

**Planning Commission Agenda**  
**April 6<sup>th</sup>, 2023 - 5:30 p.m.**

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



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

- 1) Call to Order
- 2) Roll Call
- 3) Moment of Silence
- 4) Pledge of Allegiance
- 5) Administration of Oath of Office for Planning Commissioner Kimberly Salter.
- 6) Adoption of Agenda
- 7) Approval of Minutes: **February 2<sup>nd</sup>, 2023**
- 8) Citizen Input: 3 minutes
- 9) Public Hearings:

**A.) i. Conduct a Public Hearing for APPLICATION NO. PCA23-0001 brought by the City of Crystal River** – Small-Scale Comprehensive Plan Amendment to change 11.25 acres +/- from Citrus County’s CL, Low Intensity Coastal and Lakes to the City’s MDR, Medium Density Residential category on the City’s Future Land Use Map (FLUM).

**ii. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZMA23-0001 brought by the City of Crystal River** – Amendment to the Official Zoning Map to change 11.25 acres +/- from Citrus County’s CLR, Coastal and Lakes Residential to the City’s R-2, Medium Density Residential.

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

**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.**

16) Adjournment

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

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# Planning Commission Minutes

## February 2<sup>nd</sup>, 2023 - 5:30 p.m.

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



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

- 1) Call to Order
- 2) Roll Call

**Commissioners Present:** Dan Grannan, Tonia Herring, Terry Thompson, Karen Cunningham, Deborah MacArthur Anderson, Gregory Acker.

**Commissioners Absent:** Richard Laxton, Larry Schenavar.

**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) Administration of Oath of Office for Planning Commissioners Gregory Acker.
- 6) Motion to adopt the agenda was made by Commissioner Thompson, seconded by Commissioner Herring. **Motion carried 6-0.**
- 7) Motion to approve minutes of the Planning Commission meeting held January 5<sup>th</sup>, 2023, was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried 6-0.**
- 8) Motion to re-elect Dan Grannan as Chair was made by Commissioner Herring, seconded by Commissioner Thompson. **Motion carried 6-0.**  
Motion to re-elect Tonia Herring as Vice-Chair was made by Chairman Grannan, seconded by Commissioner Cunningham. **Motion carried 6-0.**
- 9) Motion to approve the annual Planning Commission By-Laws was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried 6-0.**
- 10) Citizen Input: None.
- 11) The annual Quasi-Judicial training presentation was continued to a future Planning Commission meeting by Chairman Grannan.
- 12) Public Hearings:

**A.) Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0115 – FINNELL**

**PROPERTIES L.L.C.** – An Amendment to the Official Zoning Map of the City of Crystal River, Florida, to change the zoning on 1.04 acres (MOL) located at 1154 NE 1<sup>st</sup> Street, Crystal River, Florida, from Low Density Residential (R-1) Zoning to Medium Density Residential (R-2) Zoning.

**Chair** opened the quasi-judicial meeting.

**Conflict of Interest:** None.

**Ex Parte Communication:** None.

**Staff presentation:**

Jenette Collins, Urban Planner, presented the rezoning application to the commission. Ms. Collins stated the proposed zoning district is consistent with the existing development on the property.

**Commissioner Comment:**

Commissioner Thompson questioned if a buffer will be required for new development within the property. Mrs. Collins replied stating that any new development within the subject property will be required to comply with all aspects of the Land Development Code including buffer requirements.

**Applicant presentation:**

Ben Finnell, Owner, presented the proposed rezoning to the commission for the purpose of adding density to the existing multifamily development.

**Public Comment:** None.

**Commissioner Discussion:**

A motion to recommend City Council approval of APPLICATION NO. PZ22-0115 brought by Finnell Properties L.L.C., was made by Commissioner Thompson, seconded by Chairman Grannan. **Motion carried 6-0.**

- 13) Unfinished Business: Planning Director Brian Herrmann stated the firm selected to rewrite the City's Land Development Code, Stringfellow Planning and Design, will be presenting to the City Council on February 13<sup>th</sup>, 2023.
- 14) New Business: None.
- 15) Citizen Input: None.
- 16) Staff Comments: None.
- 17) Commissioner's Comments: None.
- 18) Chairman's Comments: None.
- 19) Motion to adjourn was made by Chairman Grannan, seconded by Commissioner Thompson. **Motion carried 6-0.**  
Meeting adjourned at 5:56pm.

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





# CITY OF CRYSTAL RIVER PLANNING COMMISSION

## STAFF REPORT

Planning and Community Development Services Department

<b>MEETING DATE:</b>	April 6, 2023	
<b>APPLICATION NO. PCA23-0001/PZMA23-0001 – PELICAN COVE RRH, LTD - Land Use/Zoning Amendment</b>		
<b>PROPOSED AMENDMENTS:</b>	<b>COMPREHENSIVE PLAN</b>	Small-Scale Comprehensive Plan Amendment to change 11.25 acres +/- from Citrus County's CL, Low Intensity Coastal and Lakes to the City's MDR, Medium Density Residential category on the City's Future Land Use Map (FLUM).
	<b>ZONING MAP</b>	Amendment to the Official Zoning Map to change 11.25 acres +/- from Citrus County's CLR, Coastal and Lakes Residential <u>to</u> the City's R-2, Medium Density Residential.
<b>SUBJECT PROPERTY:</b>	Section 33, Township 18 S, Range 17 E; specifically, Parcel ID: 17E18S32 2A000 0410 (ALT KEY 3209149) as identified in the records of the Citrus County Property Appraiser, which address is known as 9826 W Arms Dr, Crystal River. A complete legal description of the property is on file with the Planning & Development Services Department.	
<b>PROPERTY OWNER:</b>	Pelican Cove RRH, LTD	
<b>OCCUPANT:</b>	Multi-family Residential (Pelican's Bay Apartment Complex)	
<b>ACREAGE</b>	Approximately 11.25 acres (MOL)	
<b>FLOOD ZONE:</b>	According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with a Base Flood Elevation (BFE) of 12.00 feet, and Flood Zone AE with a BFE of 11.00, as found on FIRM Panel Number 12017C0301E. (Effective date: January 15, 2021).	
<b>SURROUNDING AREA:</b>	<b>North</b> – (Crystal River City Limits) CH, High Intensity Commercial, which is a vacant, wooded 1.36-acre parcel.	
	<b>South</b> – (Citrus County) CLR MH, Coastal and Lakes Residential (mobile homes allowed); lying across W Green Lane are subdivided lots that are 5.0 acres +/- and developed with single-family residences.	
	<b>East</b> – (Citrus County) CLR, Coastal and Lakes Residential; is the platted subdivision of Hourglass Lake, developed with single family residences on 0.25 acre +/- lots.	
	<b>West</b> – (Citrus County) is CLR MH and CLR, lying across N Greenleaf Forest Road, and is subdivided (unrecorded) residential lots ranging from 2.0 acres to 3.35 acres, vacant and development with a single-family residence.	
<b>PREPARED BY:</b>	Jenette Collins, AICP, Urban Planner, Planning and Community Development Services Department	

### **BACKGROUND INFORMATION:**

This joint-application is brought forward by the City to amend the land use category and zoning district on an 11.25 acre +/- parcel developed with a multi-family apartment complex that is located on the northeast corner of N Greenleaf Forest Road and W Green Lane. The requests are made

subject to a voluntary annexation petition filed by the property owner to be considered by the City Council at a scheduled public hearing on Monday, May 8, 2023. As a requirement of voluntary annexation (per section 171.044, Florida Statutes), the subject parcel is contiguous to the corporate limits of the City of Crystal River, is reasonably compact, and the annexation will not result in the creation of enclaves.

The petition for voluntary annexation comes as a result the City acquiring a grant from the State of Florida Springs Restoration Fund which will pay for the decommissioning of the petitioner’s wastewater treatment plant, connecting to the city’s sewer system, including associated connection fees. The new sewer connection will serve the existing multi-family use known as Pelican’s Bay Apartment Complex which year built appears as 1977 and comprises 86 units as indicated in the records of the Citrus County Property Appraiser.

The comprehensive plan amendment is required by Chapter 163, Florida Statutes, for annexed lands. In addition, the official zoning map must be amended to be consistent with the comprehensive plan amendment. Staff seeks the Planning Commission’s recommendation to the City Council on the land use and zoning amendments, which applications will then proceed to run concurrent with the proposed voluntary annexation petition as will be presented to the City Council.

**ANALYSIS:** The proposed Comprehensive Plan amendment is required by Chapter 163, Florida Statutes which provides for the legal status of the comprehensive plan and future land use map, and that the land development regulations and zoning map are consistent with and implement the adopted comprehensive plan. The proposed classifications will serve to recognize the existing multi-family use based on the City’s Comprehensive Plan and Land Development Code allowances.

**Comprehensive Plan, Future Land Use Map Amendment** – The proposed FLUM amendment will change the future land use designation from Citrus County’s CL, Low Intensity Coastal and Lakes to the City’s MDR, Medium Density Residential category. The following comparison table is provided:

Comprehensive Plan FLUM Category:	From County <sup>1</sup> : CL, Low Intensity Coastal & Lakes	To City <sup>2</sup> : MDR, Medium Density Residential
<b>Category Description:</b>	This category designates those areas having environmental characteristics sensitive to development and therefore should be protected.	The purpose of this category is to provide a location for single- and multi-family residential development and customary residential accessory uses incidental to the residential uses on site.
<b>Maximum Density:</b>	Maximum 1.0 unit per 20 acres. Max 1.0 unit per 40 acres in FEMA V-Zone**.	3.1 to 8.0 units per acre.
<b>Maximum ISR*</b>	35%	55%

\*ISR – Impervious Surface Area; \*\* Note: The subject property is not in a FEMA V-Zone.)

Sources: <sup>1</sup>Citrus County Comprehensive Plan, Future Land Use Element and <sup>2</sup>Crystal River Comprehensive Plan, Future Land Use Element.

The proposed MDR land use category serves to recognize the existing density and is appropriate for the existing multi-family use. The existing use does not exceed the maximum density allowance and ISR of the Comprehensive Plan for the MDR land use category.

**Zoning Map Amendment** – The proposed zoning map amendment will change the zoning from Citrus County’s CLR, Coastal and Lakes Residential to the City’s R-2, Medium Density Residential district.

Zoning District:	From County <sup>1</sup> : CLR, Coastal and Lakes Residential	To City <sup>2</sup> : R-2, Medium Density Residential
Allowed Use:	This category recognizes lawful unrecorded and recorded subdivisions within the coastal, lakes, and river regions of the County. Density shall be limited to the maximum provided by the final development order approved for the underlying subdivision plat.	The R-2 district is established for single-family residential uses, multiple-family residential uses, associated accessory structures, and essential public services.
Maximum Density:	Recognizes existing final development order.	8.0 units per acre.
Max ISR*:	40%	45% waterfront/ 55% non-waterfront

\*ISR – Impervious Surface Ratio

Sources: <sup>1</sup>Citrus County Land Development Code; and <sup>2</sup>Crystal River Land Development Code (Ord. No. 05-O-08)

The proposed R-2 zoning district shall be used to implement the proposed MDR FLUM land use category. The existing multi-family development is an appropriate use in the proposed R-2 district and is in keeping with the maximum density, and ISR allowances for the district which is consistent with the proposed FLUM amendment. The existing density for the 86 units on 11.25 acres calculates to 7.64 units per acre which is below the maximum allowed density of 8.0 units per acre for the R-2 district. Likewise, the ISR does not appear to exceed 50 percent of the subject property and therefore is in keeping with the maximum allowed ISR for the R-2 district.

Likewise, the proposed R-2 zoning is found compatible and serves as an appropriate transitional zoning as situated between the existing County’s CLR zoning (which recognizes existing residential densities) and the City’s CH zoning existing on the north side of the subject property.

**INFRASTRUCTURE:**

**Transportation (Ingress/Egress)** – The subject property is located on the northeast corner of North Greenleaf Forest Road and West Green Lane, both being county maintained, improved local roads. These roads connect to W Fort Island Trail, a county collector road which is a designated evacuation route on the Citrus County Hurricane Evacuation Map. No further development is anticipated for this project site, so there will be no additional traffic impacts to the existing street network. It is noted that the internal drives located within Pelican’s Bay Apartment Complex are privately maintained by the property owner.

**Water** – The project site is currently served by Ozello Water Association, a private utility company.

**Sewer** – Connection to the city’s wastewater facility is under construction as of this writing. As previously noted, the sewer connection is being provided under a grant from the State of Florida Springs Restoration Fund which also serves to decommission the project’s onsite wastewater treatment plant.

**Stormwater Management** – No changes are proposed to the onsite stormwater management system which is regulated by the Southwest Florida Water Management District (SWFWMD).

**Other Items:** The subject property is located in the Coastal High Hazard Area (CHHA<sup>1</sup>). The density is not being increased and the proposed amendments which serve to recognize the existing multi-family complex, would not degrade the existing evacuation Level of Service (LOS) for hurricane evacuation.

Environmental Factors –

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

- Approximately 96.4% of the site is classified as (22) Quartzipsamments, 0 to 5 percent slopes (parent material: sandy marine deposits), having a drainage class defined as well drained, and having a depth to water table of more than 80 inches.
- Approximately 2.9% of the site (on the northwest corner) is classified as (58) Myakka, limestone substratum-EauGallie, limestone substratum complex (parent material: sandy marine deposits), having a drainage class of poorly drained, and having a depth to water table of 6 to 18 inches.
- Approximately less than 1.0 percent of the site (on the eastern fringes) 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 concerns are noted. The site is already developed.

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

**Future Land Use Element**

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

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

***POLICIES:***

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

***B)*** *Building permits or development orders will not be issued for new development where public facilities and services are not available at the level of service standards established in this plan.*

***C)*** *Zoning designations and other land development regulations shall direct development to areas where public facilities are available.*

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

Staff Comment - The proposed Future Land Use and Zoning amendments (subject to the pending annexation) serve to recognize the existing multi-family use whereby the number of units do not exceed the maximum density allowance as specified in the Future Land Use Element of the Comprehensive Plan. The proposed amendments are found consistent with the requirements of the comprehensive plan in that the existing multi-family development meets the level of service standards based on available public facilities. The proposed medium density residential land use and zoning is an appropriate transitional land use and zoning district based on the existing and future land use patterns for the immediate area.

**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).

Based on the foregoing analysis, the following findings are presented:

1. The request is a Small-Scale Amendment of the Comprehensive Plan for 11.25 acres +/- parcel to change the future land use designation from Citrus County's CL, Low Intensity Coastal and Lakes to the City's MDR, Medium Density Residential category.
2. The request is to re-zone 11.25 acres +/- on the Official Zoning Map by changing the zoning from Citrus County's CLR, Coastal and Lakes Residential to the City's R-2, Medium Density Residential district.
3. The amendment requests are made concurrent to the annexation of said lands which necessitates a comprehensive plan amendment as required by Chapter 163, Florida Statutes, and that the official zoning map must be amended to be consistent with the Comprehensive Plan.
4. The subject 11.25 acres +/- has been developed with 86 multi-family units which use and existing density is found consistent with City's MDR future land use category and R-2 zoning district.
5. The subject property developed with 86 multi-family units is required to connect to the City's wastewater facility that has adequate service capacity and which the connection expansion under construction will be paid by a grant from the State of Florida Springs Restoration Fund.
6. The subject property developed with 86 multi-family units is currently connected to Ozello Water Association.

**STAFF RECOMMENDATION:** Approval of the Small-Scale Comprehensive Plan Amendment and the amendment to the Official Zoning Map as presented herein.

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

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

1. PCA23-0001 Future Land Use Map Amendment
2. PZMA23-0001 Zoning Amendment

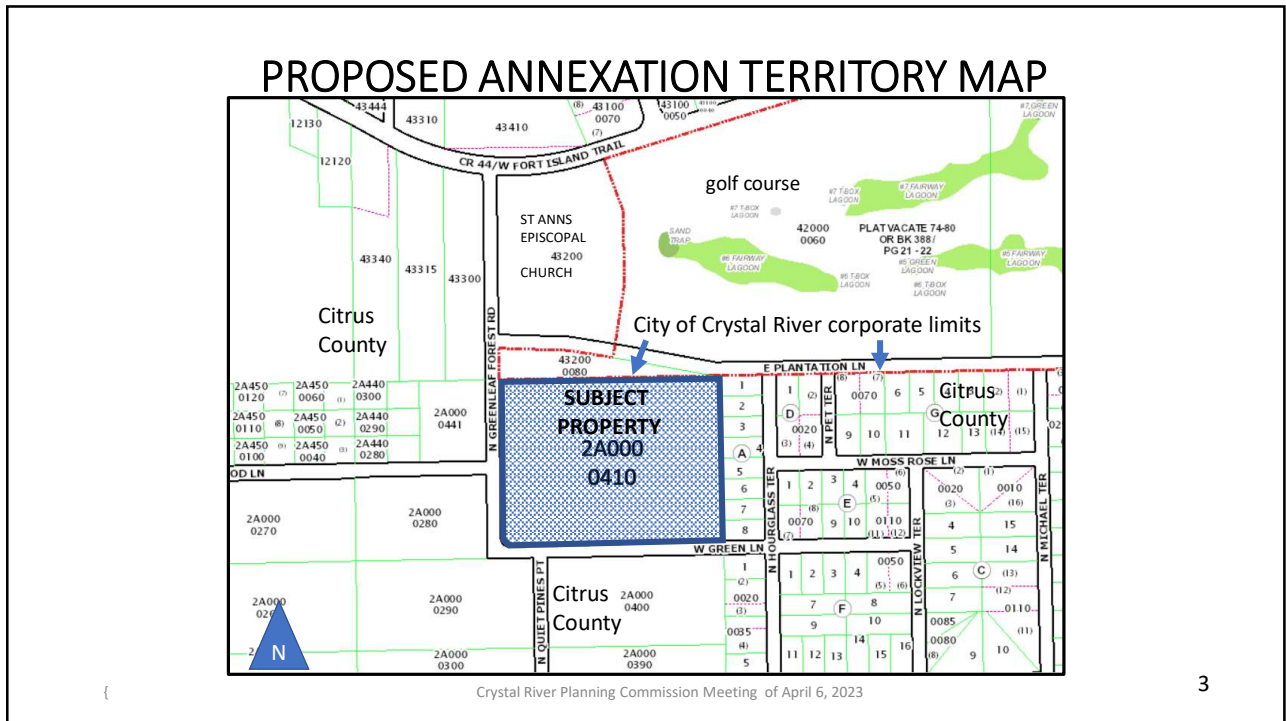
**ATTACHMENTS:**

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

PCA23-0001/PZMA23-0001  
FUTURE LAND USE AMENDMENT AND  
ZONING MAP AMENDMENT  
PELICAN COVE RRH, LTD  
(Pelican Bay Apartments)

Crystal River Planning Commission Meeting of April 6, 2023

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Crystal River Planning Commission Meeting of April 6, 2023

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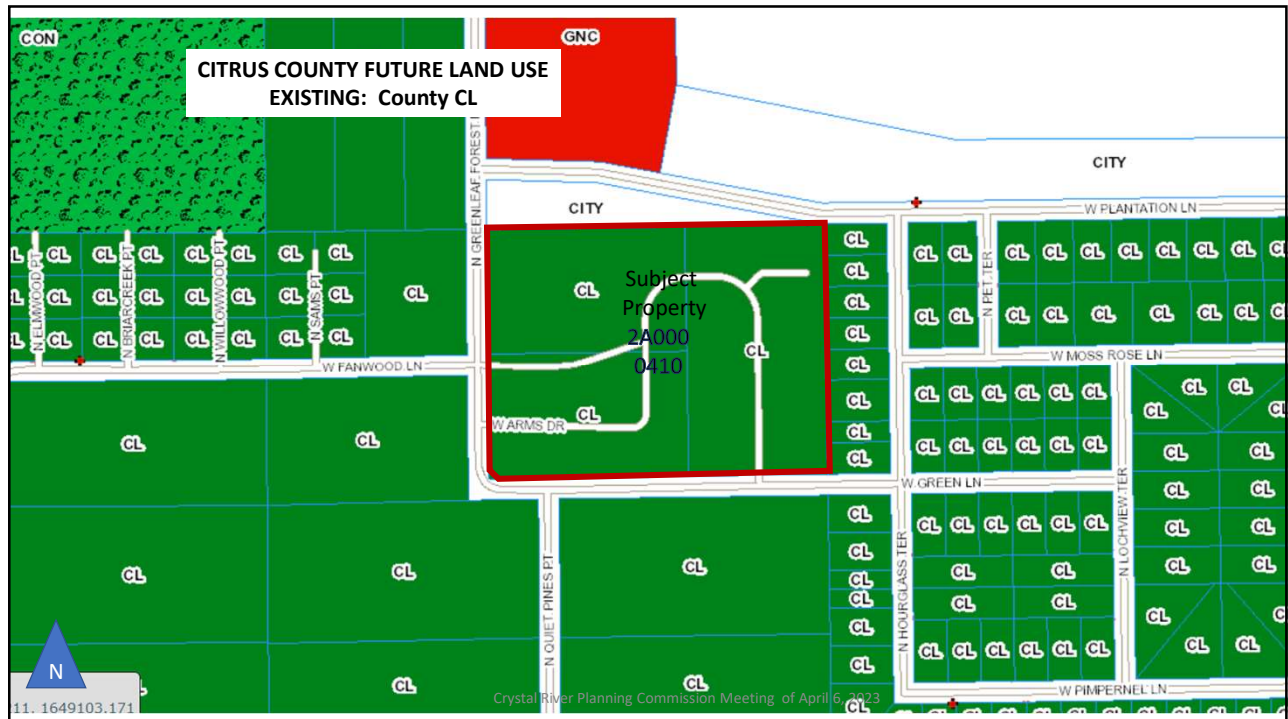
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Crystal River Planning Commission Meeting of April 6, 2023

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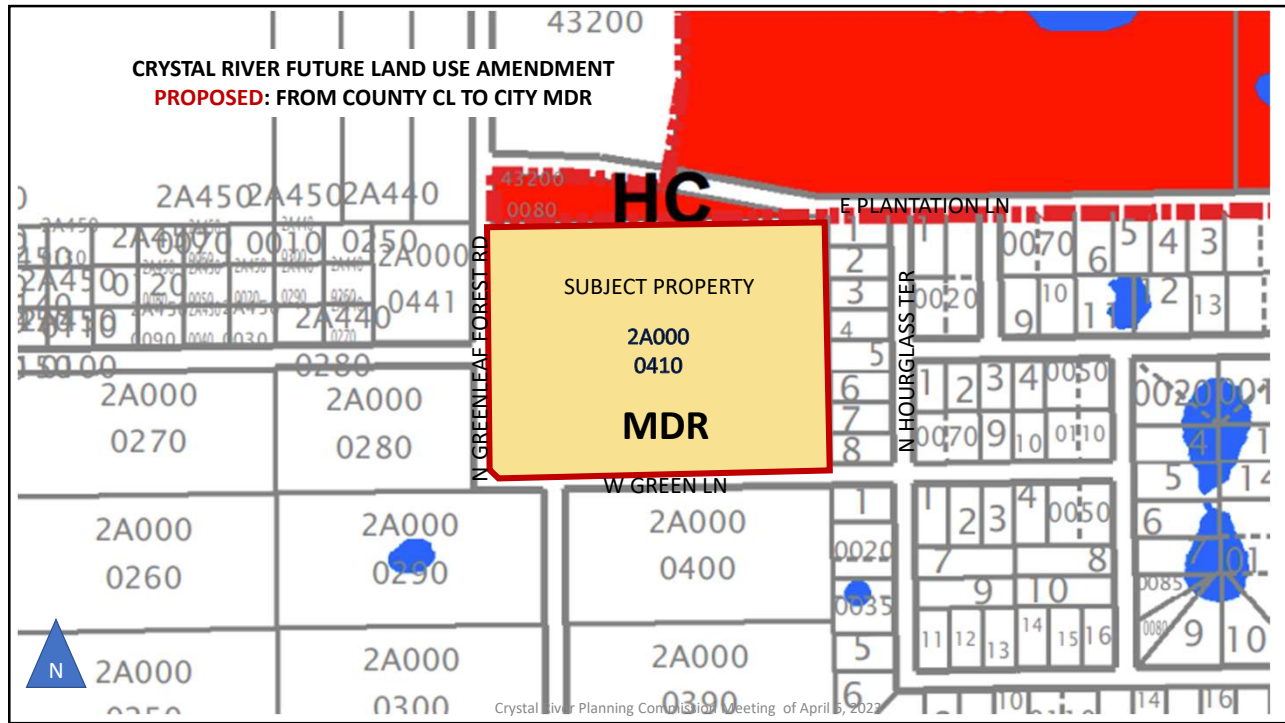
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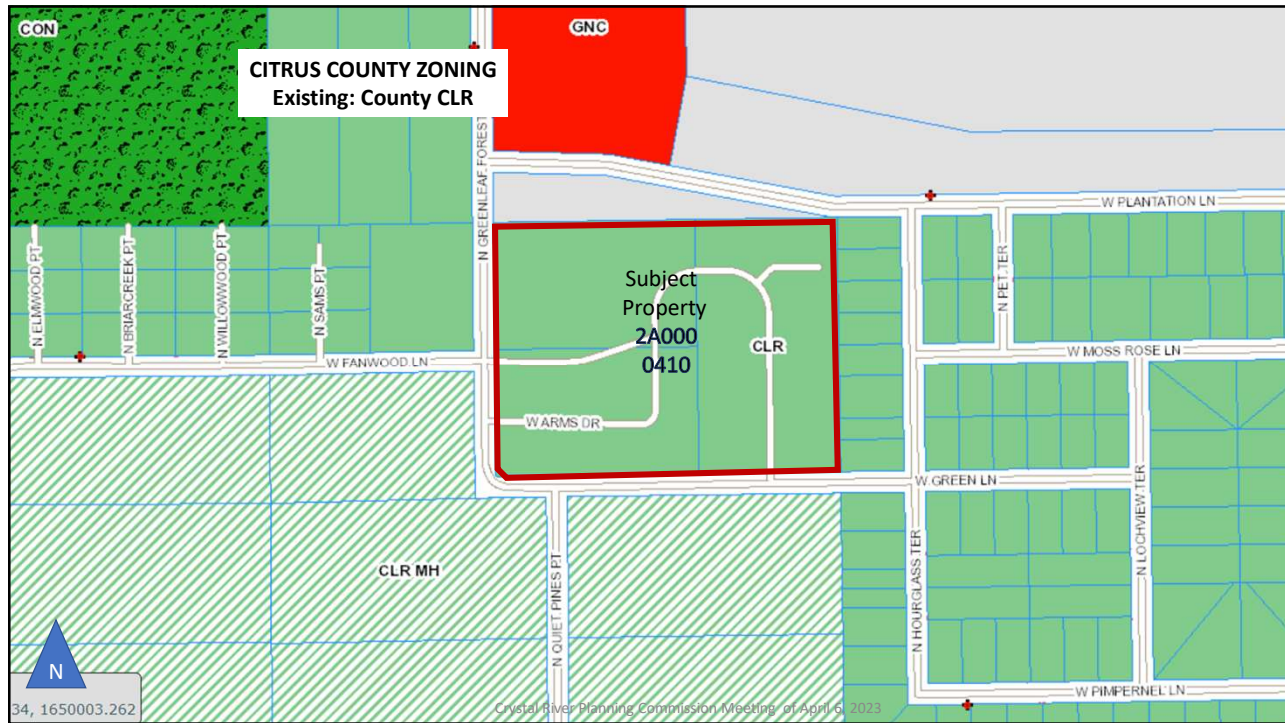
Crystal River Planning Commission Meeting of April 6, 2023

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### West side of property as it faces N Greenleaf Forest Road (Looking north & south on N Greenleaf Forest Road)



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Crystal River Planning Commission Meeting of April 6, 2023

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### South side of property as it faces W Green Lane



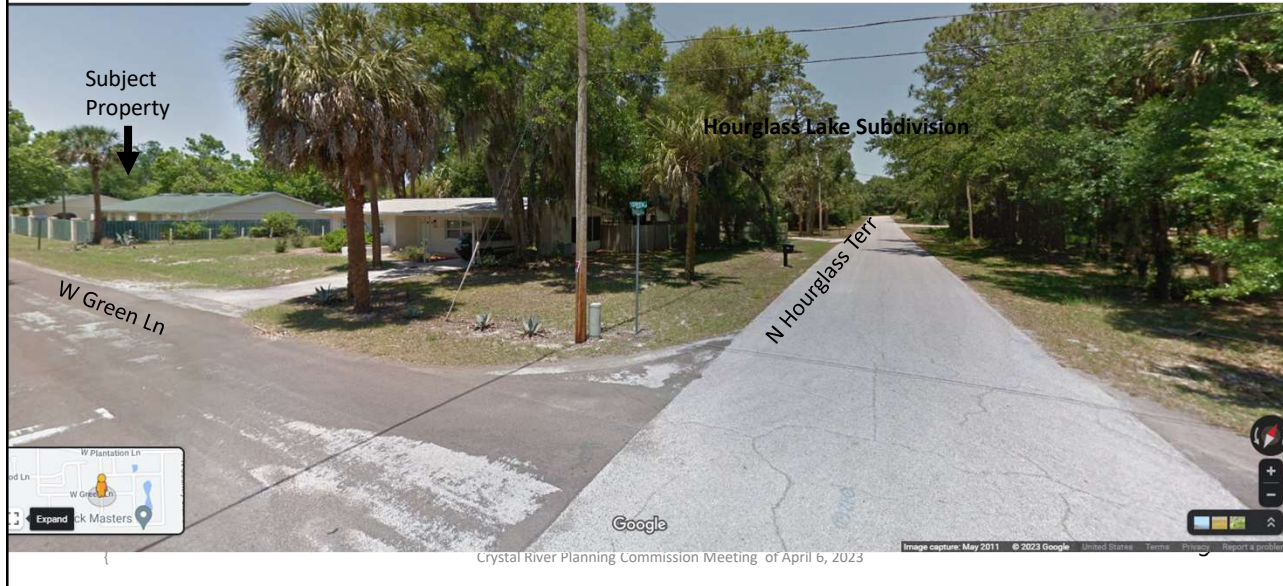
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Crystal River Planning Commission Meeting of April 6, 2023

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Looking north (northwest) at corner of W Green Lane and N Hourglass Terrace



Crystal River Planning Commission Meeting of April 6, 2023

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# QUESTIONS?

PCA23-0001/PZMA23-0001  
FUTURE LAND USE AMENDMENT AND  
ZONING MAP AMENDMENT  
PELICAN COVE RRH, LTD  
(Pelican Bay Apartments)

Crystal River Planning Commission Meeting of April 6, 2023

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## **ORDINANCE NO. 23-O-18**

**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 REDESIGNATING THE FUTURE LAND USE FOR 11.25 ACRES (MOL) FROM CITRUS COUNTY CL, LOW INTENSITY COASTAL AND LAKES TO CITY OF CRYSTAL RIVER MDR, MEDIUM DENSITY RESIDENTIAL FOR CERTAIN REAL PROPERTY LYING IN SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY PARCEL ID: 17E18S32 2A000 0410 (ALT KEY 3209149) AS IDENTIFIED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY PELICAN COVE RRH LTD; 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**, this small-scale amendment was considered subsequent to the annexation of said real property as referenced and described herein, and which annexation was duly considered in a public hearing conducted pursuant to published notice; 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 11.25 acres (MOL) owned by Pelican Cove RRH, LTD, by redesignating the Future Land Use from Citrus County's CL, Low Intensity Coastal and Lakes to the City's MDR, Medium Density Residential category for the reasons set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba.

**SECTION 2. AUTHORITY**

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

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

**SECTION 3. FUTURE LAND USE MAP AMENDED**

APPLICATION NO. PCA23-0001 PELICAN COVE RRH LTD

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 Citrus County's CL, Low Intensity Coastal and Lakes to the City's MDR, Medium Density Residential category on property legally described and as shown 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 real property lying in Section 33, Township 18 South, Range 17 East, Citrus County, Florida, specifically Parcel ID: 17E18S32 2A000 0410 (Altkey: 3209149) as identified in the records of the Citrus County Property Appraiser, more particularly described as follows:

**PARCEL 1:**

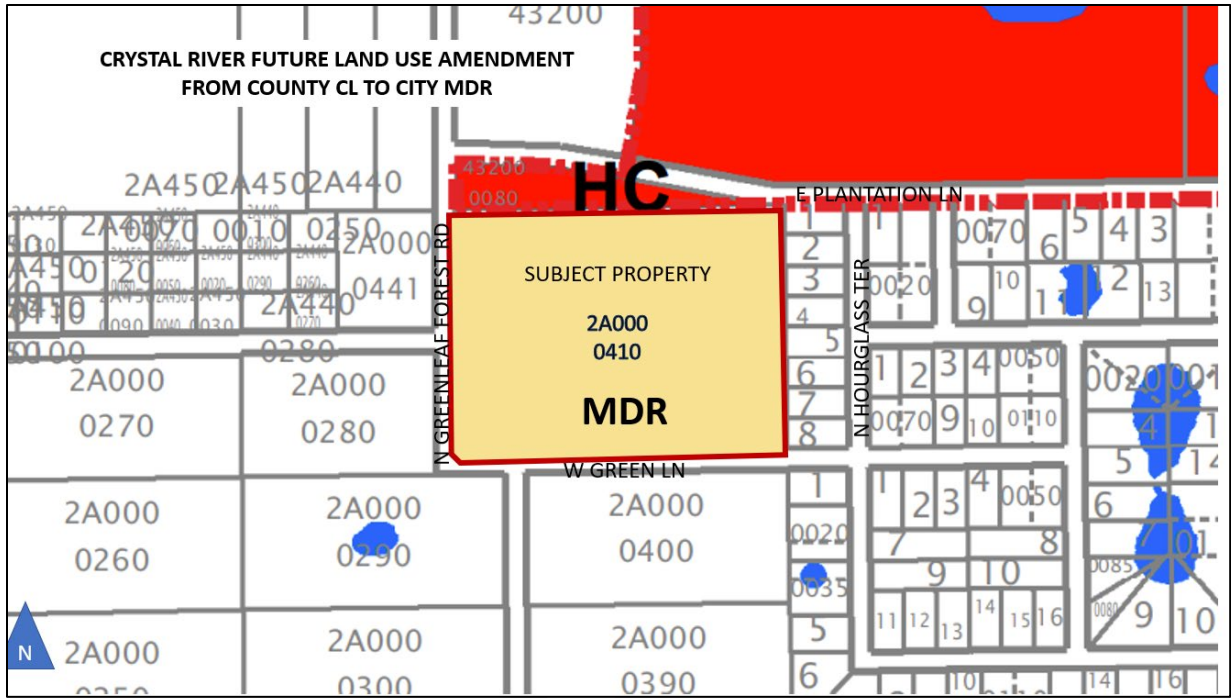
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**LOCATOR MAP**  
**Section 33, Township 18 South, Range 17 East**



End of Exhibit "A"

## ORDINANCE 23-O-19

**AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA BY REZONING 11.25 ACRES (MOL) FROM CITRUS COUNTY CLR, COASTAL AND LAKES RESIDENTIAL TO CRYSTAL RIVER R-2, MEDIUM DENSITY RESIDENTIAL FOR CERTAIN REAL PROPERTY LYING IN SECTION 33, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY PARCEL ID: 17E18S32 2A000 0410 (ALT KEY 3209149) AS IDENTIFIED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY PELICAN COVE RRH LTD; 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** this rezoning was considered subsequent to the annexation of said real property as referenced and described herein, and which annexation was duly considered in a public hearing conducted pursuant to published notice; and

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

**WHEREAS** the City of Crystal River Planning Commission on **<date>**, voted \_\_\_ - \_\_\_ to recommend to the City Council that the request to amend the official zoning map be \_\_\_\_\_; and

**WHEREAS** the City Council of the City of Crystal River, Florida, after publication of a notice of its consideration of this ordinance, held two readings of this ordinance and public 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 11.25 acres (MOL) owned by Pelican Cove RRH, LTD by redesignating the zoning from Citrus County's CLR, Coastal and Lakes Residential to the City's R-2, Medium Density Residential District for the reasons set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba.

**SECTION 2. AUTHORITY**

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

**SECTION 3. ZONING MAP AMENDMENT**

APPLICATION NO. PZMA23-0001 PELICAN COVE RRH LTD

The official zoning map of the City of Crystal River is hereby amended to change the zoning designation from Citrus County's CLR, Coastal and Lakes Residential to the City's R-2, Medium Density Residential district on property legally described and as shown 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 introduced and placed on first reading on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**THIS ORDINANCE** was introduced and placed on a second reading 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"**

**LAND DESCRIPTION FOR AMENDMENT TO THE CRYSTAL RIVER ZONING MAP**

For real property lying in Section 33, Township 18 South, Range 17 East, Citrus County, Florida, specifically Parcel ID: 17E18S32 2A000 0410 (Altkey: 3209149) as identified in the records of the Citrus County Property Appraiser, more particularly described as follows:

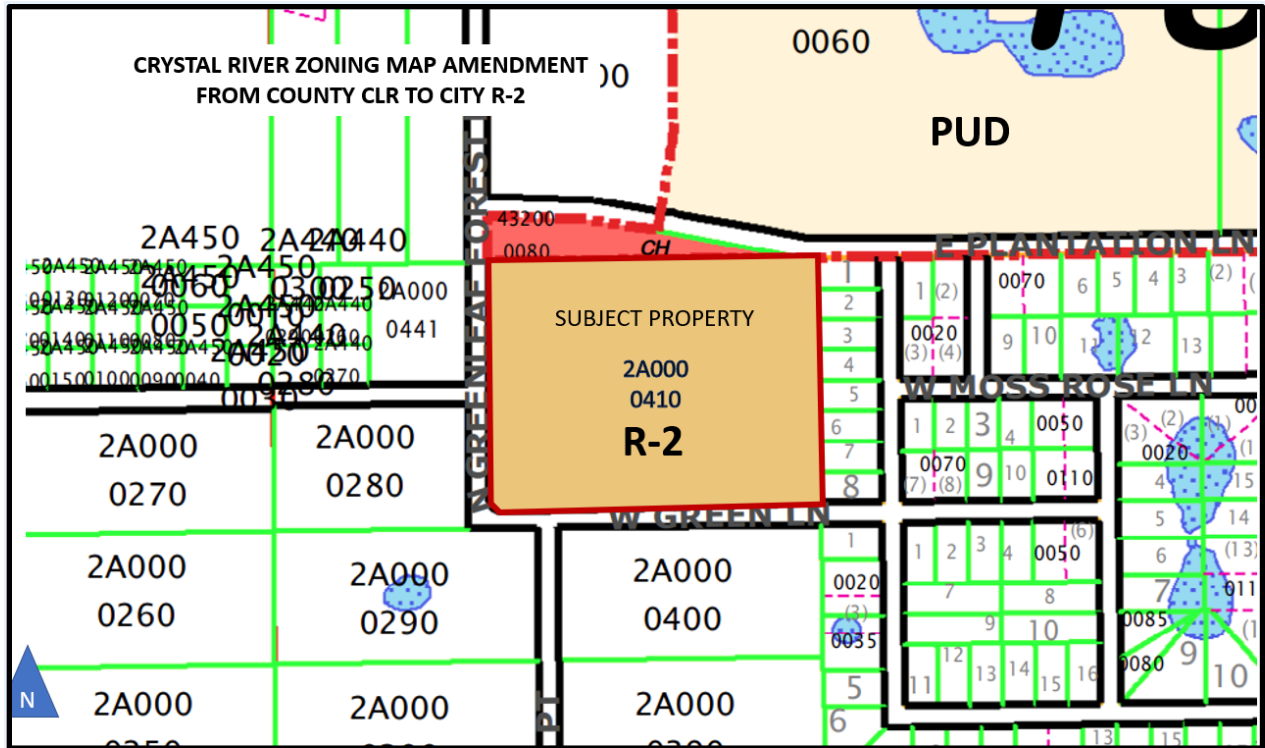
**PARCEL 1:**

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**LOCATOR MAP**  
**Section 33, Township 18 South, Range 17 East**



End of EXHIBIT "A"





# City of Crystal River

PCA23-0001

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

## APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

**Fee: Small Scale - \$250 for 50 ac or fewer      Large Scale - \$750 for > 50 ac  
TO BE PAID AT TIME OF APPLICATION**

Check One: Small Scale  # Acres 11.25      AltKey: 3209149  
Large Scale  # Acres \_\_\_\_\_      Parcel #: 17E18S32 2A000 0410

Name of Petitioner(s): CITY OF CRYSTAL RIVER, DEPT OF PLANNING & COMMUNITY DEV SERVICES  
CONTACT PERSON: Jenette Collins, AICP, Urban Planner

Address of Petitioner(s): 123 NW HIGHWAY 19

City CRYSTAL RIVER State FL Zip Code 34428

Phone # 352-795-4216, EXT. 340 Fax # \_\_\_\_\_ Cell # \_\_\_\_\_

Email Address: jcollins@crystalriverfl.org

Legal Description attached: Yes  No       Survey attached: Yes  No

Street address of property (if applicable): 9826 W ARMS DRIVE, CRYSTAL RIVER, FL

Existing Land Use: COUNTY - CL      Proposed Land Use: CITY - MDR

Reason for Request: The City has received a Petition for Voluntary Annexation request by the Property Owner and Future Land Use and Zoning Designation Application. This Land Use Amendment (to be processed simultaneous to the annexation) is required by F.S. Ch. 163, and will amend the City's FLUM for the subject property to recognize the existing use.

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. (Reference Petition for Voluntary Annexation and Future Land Use and Zoning Designation Application.)
- 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.)
- n/a Paid application fee (Processed by City.)

1000-8505T

I Jenette Collins, being first duly sworn, affirm and say that I am the:

(check one)

           owner, or

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

*Jenette Collins*  
Signature

123 NW Hwy 19  
Address

352-795-4216, Ext 340  
Phone Number

Crystal River, FL 34428  
City, State, Zip Code

State of FLORIDA

County of CITRUS

The foregoing instrument was acknowledged before me this 9, day of FEBRUARY, 2023, by JENETTE COLLINS, who is personally known to me or has produced FL DL as identification and who did/did not take an oath.

*Zachary Ciciera*  
Notary Public

Commission No.: \_\_\_\_\_

Commission Expires: \_\_\_\_\_



**ZACHARY CICIERA**  
Notary Public  
State of Florida  
Comm# HH250215  
Expires 4/6/2026





# 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: CITY OF CRYSTAL RIVER, DEPT OF PLANNING & COMMUNITY DEV SERVICES

Address: 123 NW HWY 19, CRYSTAL RIVER, FL 34428

Phone #: 352-795-4216, EXT 340 Fax #: \_\_\_\_\_ Cell #: \_\_\_\_\_

Email Address: jcollins@crystalriverfl.org

### Property Description:

Parcel Account #: 17E18S32 2A000 0410 Alt. Key # 3209149

Street Address (or street & avenue location): 9826 W ARMS DR, CRYSTAL RIVER

Legal Description: ATTACHED

(or attachment)

Property Acreage: 11.25 Sq. ft.: 490,246

Present F.L.U.M. Designation: COUNTY - CL, Low Intensity Coastal & Lakes

Present Zoning Designation: COUNTY - CLR, Coastal and Lakes Residential

**Requested Zoning Designation:** CITY - R-2, Medium Density Residential

Reason for the Request: The City has received a Petition for Voluntary Annexation by the property owner, as result of an agreement for construction of and connection to City wastewater utilities), The re-zoning (to be processed simultaneous to annexation and FLUM amendment) is required by F.S. Ch. 163, to provide consistency with the FLUM.

Explain Consistency with the Future Land Use Plan: The amendment will result in a zoning that recognizes the existing multi-family use (86 units), and meets the intent of F.S sec., 163.3202 to provide consistency and implement the City's adopted comprehensive plan and FLUM.

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

Name: Contact person: Jenette Collins, AICP, Urban Planner

Address: same as Applicant Information above

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_ Cell #: \_\_\_\_\_

Email Address: \_\_\_\_\_

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

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**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.**

<b>Check</b>	<b>Requirements (Sec. 10.01.06)</b>
x	<b>A.</b> The application shall include a map of the area that can be found on the Citrus County Property Appraiser website ( <a href="http://www.citruspa.org">www.citruspa.org</a> )
x	1. The current zoning district designations for the subject property and all adjacent properties. The zoning map can be found at <a href="http://www.crystalriverfl.org">www.crystalriverfl.org</a>
x	2. The land use categories from the Future Land Use Map that can be found at <a href="http://www.crystalriverfl.org">www.crystalriverfl.org</a>
x	<b>B.</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