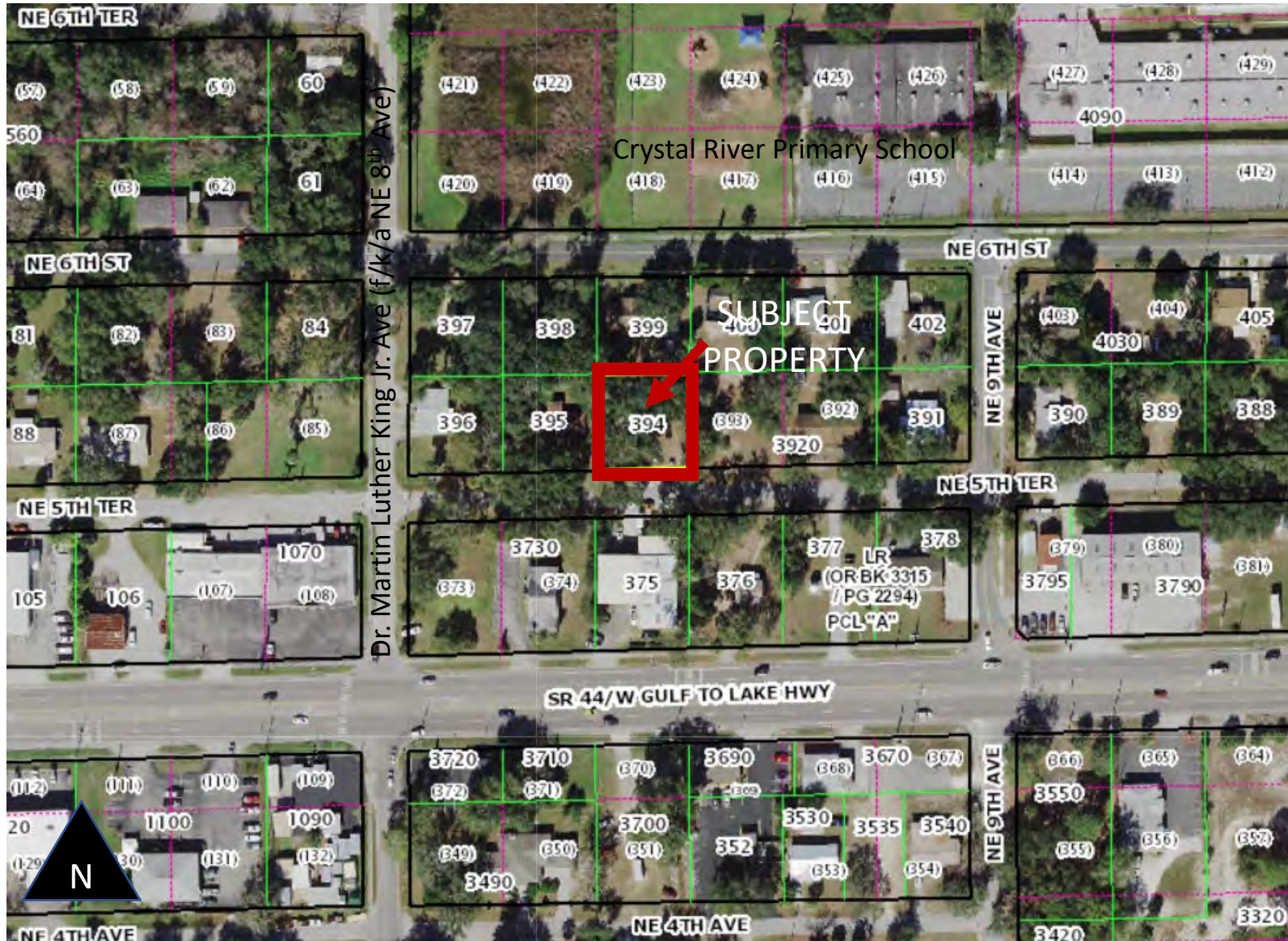
FLUM AMENDMENT & ZONING AMENDMENT

**Blumenauer & Blumenauer, P.A.
representing JJ Gipe Autobody**

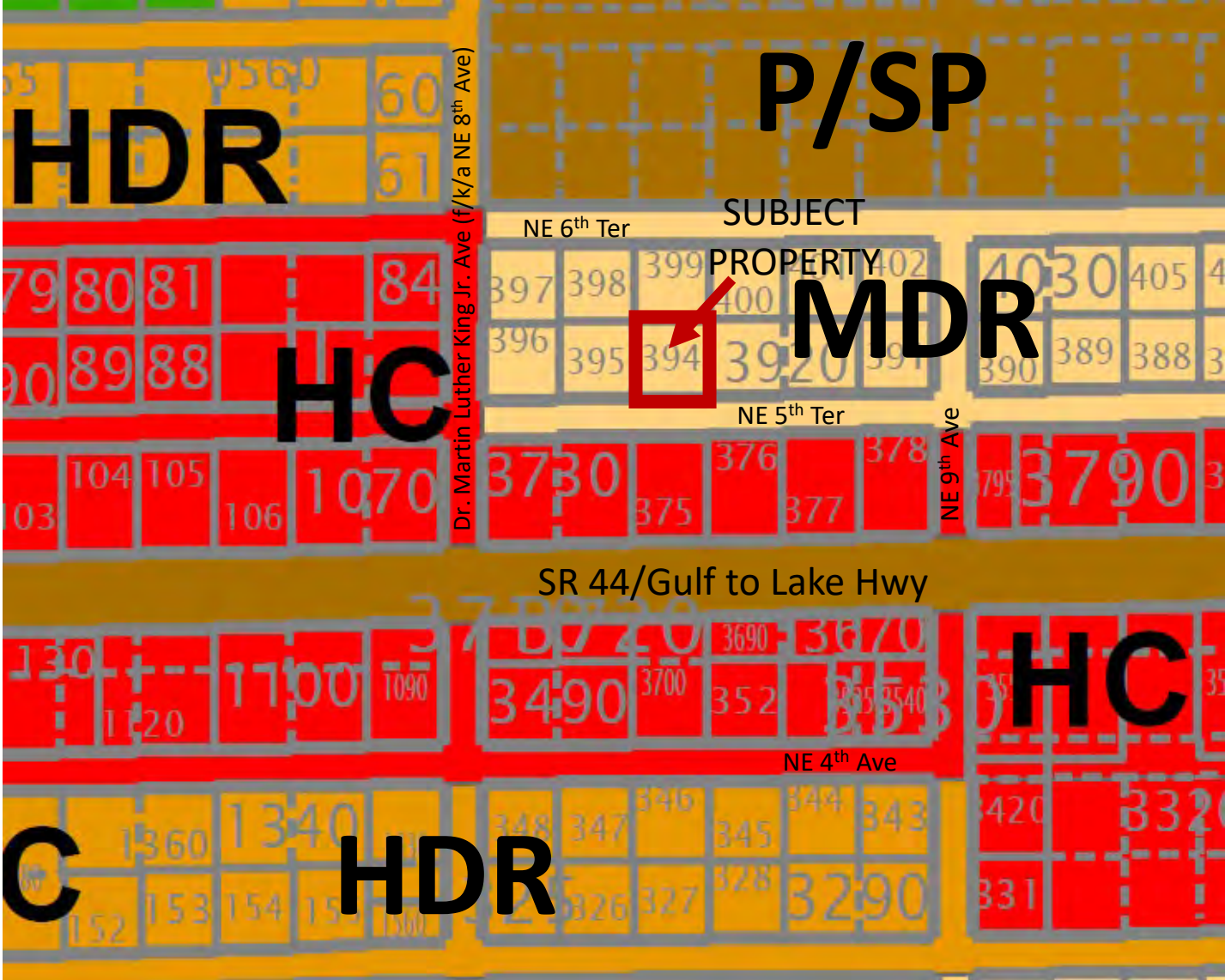
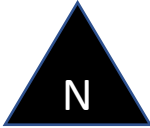


Aerial

Source:
Citrus Co
Property
Appraiser

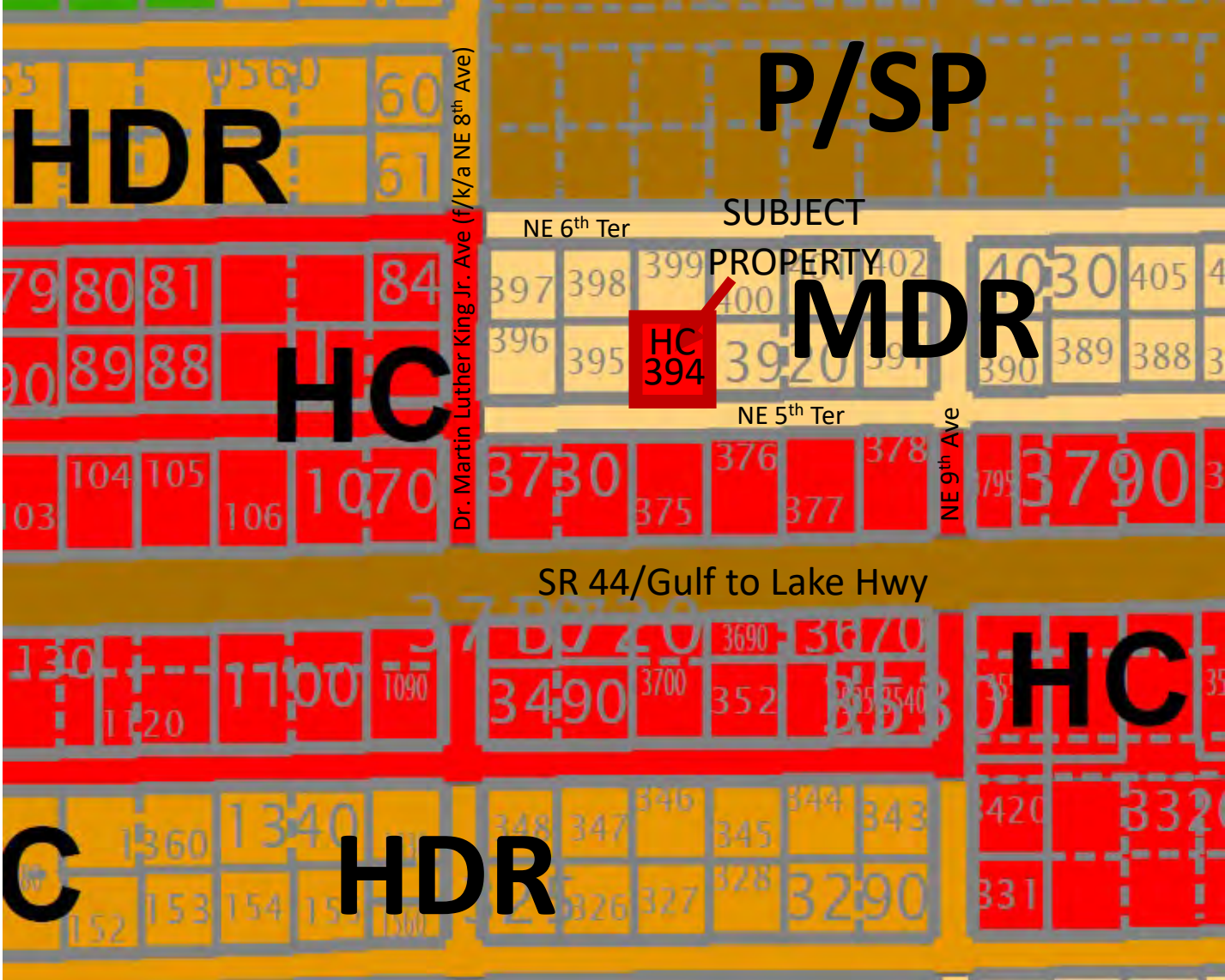
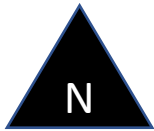


EXISTING
FUTURE LAND
USE MAP
Subject Property:
MDR

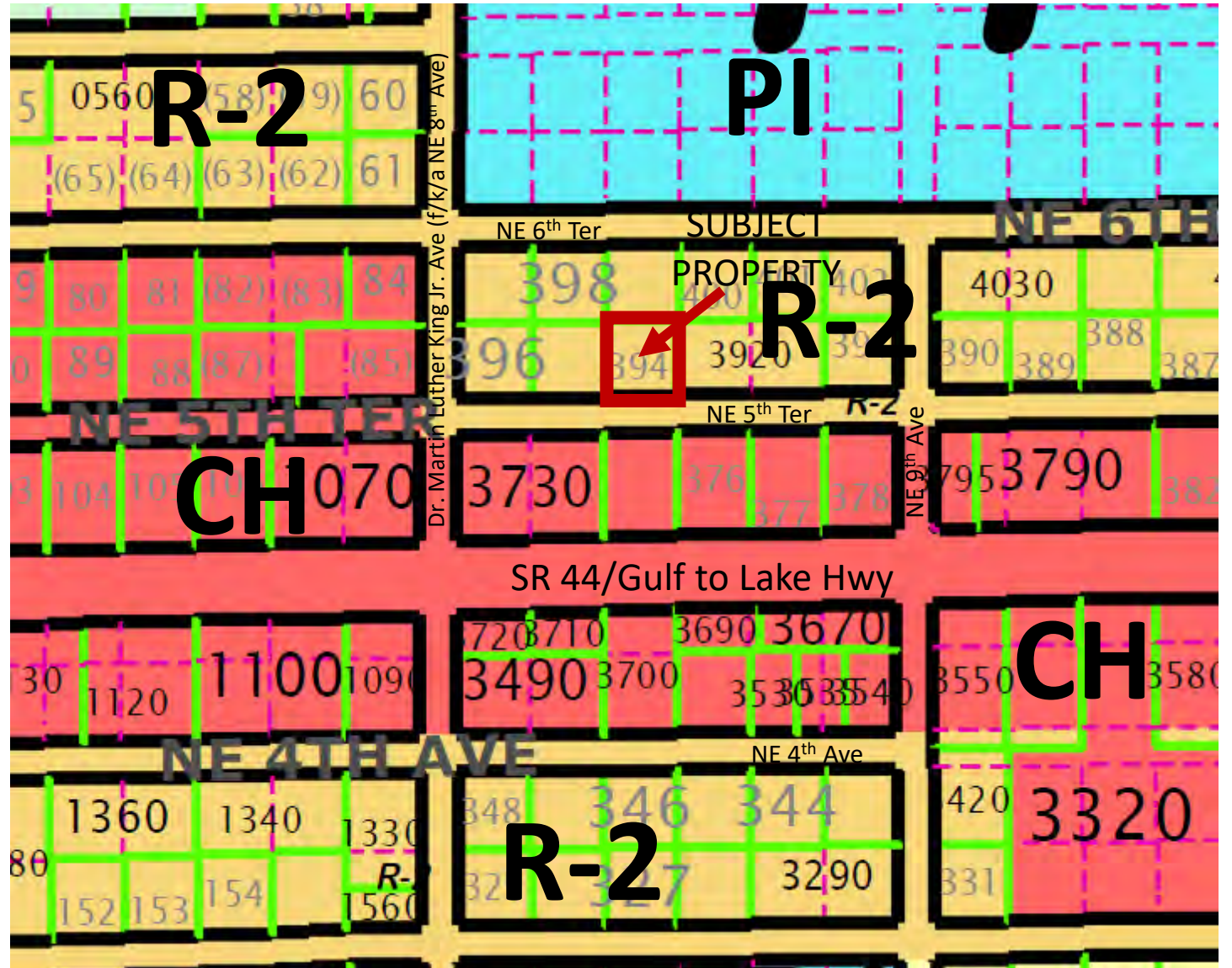


**PROPOSED
FUTURE LAND
USE MAP
AMENDMENT**

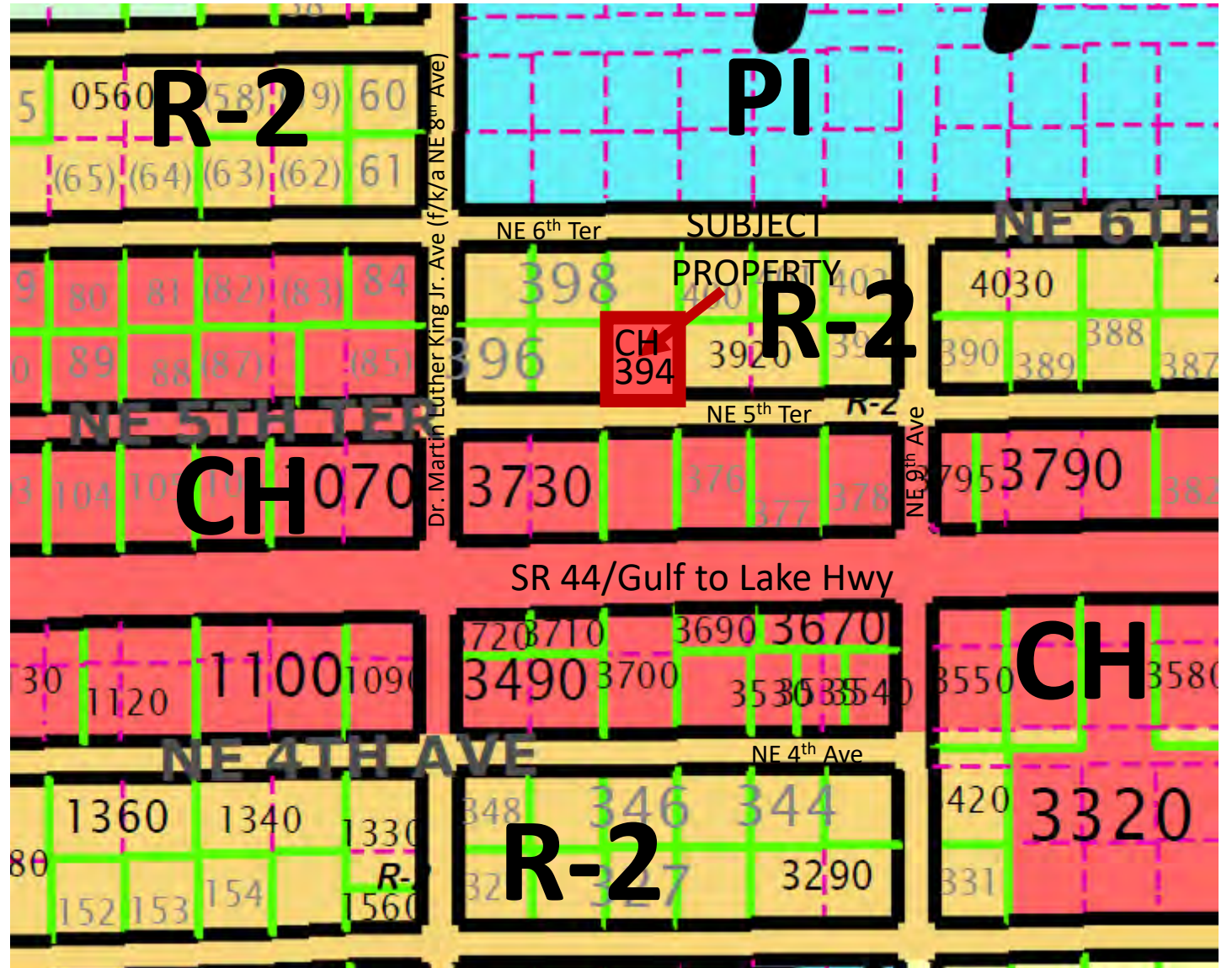
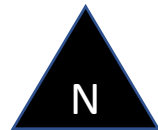
Subject Property
From: MDR
To: HC



**EXISTING
ZONING MAP**
Subject Property:
R-2



**PROPOSED
ZONING MAP
AMENDMENT**
Subject Property
From: R-2
To: CH



Altkey: 1080720
JJGIPE AUTO BODY LLC

Parcel ID: 17E18S220020 3940
NE 5th TER, CRYSTAL RIVER

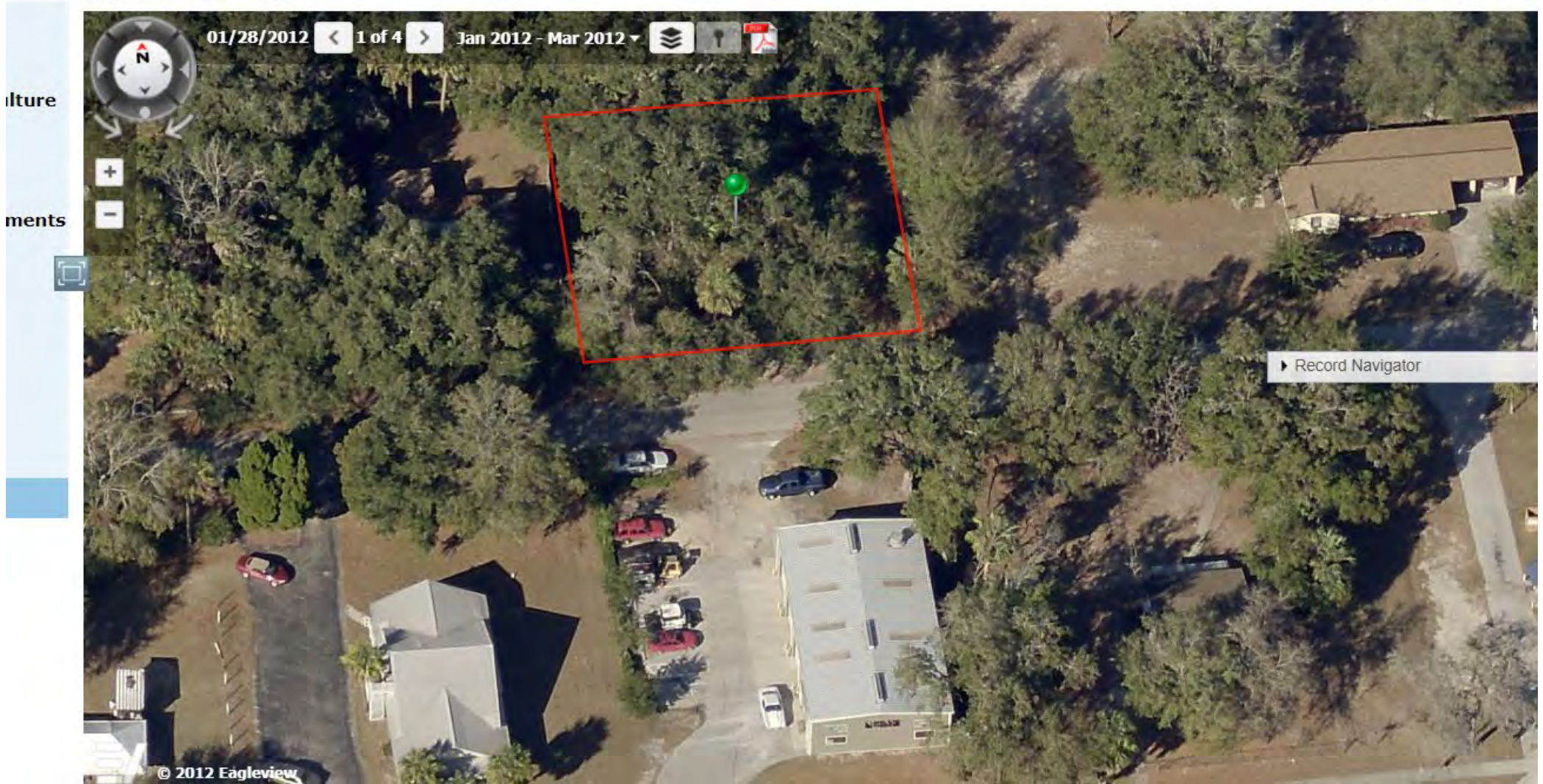
2010 PICTOMETRY



Altkey: 1080720
JJGIPE AUTO BODY LLC

Parcel ID: 17E18S220020 3940
NE 5th TER , CRYSTAL RIVER

2012 PICTOMETRY

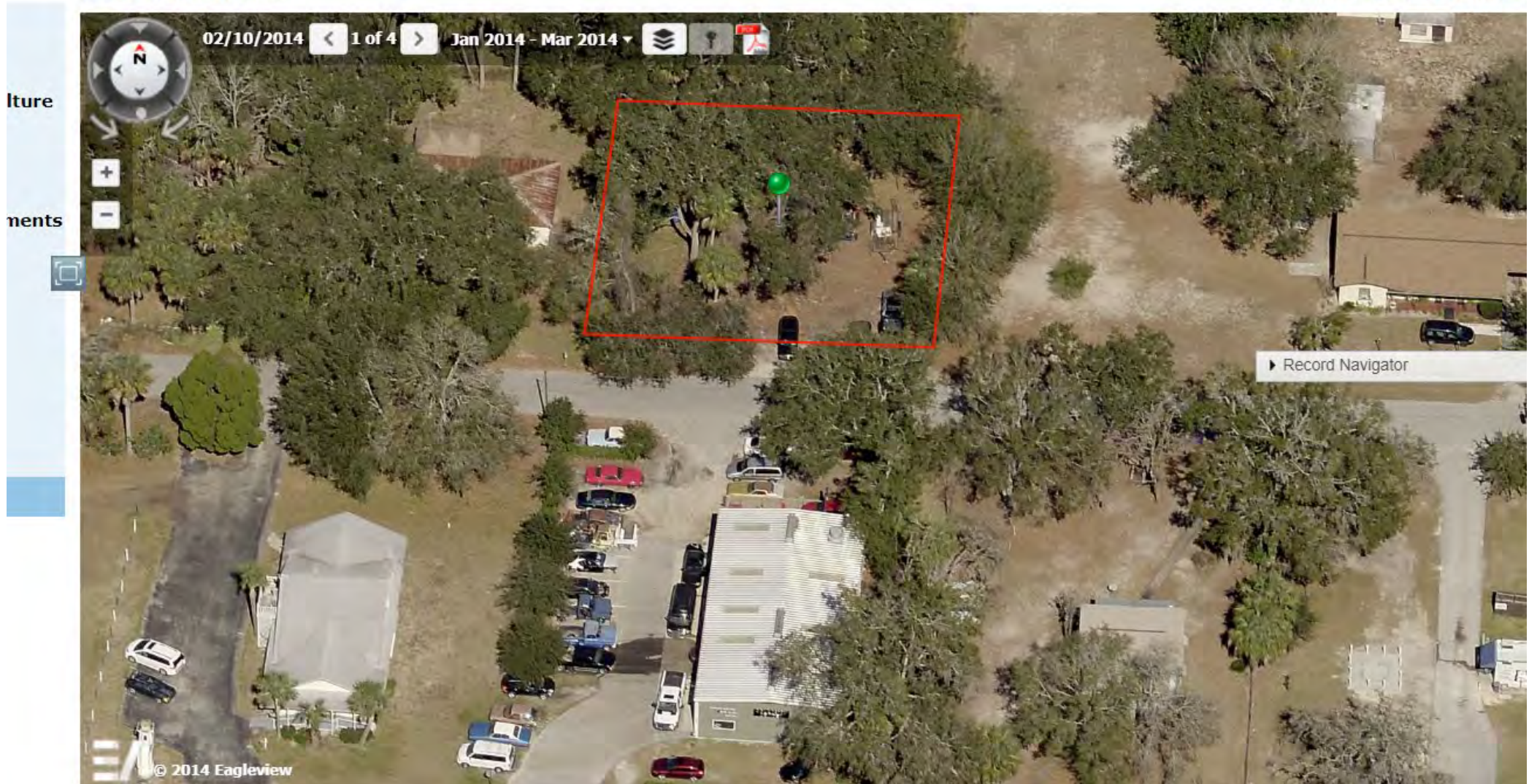


Crystal River Planning Commission Meeting of January 5, 2023

Altkey: 1080720
JJGIPE AUTO BODY LLC

Parcel ID: 17E18S220020 3940
NE 5th TER, CRYSTAL RIVER

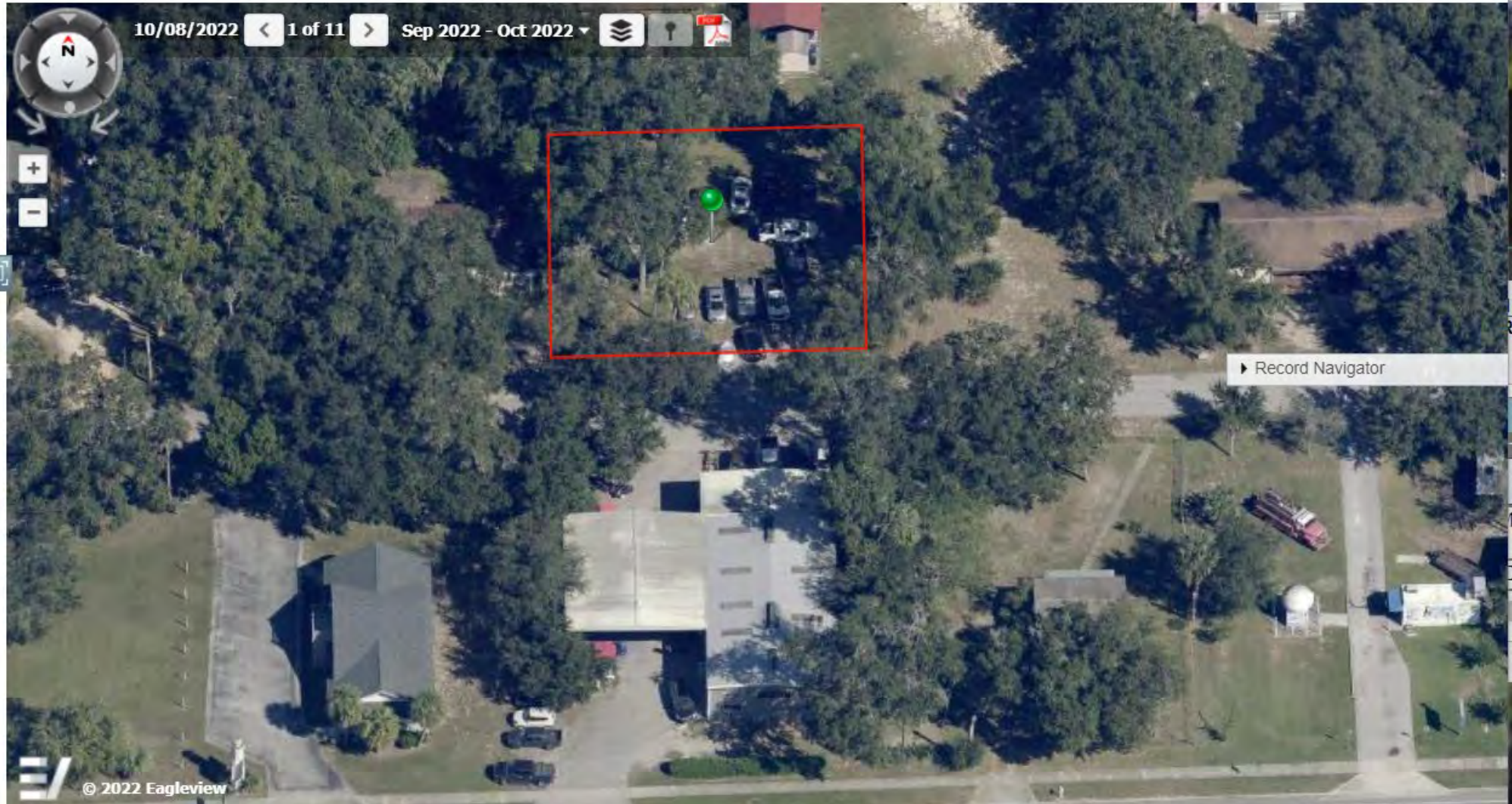
2014 PICTOMETRY



Altkey: 1080720
JJGIPE AUTO BODY LLC

Parcel ID: 17E18S220020 3940
NE 5th TER, CRYSTAL RIVER

2022 PICTOMETRY



Subject Property (posted Dec 14, 2022)



ASSOCIATED BUSINESS

Rear of Special T Auto on NE 5th Terrace



Front of Special T Auto on SR-44



Looking west on NE 5th Terrace

Looking east on NE 5th Terrace



Existing SFR on NE 5th Terr (east of site)



Existing SFR on NE 5th Terr (west of site)



SFR on NE 6th Terr (behind subject property)



Existing S.F. Residences on NE 6th Terr (north one-half of block)





QUESTIONS?

PZ22-0110 & PZ22-0111

FLUM AMENDMENT & ZONING AMENDMENT

**Blumenauer & Blumenauer, P.A.
representing JJ Gipe Autobody**

ORDINANCE NO. 23-O-13

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 0.24 ACRES (MOL) OF PROPERTY OWNED BY JJGIPE AUTO BODY, LLC, FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO HIGHWAY COMMERCIAL (HC); 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 0.24 acres (MOL) owned by JJGIPE Auto Body, LLC, by redesignating the Future Land Use from Medium Density Residential (MDR) to

Highway Commercial (HC) Land Use for the reasons set forth in the above "**WHEREAS**" clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY

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

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

SECTION 3. FUTURE LAND USE MAP AMENDED

APPLICATION NO. PZ22-0110 – BLUMENAUER & BLUMENAUER O/B/O JGIPE AUTO BODY 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 Designation from Medium Density Residential (MDR) to Highway Commercial (HC) Land Use on property described in **EXHIBIT "A"** attached hereto and incorporated herein by reference.

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 _____, 2023.

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:

Brown _____
Guy _____
Holmes _____
Fitzpatrick _____
Meek _____

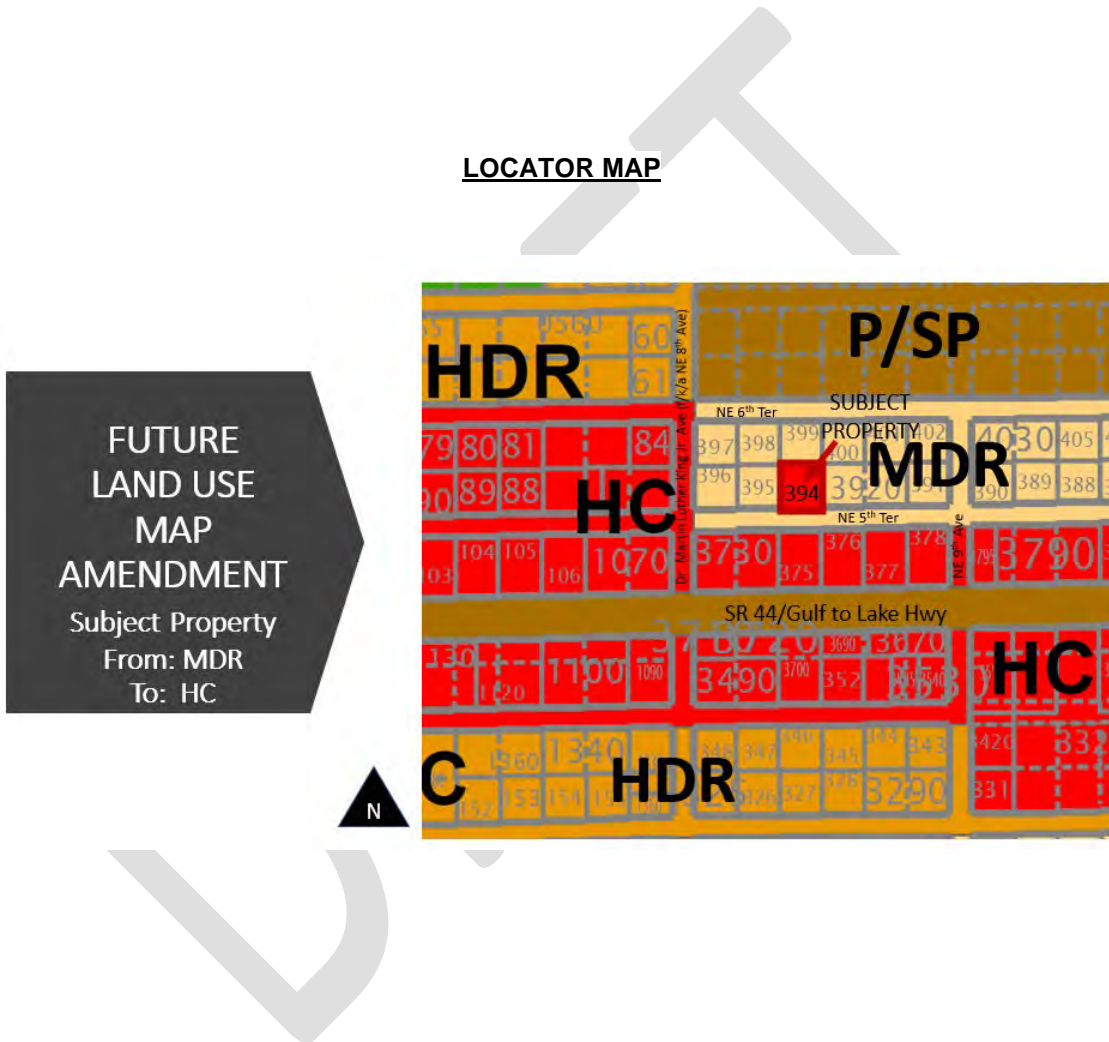
ROBERT W. BATSEL, JR., CITY ATTORNEY

EXHIBIT "A"
LEGAL DESCRIPTION FOR COMPREHENSIVE PLAN AMENDMENT
TO THE CRYSTAL RIVER FUTURE LAND USE MAP

For property lying in Section 22, Township 18 South, Range 17 East, as follows:

Lot 394 of KNIGHTS ADDITION TO CRYSTAL RIVER, according to the Plat thereof as recorded in Plat Book 1, Page(s) 28, of the Public Records of Citrus County, Florida.

LOCATOR MAP



ORDINANCE 23-O-14

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA BY REZONING 0.24 ACRES (MOL) OF PROPERTY OWNED BY JJGIPE AUTO BODY FROM MEDIUM DENSITY RESIDENTIAL (R-2) TO HIGH INTENSITY COMMERCIAL (CH) ZONING; 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 a public hearing 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 0.24 acres (MOL) owned by the City of Crystal River, Florida, from Medium Density Residential (R-2) to High Intensity Commercial (CH) Zoning for the reasons set forth in the above "**WHEREAS**" clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY

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

SECTION 3. ZONING MAP AMENDMENT

APPLICATION NO. PZ22-0111 – BLUMENAUER & BLUMENAUER O/B/O JJGIPE AUTO BODY LLC

The official zoning map of the City of Crystal River is hereby amended to change the zoning designation from Medium Density Residential (R-2) to High Intensity Commercial (CH) Zoning on properties described in **EXHIBIT “A”** attached hereto and incorporated herein by reference.

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 placed on first reading and introduced on the _____ day of _____, 2023.

THIS ORDINANCE was placed on a second reading and a public hearing was held on the _____ day of _____, 2023, and upon motion duly made and seconded was passed on second reading.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

APPROVED AS TO FORM AND LEGALITY:

VOTE OF COUNCIL:

Meek _____

Guy _____

Brown _____

Fitzpatrick _____

Holmes _____

**ROBERT W. BATSEL, JR., ESQUIRE
CITY ATTORNEY**

EXHIBIT "A"

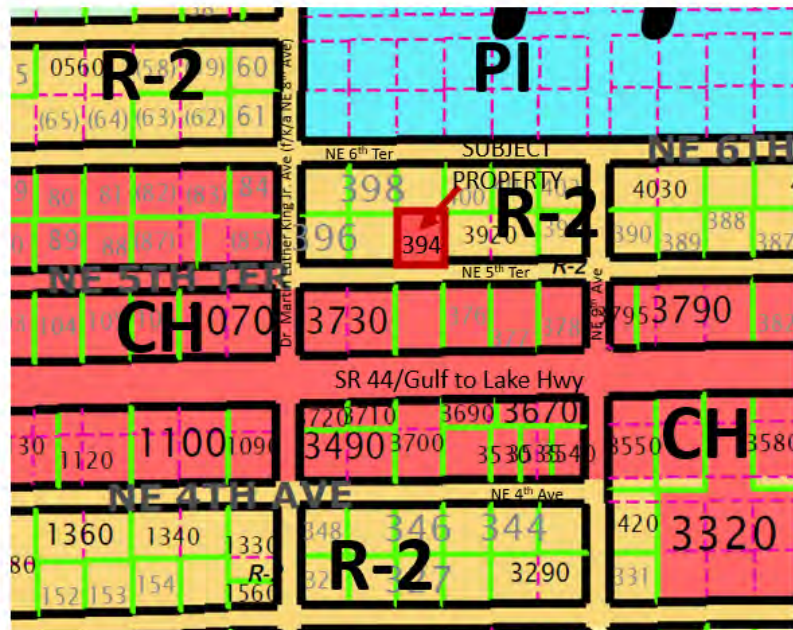
LEGAL DESCRIPTION FOR AMENDMENT TO THE CRYSTAL RIVER ZONING MAP

For property lying in Section 22, Township 18 South, Range 17 East, as follows:

Lot 394 of KNIGHTS ADDITION TO CRYSTAL RIVER, according to the Plat thereof as recorded in Plat Book 1, Page(s) 28, of the Public Records of Citrus County, Florida.

LOCATOR MAP

**ZONING
MAP
AMENDMENT**
Subject Property
From: R-2
To: CH



Blumenauer & Blumenauer, P.A.

P.O. Box 15
Mimico, FL 34755

Attorneys and Counselors at Law

352-404-6862
www.blumenauerlaw.com

November 30, 2022

City of Crystal River
Department of Planning & Community Development
Attn: Zachary Ciciera
123 Northwest Highway 19
Crystal River, FL 34432

**RE: JJ Gipe Autobody Rezoning & Comprehensive Plan Amendment Applications,
Alternate Key #1080720**

Dear Mr. Ciciera,

I represent JJ Gipe Autobody LLC d/b/a/ Special T-Auto and its owner Justin Gipe with respect to the rezoning of property owned by JJ Gipe Autobody LLC located at Alternate Key #1080720, with address of NE 5th Terrace, Crystal River, Florida.

JJ Gipe Autobody respectfully seeks to have this property rezoned from R2/Medium Residential to CH/High Intensity Commercial. For over 15 years, this property has been used as the parking for vehicles being serviced and repaired by Special T-Auto. Use of this lot is a necessary and integral part of the business. It has only recently come to our attention that this use was not in compliance with existing zoning requirements.

Special-T Auto's shop building and business, located at 853 NE 5th Street, Crystal River (Alt. Key #1080584), is directly across the street from the subject lot and is zoned CH. According to Land Development Code §2.03.00, *Land Uses Permitted in each Zoning District*, the autobody shop may be located in High Intensity Commercial or Industrial zoning districts and thus the basis for our request to rezone to CH/High Intensity Commercial. In addition, we are seeking an amendment to the Future Land Use Map to change the FLU from MDR to HC to allow for the CH zoning district.

Please find our completed applications enclosed with this letter. If we can provide any additional information in support of this application, please do not hesitate to contact me at 352-404-6862 or nicole@blumenauerlaw.com.

Sincerely,



Nicole M. Blumenauer, Esq.
Blumenauer & Blumenauer, P.A.

Encls.

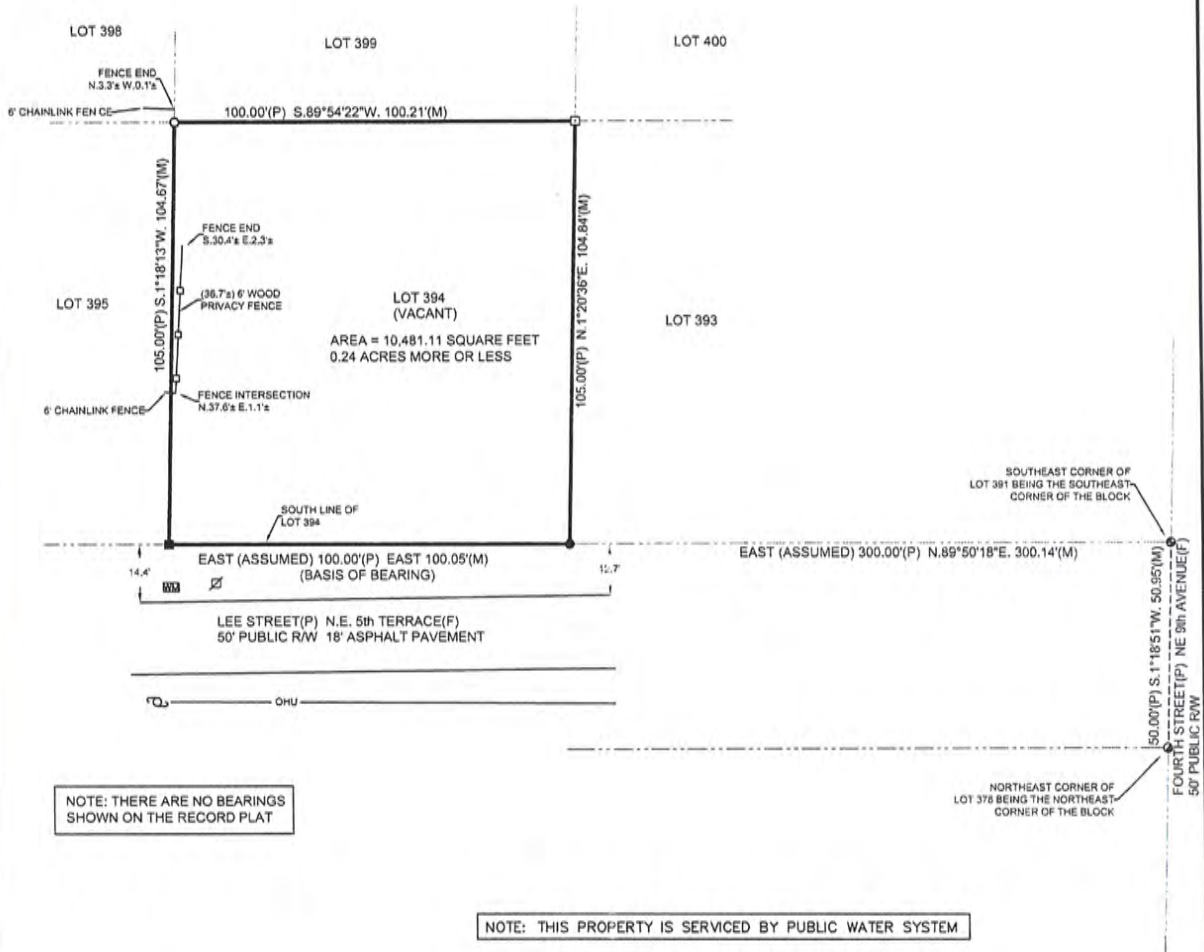
A BOUNDARY SURVEY

Sheet 1 of 2

For Legal Description, Notes and Legend See Reverse Side
This Sketch is Not Complete Without Sheet 2 of 2



RECEIVED
DEC 01 2022
BY: ZC



CERTIFIED TO:
JJGIPE Auto Body, LLC

Revisions:

Job No.: 1022-621

Scale: 1"=30'

Date of Survey: 11/02/2022

Field Book & Page: H 312 P 16

I hereby certify that the survey represented hereon meets all applicable requirements of the Standards of Practice as contained in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. Not valid without the original signature and seal of a Florida Licensed Surveyor and Mapper.

Nov 29 2022
Signed and Sealed

Willis R. Howell
Willis R. Howell
Willis R. Howell, Inc.
Professional Land Surveyor No. 5448
Florida Licensed Business No. 6990

4752 West Abeline Drive
Dunnellon, Florida 34433
Telephone: (352) 746-2511
Facsimile: (352) 746-7230

WILLIS R. HOWELL, INC.

Sheet 2 of 2:

Job No: 1022-621

Sheet 2 of 2 is not complete without Sheet 1 of 2

LEGAL DESCRIPTION:

Lot 394 of KNIGHTS ADDITION TO CRYSTAL RIVER, according to the Plat thereof as recorded in Plat Book 1, Page(s) 28, of the Public Records of Citrus County, Florida.

NOTES:

1. The bearings shown hereon are based on an assumed bearing of East on the South line of the described lot.
2. This survey is based on an assumed horizontal datum for the Southeast corner of Lot 391 being the Southeast corner of the Block and the Northeast corner of Lot 378 being the Northeast corner of the Block of the described subdivision.
3. This property is subject to all restrictions as shown on the record plat.
4. This survey is of visible features only. Underground encroachments, septic tanks, sprinkler systems or utilities, if any, were not located, unless requested. Improvements & fences on or near property lines may be exaggerated to clarify location.
5. There may be additional restrictions that are not recorded on this plat may be found in the Public Records of Citrus County, Florida.
6. The signing party or parties prohibit additions or deletions to survey maps or reports without the written consent of the signing party or parties.
7. This survey map is valid only to those persons or entities named hereon. Willis R. Howell, Inc., will assume no responsibility for the unauthorized reproduction and/or redistribution of this survey map.
8. This survey has been prepared without the benefit of a current title report or abstract and therefore does not necessarily indicate all encumbrances on the property.
9. This is a Boundary Survey of a residential lot located in a recorded subdivision. The accuracy for this type of survey was found to be acceptable and was achieved by comparison of multiple measurements and independent verification.
10. Legal description furnished by client.

FLOOD STATEMENT:

By graphic plotting only, the property shown hereon appears to lie in Flood Zone "AE" (Base Flood Elevation 11.00' North American Vertical Datum of 1988), located on Community Panel No. 12017C-0189-E, according to the Flood Insurance Rate Map (FIRM) for Citrus County, revised date of 01/15/2021.

LEGEND:

R/W	=	Right-of-Way	■	=	Found 4"x4" Concrete Monument: No I.D.
⊕	=	Centerline	□	=	Found 4"x4" Concrete Monument: LB 1108
(C)	=	Calculated	■	=	Found 4"x4" Concrete Monument: RLS 2340
(D)	=	Deed	○	=	Found 5/8" Iron Rod & Cap: LB 7314
(F)	=	Field	●	=	Found 5/8" Iron Rod & Cap: LB 2168
(M)	=	Measured in Field	●	=	Found 1" Iron Pipe: No I.D.
(P)	=	Plot	●	=	Found 1/2" Iron Rod: Na I.D.
C/E	=	Covered Entry	●	=	Set 5/8" Iron Rod & Cap LB 6990
C/S	=	Concrete Slab	●	=	Found Nail and Disk: LB 6478
A/C	=	Air Conditioner	BC	=	Back of Curb
—OHU—	=	Overhead Utilities	PT	=	Point of Tangency
—T—	=	Overhead Telephone	PC	=	Point of Curvature
⊕	=	Power Pole	RCP	=	Reinforced Concrete Coated Pipe
⊕	=	Guy Wire Anchor	CMP	=	Corrugated metal Pipe
⊕	=	Water Meter	MES	=	Mitered End Section
⊕	=	Utility Splice Box	PCC	=	Point of Compound Curvature
⊕	=	Electric Box/Transformer	PRC	=	Point of Reverse Curvature
Δ	=	Descriptive Point	PCP	=	Permanent Control Point
☆	=	Light Pole	PRM	=	Permanent Reference Monument
P/E	=	Pool Equipment	PRCCF	=	Public Records of Citrus County, Florida
D.U.E.	=	Drainage & Utility Easement	DIST.	=	Distance
			⊕	=	4" WELL

WILLIS R. HOWELL, INC.
4752 West Abeline Drive, Dunnellon, Florida 34433
Telephone: (352) 746-2511 Facsimile: (352) 746-7230



RECEIVED
DEC 01 2022
BY: ZC

City of Crystal River

Department of Planning & Community
Development
124 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 - \$250 for 50 ac or fewer Large Scale - \$750 for > 50 ac
TO BE PAID AT TIME OF APPLICATION**

Check One: Small Scale # Acres .24
Large Scale # Acres _____

AltKey: 1080720
Parcel #: 17E18S2200203940

Name of Petitioner(s): JJGIPE AUTOBODY LLC

Address of Petitioner(s): 853 NE 5th Street
Crystal River

City Crystal River State FL Zip Code 34429

Phone # 518-396-8733 Fax # _____ Cell # _____

Email Address: Specialt autocollosion@gmail.com

Legal Description attached: Yes No Survey attached: Yes No

Street address of property (if applicable): NE 5th TERRACE, CRYSTAL RIVER

Existing Land Use: MDR/R2 Proposed Land Use: HC/CH

Reason for Request: THIS LOT HAS BEEN USED AS PART OF THE AUTO-
BODY SHOP ACROSS THE STREET FOR 15+ YEARS. FLU AMENDMENT
IS REQUIRED TO ALLOW FOR REZONING OF THIS LOT TO CONFORM
WITH OTHER LOT AUTOBODY SHOP IS on.

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

I, Justin Gipe, being first duly sworn, affirm and say that I am the:

(check one)

X owner, or

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

JA
Signature

1 Cypress Blvd E
Address

352 564 0004
Phone Number

Homosassa FL 34446
City, State, Zip Code

State of Florida

County of Citrus

The foregoing instrument was acknowledged before me this 01, day of Dec,

2022, by Justin James Gipe, who is personally known to me or has

produced FL. DR. LIC. as identification and who did/did not take an

oath.

Richard
Notary Public



Commission No.: HH 015575

Commission Expires: 06/29/2024



RECEIVED
DEC 01 2022
BY: ZC

REZONING APPLICATION

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

Applicant Information:

Name: JGIPE Auto Body LLC d/b/a Special-T Auto
Address: 853 NE 5th Street
Phone #: 518-396-8733 Fax #: _____ Cell #: _____
Email Address: specialtautocollision@gmail.com

Property Description:

Parcel Account #: 17E18S2200203940 Alt. Key # 1080720
Street Address (or street & avenue location): NE 5th Terrace, Crystal River, FL

Legal Description: Lot 394 of Knights Addition to Crystal River, according to the Plat thereof as recorded in Plat Book 1, Page 28, of the Public Records of Citrus County, Florida.

(or attachment)
Property Acreage: .24 Sq. ft.: 10,481.11
Present F.L.U.M. Designation: MDR
Present Zoning Designation: R2

Requested Zoning Designation: Highway Commercial (CH)

Reason for the Request: This property has served as parking for vehicles waiting maintenance and repair across the street since 2007. Special T Auto seeks the ability to continue to use the property for vehicle parking.

Explain Consistency with the Future Land Use Plan: This parcel is just across the street from the auto shop zoned as CH and the intended use will be no different that that of the past 15 years.

Additional Contact Information (other than Owner or Agent)

Name: Nicole Blumenauer, Esq., Blumenauer & Blumenauer, P.A.
Address: PO Box 15, Minneola, FL 34755
Phone #: 352-404-6862 Fax #: _____ Cell #: _____
Email Address: nicole@blumenauerlaw.com

Fee: \$250 – To be paid at time of application

Attachments:

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

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

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

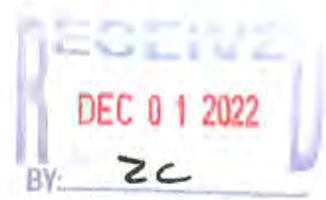
Rezoning Checklist

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

Determination of Compliance

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

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



Prepared by and Return to:
Fidelity Title Services, LLC
TRACY KJOS
217 N. Apopka Ave.
Inverness, Florida 34450
Our File Number: 21-070823
Consideration \$312000

For official use by Clerk's office only

STATE OF Florida) **SPECIAL WARRANTY DEED**
COUNTY OF Citrus) (Corporate Seller)

THIS INDENTURE, made this December 14, 2021, between Special-T Auto, LLC, a Florida Limited Liability Company, whose mailing address is: 853 NE 5th St., Crystal River, Florida 34429, party of the first part, and JGIPE Auto Body, LLC, a Florida Limited Liability Company, whose mailing address is: 11128 West Cove Harbor Dr. Crystal River FL 34428, party/parties of the second part,

WITNESSETH:

First party, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, aliens, remises, releases, conveys and confirms unto second party/parties, his/her/their heirs and assigns, the following described property, to wit:

Lots 375 and 394 of KNIGHTS ADDITION TO CRYSTAL RIVER, according to the Plat thereof as recorded in Plat Book 1, Page(s) 28, of the Public Records of Citrus County, Florida.

17E18S2200203750 / 3940

Subject, however, to all covenants, conditions, restrictions, reservations, limitations, easements and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND the party of the first part hereby covenants with said party of the second part, that it is lawfully seized of said land in fee simple: that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the party of the first part.

IN WITNESS WHEREOF, first party has signed and sealed these present the date set forth on 12/16/21.

Signed, sealed and delivered
in the presence of:

Special-T Auto, LLC, a Florida Limited Liability
Company

Witness #1 signature [Signature]

By: [Signature]
Timothy S. Wiese
Title: President

Print witness name Tracy Kjos

Witness #2 signature [Signature]

(Corporate Seal)

Print witness name Ashley Newman

State of Florida
County of Citrus

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 16
day of December, 2021 by Timothy S. Wiese, President of Special-T Auto, LLC, a Florida Limited Liability Company who is
personally known to me or who has produced [Signature] as identification.

[Signature]
Notary Public

Print Notary Name

My Commission Expires: _____

AFFIX NOTARY SEAL :



RECEIVED
DEC 01 2022
BY: [Signature]





CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	Thursday, January 5, 2023 at 5:30 PM.
APPLICATION NO:	PZ22-0108 – Text Amendment to Land Development Code
PROPOSED LAND DEVELOPMENT CODE TEXT AMENDMENT:	<p>A text amendment to the City’s Land Development Code is proposed:</p> <p>5.01.13. Swimming pools and pool enclosures</p> <p><u>A. The following is applicable to all zoning districts. All swimming pools or with an overhead enclosures (whether attached to the principal structures or not) shall adhere to meet the setback requirements of the principal structure setbacks. A swimming pool that lacks the above referenced enclosure shall adhere to the following setback requirements:</u></p> <ol style="list-style-type: none"> 1. <u>Side Yard: 10 feet.</u> 2. <u>Rear Yard: 10 feet.</u> 3. <u>Side Yard, adjacent to street: 10 feet.</u> 4. <u>Front Yard: not permitted (see EXCEPTION below).</u> 5. <u>Waterfront: 10 feet from the mean high-water line.</u> <p><u>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.</u></p> <p><u>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 10 ft. behind the front plane of the house.</u></p> <p><u>B. 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.</u></p> <p>B.C. All pools shall -- -- --.</p> <p>C.D. A screen enclosure -- -- --.</p> <p>D.E. No overhead electric -- -- --.</p> <p>E.F. Pool equipment may be located -- -- --.</p> <p>These amendments are supported by the City’s Comprehensive Plan.</p>
APPLICANT:	Christopher Luetgert
PROJECT MANAGER:	Brian D. Herrmann; Director Planning and Community Development Services Department

BACKGROUND INFORMATION:

The applicant for the proposed text amendment intends to build a new “waterfront” house with an uncovered pool located in the back yard of his property that overlooks King’s Bay. Currently, there are no houses or other properties located across the water or within the viewshed of either the pool or its deck. However, if there were, the applicant would pursue the same amendment, as the issue of concern is the distance in which a pool must be set back from its various lot lines, and not its elevation or height above the ground.

APPLICANT’S PROPOSAL:

Currently, the City’s Supplemental Standards (located in **5.01.13 Swimming pools and pool enclosures**) state that “all swimming pools or enclosures attached to the principal structure shall

meet the setback requirements for the principal structure.” As a result, a swimming pool such as the applicant’s – that is located in the Rear Yard of a lot that is zoned RW must maintain the minimum Waterfront setback for the principal structure – twenty-five (25) feet.

The applicant agrees that the aforementioned standard is appropriate for a swimming pool that contains an overhead or enclosed structure, as a roof and walls over the pool is essentially an extension of the house. However, he disagrees that a swimming pool that lacks an overhead structure should be required to meet the same standards. He proposes that the appropriate setback for such a structure should be ten (10) feet, regardless of whether one is measuring from the Side yard, Side yard adjacent to a street, Rear yard, or Waterfront property line (as measured from the mean high-water line).

In addition, he does not believe that the City has appropriately justified nor conveyed its rationale for the current requirements, specifically, “why Crystal River’s waterfront setback of twenty-five (25) feet was established, and more specifically “why it is greater than other cities in south and central Florida.” In fact, he has provided the staff with a list of nearby cities and counties which allow a pool similar to the one that he is proposing – with no overhead or attached structure – to have a setback that is significantly less than the twenty-five (25) feet currently required by Crystal River:

- Volusia County** – has a minimum waterfront setback of ten (10) feet.
- Jupiter** – has a minimum waterfront setback of ten and a half (10 ½) feet.
- Pinellas County** – has a minimum waterfront setback of eight (8) feet.
- Pasco County** – has a minimum waterfront setback of five (5) feet.
- Islamorada** – has a minimum waterfront setback of ten (10) feet.

Finally, the applicant references **Section 4.02.02. – Standards for buildings and building placement (Setbacks)** in the City’s Land Development Code. This section states that a “pool deck” may be located within the twenty-five (25) foot setback for a water adjacent yard so long as the use does not exceed a maximum of two (2) feet in height. The applicant questions why Crystal River is ok with locating a pool deck within the waterfront setback, but not the pool itself?

Based on the above information, the applicant feels as though there is more than enough evidence to make a logical and consistent argument for his proposed text amendment that an uncovered swimming pool shall adhere to setbacks of ten (10) feet from the side, side adjacent to the street, rear, and waterfront.

PROPOSED TEXT AMENDMENT:

The applicant is proposing the following amendment to text of the City of Crystal River Land Development Code:

CHAPTER 5. ACCESSORY, TEMPORARY, AND SPECIAL USE SITUATIONS

5.01.00. Accessory uses and structures.

5.01.13. Swimming pools and pool enclosures

A. The following is applicable to all zoning districts. All swimming pools ~~or with an overhead~~ enclosures (whether attached to the principal structures or not) shall adhere to meet the setback requirements of the principal structure ~~setbacks.~~ A

swimming pool that lacks the above referenced enclosure shall adhere to the following setback requirements:

1. Side Yard: 10 feet.
2. Rear Yard: 10 feet.
3. Side Yard, adjacent to street: 10 feet.
4. Front Yard: not permitted (see EXCEPTION below).
5. Waterfront: 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 10 ft. behind the front plane of the house.

B. 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.

- ~~B-C.~~ All pools shall -- -- --.
- ~~C-D.~~ A screen enclosure -- -- --.
- ~~D-E.~~ No overhead electric -- -- --.
- ~~E-F.~~ Pool equipment may be located -- -- --.

REASON FOR THE CHANGE:

The City of Crystal River requires the following setbacks for swimming pools as they must adhere to the setbacks for the principal structure:

	Minimum setback for a swimming pool in a Residential District (ft.)	Minimum setback for a swimming pool in a Nonresidential District (ft.)						
		CG	CW	CH	IND	CON	PI	PUD/MXD
Front	The greater of 25 feet or the required setback of the principal building	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	Per approved master plan
Side	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	
Side, adj. to a street	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.	
Rear	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	
Waterfront	25 ft.	25 ft.	25 ft.	35 ft.	25 ft.	150 ² ft.	25 ft.	25 ft.

¹ Docks are exempt from the waterfront setback. See section 5.01.07 for standards for docks, boat davits, boat lifts, boat covers, and boathouses.
² Buildings within conservation districts adjacent to the Crystal River shall be set back a minimum of one thousand (1000) feet as required by the comprehensive plan.

The applicant provides three significant reasons why the City of Crystal River’s current setback standards for a waterfront accessory structure are not appropriately supported by language in the Application No. PZ22-0108

Comprehensive Plan nor the Land Development Code. For example, while there was likely a significant discussion prior to establishing the twenty-five (25) foot Waterfront setback, nowhere is the rationale for doing so discussed or conveyed. The applicant is correct, as a standard that is this significant should be referenced and explained in the City's Comprehensive Plan. It is not.

In fact, the applicant conveys five other cities and counties in the State of Florida that currently maintain a far less significant Waterfront setback for accessory structures – including swimming pools. In nearly every case their setback is 10 feet or less.

Finally, he references **Section 4.02.02. – Standards for buildings and building placement (Setbacks)** in the City's Land Development Code. This section states that a "pool deck" may be located within the twenty-five (25) foot setback for a Water Adjacent yard so long as the use does not exceed a maximum of two (2) feet in height. The applicant questions why the City of Crystal River promotes standards that allow for the pool deck to be located within the Waterfront setback, but not the pool itself?

While the aforementioned items provide support for the applicant's proposed text amendment, it is the specific text from **Section 5.01.13 Swimming pools and pool enclosures** that he proposes to change. As currently stated, *"All swimming pools or enclosures attached to principal structures shall meet the requirements of the principal structure setback."* The applicant agrees that a swimming pool that contains an overhead or enclosed structure should adhere to the same setback provisions as the principal structure. However, he feels that a swimming pool that lacks an overhead or enclosed structure should adhere to its own setbacks as opposed to those for the primary structure. Having researched the issue and discussed the item with staff, he is proposing that such a swimming pool adhere to the following setbacks:

1. Side Yard: 10 feet.
2. Rear Yard: 10 feet.
3. Side Yard, adjacent to street: 10 feet.
4. Front Yard: not permitted (see EXCEPTION below).
5. Waterfront: 10 feet from the mean high-water line.

In addition, the staff recommended that the applicant add the following provisions to his request.

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 still 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 10 ft. behind the front plane of the house.

- B. 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 waterway.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

As conveyed above, the proposed text amendment differentiates the setback regulations for a swimming pool that has a structure over top of it from a swimming pool that is open. The former ranges from a 10 ft. setback to a 25 ft. setback. The latter is proposed as a standard 10 ft. setback.

In addition, a new standard has been proposed that will require a berm or swale to be installed if there is a threat that stormwater might flow into the waterway.

Therefore, the proposed changes to the text of the City’s Land Development Code are consistent with the specific **GOALS, OBJECTIVES, and POLICIES** found in the City of Crystal River Comprehensive Plan. These include:

Goal #2 which states:

“Crystal River will be a balanced and well-planned community.”

Objective #2.1 which states:

“Provide for reasonable use of property while protecting, conserving, and maintaining the natural resources and systems identified in this and other elements of this Plan.”

Objective #2.8 which states:

“Development in Crystal River will be consistent with all elements of the Crystal River Comprehensive Plan.”

Goal #3 which states:

“Crystal River will promote and maintain the character of community through consistent land use.”

Objective #3.2 which states:

“The Character and quality of existing residential neighborhoods will be maintained or upgraded.”

Policy #3.2 A which states:

“The City will permit only residential developments, residential accessory uses, and limited specified uses which are compatible with residential uses in residential neighborhoods. Limited specified uses will be allowable only for those uses which meet the supplemental standards of being residential support uses, or uses which are compatible with residential character of the surrounding neighborhoods and otherwise consistent with the comprehensive plan. Compatibility shall be determined by intensity of use as well as similarity in scale, bulk, and other aspects of site design.”

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 (B. #2) of 8.02.03 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:

The Staff Report conveys the specific reasons for the applicant's proposed text amendment, a new provision that the staff believes will significantly strengthen the aforementioned item, examples of similar provisions from other Florida jurisdictions, and clear consistency with the Goals, Objectives, and Policies that are found in the Future Land Use Element of the City's Comprehensive Plan. As a result, the Staff is confident that the proposal should receive a recommendation of approval from the City's Planning Commission.

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.

- PZ22-0108 - Text Amendment to the City of Crystal River Land Development Code

CITY COUNCIL ACTION:

- PZ22-0108 - Text Amendment to the City of Crystal River Land Development Code

ATTACHMENT(S):

1. Staff PowerPoint Presentation

ORDINANCE NO. 23-O-12

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING ORDINANCE NUMBER 05-O-08, APPENDIX A – LAND DEVELOPMENT CODE OF CITY OF CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, AS AMENDED; AMENDING SECTION 5.01.13 SWIMMING POOLS AND POOL ENCLOSURES; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; 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, as further amended; and

WHEREAS, the City Council of the City of Crystal River, Florida, recognizes the need to update and revise the City’s LDC to maintain consistency with the goals, objectives, and policies of the Comprehensive Plan; and

WHEREAS, certain changes are necessary and desirable to improve the usability of the LDC.

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 of the Crystal River, Florida, Code of Ordinances, by amending section 5.01.13 Swimming pools and pool enclosures, 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 Appendix A, Land Development Code of the City of Crystal River, Florida, Code of Ordinances, pursuant to Part 1, Article III of the City Charter of the City of Crystal River and Chapter 1 - General Provisions, of the City of

Crystal River, Florida, Code of Ordinances, and as otherwise authorized by applicable Florida Statutes.

SECTION 3. AMENDMENT OF THE LAND DEVELOPMENT CODE.

The City Council of the City of Crystal River, Florida, hereby adopts this Ordinance by amending section 5.01.13 Swimming pools and pool enclosures, as shown in **Exhibit "A"**, attached hereto, and incorporated herein by reference.

A copy of the Land Development Code, as amended, is on file at City Hall in Crystal River, Florida.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

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

SECTION 5. CONDIFICATION/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 Appendix A, Land Development Code of the City of Crystal River, Florida, Code of Ordinances. 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 Exhibit into the provisions of the Land Development Code 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 Exhibit to this Ordinance is hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provisions of the Ordinance.

SECTION 7. 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 in the final version of the ordinance adopted by the Council and filed by the City Clerk.

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective as per Florida law.

DONE AND ADOPTED in a regular meeting of the City Council of the City of Crystal River, Florida, this _____ day of _____, 2023.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

**APPROVED FOR CORRECTNESS
AND FORM:**

VOTE OF COUNCIL:

Meek: _____

Brown: _____

Guy: _____

**ROBERT W. BATSEL, Jr., ESQUIRE
CITY ATTORNEY**

Fitzpatrick: _____

Holmes: _____

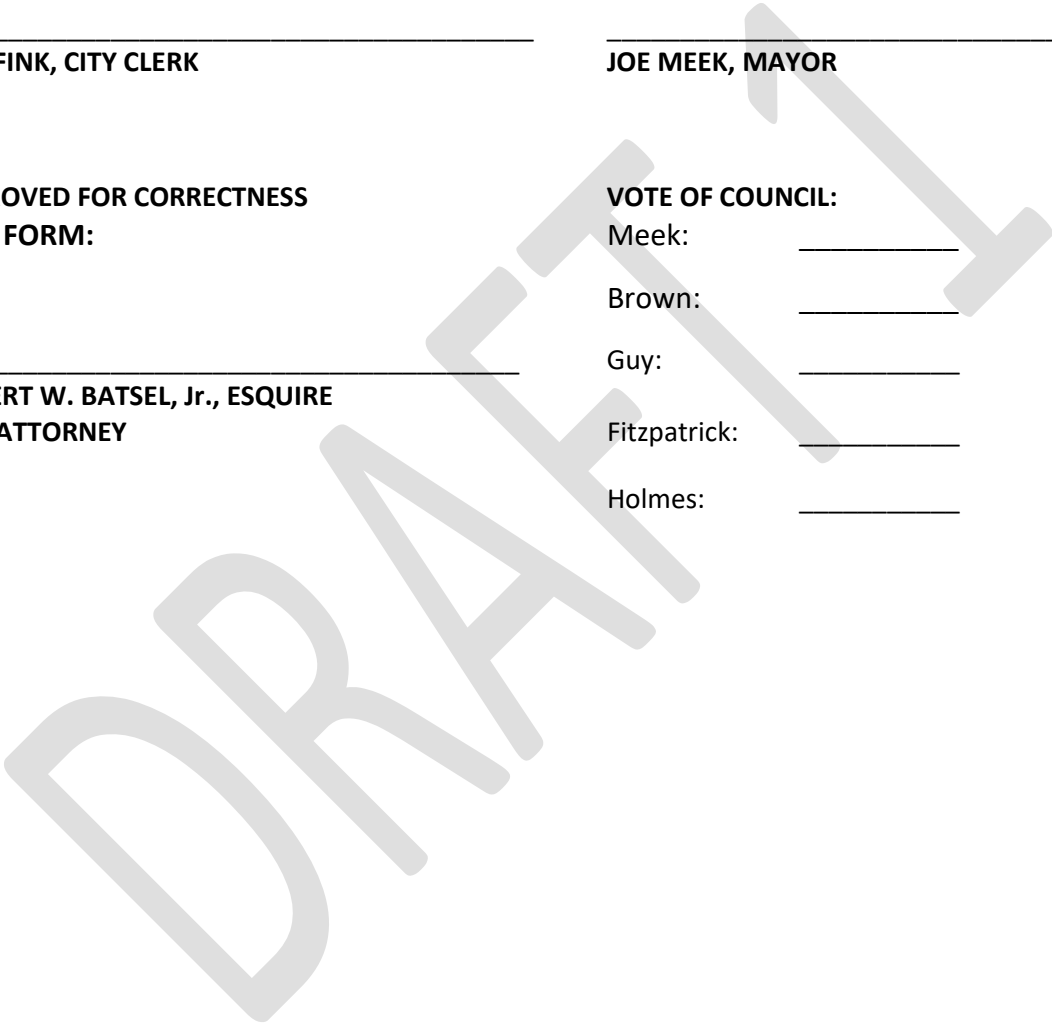


EXHIBIT "A"

Note: Underlined language is proposed language and ~~struck-through language~~ is proposed to be deleted.

TEXT AMENDMENT 1 – THAT SECTION 5.01.13 SWIMMING POOLS AND POOL ENCLOSURES, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED AS FOLLOWS:

5.01.13. Swimming pools and pool enclosures.

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

1. Side Yard: 10 feet from the mean high-water line.
2. Rear Yard: 10 feet from the mean high-water line.
3. Side Yard, adjacent to street: 10 feet from the mean high-water line.
4. Front Yard: not permitted (see EXCEPTION below).
5. Waterfront: 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 10 ft. behind the front plane of the house.

B. 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.

~~B.C.~~ All pools shall provide fencing or enclosures in compliance with the requirements of the Florida Building Code.

~~C.D.~~ 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 as outlined in section 5.01.04.

~~D.E.~~ 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.

~~E.F.~~ Pool equipment may be located within the side yard setback, but not closer than five (5) feet to side or rear yard lot line.

(Ord. No. 05-O-08, §§ 1, 2, 5-17-2005)

END OF EXHIBIT "A"



PERMIT NO. P222-0108 ORDINANCE NO. 4.02.02.b

City of Crystal River

RECEIVED
NOV 23 2022

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

APPLICATION FOR LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT

Fee: \$500 DUE AT TIME OF APPLICATION

Name of Petitioner(s): CHRISTOPHER LUETGERT

Address of Petitioner(s): 51 BEACH LN UNIT 2B
CRYSTAL RIVER FL 34429
City State Zip Code

Phone # 352-572-7335 Cell # 352-572-7335

Email Address: CLUETGERT@LUETGERTDEN.COM

State the LDC Code Section(s) that you wish to Amend: 4.02.02 STANDARDS FOR BUILDINGS AND BUILDING PLACEMENT

Reason for Proposed Amendment: DECREASE SETBACK OF POOLS FROM REAR PROPERTY LINE

State evidence of consistency of the Proposed Amendment with the Comprehensive Plan.
DAMPON RESIDENCE LOCATED AT 256 NW Magnolia Cir REQUEST POOL STRUCTURES TO BE BUILT WITHIN 10 FEET OF WATERFRONT BOUNDARY LINE

I CHRISTOPHER LUETGERT, 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.

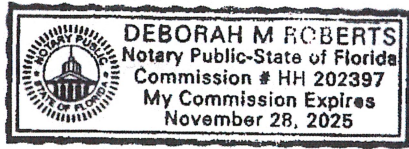
[Signature] _____ Date 11/2/22

Print Name CHRISTOPHER LUETGERT

State of Florida
County of Citrus

The foregoing instrument was acknowledged before me by () physical presence or () remote audio-visual means this 2 day of November, 2022, by Christopher Luetgert who is personally known to me or has produced _____ as identification and who did not take an oath.

Notary Public _____



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

- Standard Application Form
- Notarized Letter of Authorization, if acting on another's behalf
- Copy of the proposed text change.
- Copy of the proposed ordinance in strike-through and underline form.
- Attach as many additional pages as necessary.

Danielle Miller

From: Christopher Luetgert
Sent: Thursday, November 3, 2022 9:34 AM
To: Danielle Miller
Subject: Fwd: Damron

Pls print

Christopher Luetgert
President
Luetgert Development Corp
505 SE 1st Ave
Ocala, FL 34471
352-369-8300 Office
352-572-7335 Cell

Sent from my I phone

Begin forwarded message:

From: Zachary Cciera <zciera@crystalriverfl.org>
Date: November 3, 2022 at 9:26:53 AM EDT
To: Christopher Luetgert <cluetgert@luetgertdev.com>
Subject: RE: Damron

Chris,

I've copied the section of the code that is relevant to your application (Section 4.02.02.b.). Typically, the applicant will attach the proposed text change which in this case would be rewriting subsection b exactly how you propose for it to be amended in our LDC. Alongside the proposed text change, you'd attach a copy of the ordinance in strike through and underline form where you would essentially strike through the text that you are replacing (in red) and then insert the proposed change underlined in red.

For example, this is what it may look like:

- c. **ADU in an Existing Structure.** ~~If the ADU is to be located in an existing accessory structure, the accessory structure shall meet all setback requirements of the district.~~ The maximum footprint of an ADU located within the principal building shall not exceed twenty-five (25) percent of the total floor area of a single floor within the principal building.

I recommend giving Brian Herrmann a call at 843-263-8117 if you have questions regarding the comprehensive plan, he will ultimately be the one doing the staff report (I assume) for this application.

4.02.02. - Standards for buildings and building placement (setbacks).

A. Standards for setbacks, including permitted encroachments:

1. The minimum yards required in this section for each and every building existing at the time of the adoption of this LDC, or for any building hereafter erected or altered, shall not be encroached upon or reduced, except as specifically set forth in this section. The following items

may encroach upon a required yard, and may be located in the setback for buildings and accessory structures:

a. Plantings, security gates, paths, walkways, retaining walls, seawalls, mailboxes, utility poles, lighting fixtures, patios, at-grade-driveways, curbing, pool decks and related equipment, outdoor furniture, fire pits, HVAC, and the like (if permitted by the city manager); so long as the sight triangle on corner lots is protected. Fences, hedges and walls are addressed in [section 5.01.11](#) (fences, hedges, and walls).

b. Any encroachment identified in subsection a. above that is located in the required setback of a water adjacent yard, and whose base exceeds one (1) square foot shall be limited to a maximum height of two (2) feet. Residential HVAC equipment, if raised, shall be exempt from the two (2) feet height restriction. *A 10' SETBACK FROM WATERFRONT BOUNDARY LINE*

Zachary Ciciera
Zoning Coordinator

Planning & Community Development Services

City of Crystal River

123 NW Highway 19

Crystal River, Florida 34428

Direct: 352-795-4216 x 306

zciciera@crystalriverfl.org

Link to Crystal River Land Development Code [Mini TOC: APPENDIX A - LAND DEVELOPMENT CODE | Code of Ordinances | Crystal River, FL | Municode Library](#)



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From: Christopher Luetgert <cluetgert@luetgertdev.com>
Sent: Thursday, November 3, 2022 8:25 AM
To: Zachary Ciciera <zciciera@crystalriverfl.org>
Subject: Damron

Zach- I'm filling out the paperwork related to the pool setback at the Damron property. I have put my info as petitioner (is that ok?), I need LDC code info, do I need to submit additional text or ordinance?