

Planning Commission Agenda
April 07, 2022 - 5:30 p.m.

Daniel Grannan – Chair
Tonia Herring – Vice Chair
Billy Gause
Randy Martin
Doug Smith



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 Larry Schenavar (appointed by City Council on March 28, 2022)**
- 6) Chairman Comments
- 7) Adoption of Agenda
- 8) Approval of Minutes: **March 03, 2022**
- 9) Citizen Input: 3 minutes
- 10) Public Hearings:
 - a) **Conduct a Public Hearing for APPLICATION NO. PZ22-0024 brought by MAYA HOTEL LLC –** Amendment to the Official Zoning Map from Residential Waterfront (R-W) to Neighborhood Business Residential (NBR). Section 21, Township 18S, Range 17 E; specifically, Parcel ID: 17E18S210100 000B0 0010 (AK 1075700), comprising 0.28 acre (MOL) and which address is 704 NW 6th Street, Crystal River.
 - b) **1. Conduct a Public Hearing for APPLICATION NO. PZ22-0029 brought by Heritage Development Company o/b/o Crystal River LTD Partnership -** Amendment to the Comprehensive Plan's Future Land Use Map (FLUM) from Low Density Residential (LDR) to Medium Density Residential (MDR). Sections 33 and 34, Township 18S, Range 17E; specifically, a part of Parcel 34000 (AK 3521123), comprising approximately 27.61 Acres (MOL) and which address is 8800 W Pure Lane, Crystal River.
2. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0030 brought by Heritage Development Company o/b/o Crystal River LTD Partnership - Amendment to the

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.

Official Zoning Map from Low Density Residential (R1) to Medium Density Residential (R2). Sections 33 and 34, Township 18S, Range 17E; specifically, a part of Parcel 34000 (AK 3521123), comprising approximately 27.61 Acres (MOL) and which address is 8800 W Pure Lane, Crystal River.

- c) **Conduct a Public Hearing for APPLICATION No. PZ22-0025 Text Amendment's to the Land Development Code brought by the City of Crystal River** - Three text amendments to 1) redefine Substantial Improvement; 2) update the development standards for Roadside Vending; and 3) modify standards for Marinas and Boat Facilities.
- d) **Conduct a Public Hearing for APPLICATION No. PZ22-0026 – Text Amendment to Land Development Code brought by the City of Crystal River** - Multiple text amendments to establish Recreational Vehicle Park as an allowable use in the City subject to use and site design standards in an approved Planned Unit Development (PUD) district.

- 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

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.

CITY OF CRYSTAL RIVER



OATH OF OFFICE

(Art. II, § 5(b), Fla. Const.)

STATE OF FLORIDA
COUNTY OF CITRUS
CITY OF CRYSTAL RIVER

I, Larry Schenavar, do solemnly swear or affirm that I will support, protect, and defend the Constitution and Government of the United States, the State of Florida, the Charter and laws of the City of Crystal River; that I am duly qualified to hold office under the Constitution of the State and Charter of the City of Crystal River and that I will well and faithfully perform the duties Planning Commissioner of the City of Crystal River, on which I am now about to enter, so help me God.

Larry Schenavar
Planning Commission
City of Crystal River

Sworn to and subscribed before me this _____ day of _____, 2022.

Signature of Notary Public

Planning Commission Agenda
March 03, 2022 - 5:30 p.m.

Daniel Grannan – Chair
Tonia Herring – Vice Chair
Billy Gause
Randy Martin
Doug Smith



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

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

Commissioners present: Daniel Grannan, Tonia Herring, Billy Gause, Randy Martin, Terry Thompson.

Commissioners absent: Doug Smith.

Staff present: Planning and Community Development 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 – N/A
- 6) **Motion to adopt agenda was made by Commissioner Gause, seconded by Commissioner Martin. Motion carried 5-0.**
- 7) **Motion to approve minutes of the Planning Commission meeting held February 03, 2022, was made by Commissioner Thompson, seconded by Commissioner Gause. Motion carried 5-0.**
- 8) Citizen Input: 3 minutes.
- 9) Public Hearings:
 - a) **Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0016 – brought by CRYSTAL BAY RV RESORT LLC – Amendment to renew and modify an expired Planned Unit Development (PUD) Master Plan known as “Crystal Bay RV Resort” (f/k/a Coastal Bay RV Resort) to allow for a recreational vehicle (RV) park on 15.59 acres. Section 22, Township 18 S, Range 17 E; specifically, Parcel ID: 17E18S22 12000 0011 (AK No. 3431298), which address is 8172 W Balloon Lane, Crystal River, FL.**

Chair opened the quasi-judicial hearing

Conflicts of Interest: None.

Ex-Parte Communications: None by Commissioners.

Staff Presentation: Jenette Collins presented to the commission on proposed PUD masterplan for RV Park.

Applicant Presentation: Applicant Jennifer Grissom presented to the commission on proposed PUD masterplan for RV park.

Public Comments:

Coressa Natteal, 1044 NW 1st Ave, Crystal River, addressed concern about increase in traffic flow and flooding.

Dennis Bailey, 8255 West Crystal Street, Crystal River, spoke in favor of the application.

Arthur Natteal, 7655 CR 714, Center Hill, addressed concern about increase in property tax and drug use in neighborhood.

Fredrika Allen, 15 Jib Path Apt 108, Beverly Hills, addressed concern about increase in traffic.

Applicant Rebuttal: Applicant Jennifer Grissom addressed the public's concern to the commission.

Commission Discussion: Commissioners discussed access to the park to be on North Turkey Oak Drive or West Balloon Lane. A motion was made by Commissioner Thompson to recommend Council approval of Application No. PZ22-0016 – Brought by CRYSTAL BAY RV RESORT LLC - Amendment to renew and modify an expired Planned Unit Development (PUD) Master Plan known as “Crystal Bay RV Resort” (f/k/a Coastal Bay RV Resort) to allow for a recreational vehicle (RV) park on 15.59 acres. Section 22, Township 18 S, Range 17 E; specifically, Parcel ID: 17E18S22 12000 0011 (AK No. 3431298), which address is 8172 W Balloon Lane, Crystal River, FL. **Motion denied 3-2 with Commission members Gause and Herring in opposition.**

Discussion ensued regarding a landscape buffer along North Turkey Oak Drive and West Balloon Lane. A new motion was made by Commissioner Thompson to recommend Council approval of Application No. PZ22-0016 – Brought by CRYSTAL BAY RV RESORT LLC. **Motion carried 4-1 with Commission member Herring in opposition.**

- b) **1. Conduct a Public Hearing for APPLICATION NO. PZ22-0017 – brought by GULF COAST RV AND BOAT STORAGE LLC** - Amendment to the Comprehensive Plan's Future Land Use Map (FLUM) from Highway Commercial (HC) to Industrial (IND) on 8.25 acres. Section 27, Township 18S, Range 17E; specifically, a part of Parcel ID 17E18S21 32210 (AK# 1089018), which address is **1075 N Suncoast Boulevard, Crystal River.**
- 2. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0018 – brought by GULF COAST RV AND BOAT STORAGE LLC** - Amendment to the Official Zoning Map from High Intensity Commercial (CH) to Industrial (IND) on 8.25 acres. Section 27, Township 18S, Range 17E; specifically, a part of Parcel ID 17E18S21 32210 (AK# 1089018), which address is **1075 N Suncoast Boulevard, Crystal River.**

Chair opened the quasi-judicial hearing.

Conflicts of Interest: None.

Ex-Parte Communications: None by Commissioners.

Staff Presentation: Urban Planner Jenette Collins presented on both applications simultaneously. Stated the applicant was prompted for suggested proposal because of the lack of storage use in CH zoning district.

Applicant Presentation: Applicant Clayton Sweger informed the commission on proposed rezoning and FLUM change, to redevelop the former RV park to a storage facility

Public Comments:

Linda Carpenter, 8484 W Anna Gail Lane, Crystal River, spoke in opposition of the application.

Mark Queenan, 8458 W Anna Gail Lane, Crystal River, spoke in opposition of the application. Expressed concern about noise pollution.

Kelley Queenan, 8458 W Anna Gail Lane, Crystal River, spoke in opposition of the application. Expressed concern about increased flooding from subject property.

Applicant Rebuttal: Applicant Clayton Sweger addressed flooding concerns, stating that stormwater will runoff west to east based on the slope of the land, including 1.7 acres of stormwater retention.

Commission Discussion:

A motion was made by Commissioner Herring to recommend Council approval of Application **NO. PZ22-0017 – brought by GULF COAST RV AND BOAT STORAGE LLC -** Amendment to the Comprehensive Plan’s Future Land Use Map (FLUM) from Highway Commercial (HC) to Industrial (IND) on 8.25 acres. Section 27, Township 18S, Range 17E; specifically, a part of Parcel ID 17E18S21 32210 (AK# 1089018), which address is **1075 N Suncoast Boulevard, Crystal River. Motion carried 5-0**

A motion was made by Commissioner Thompson to recommend Council approval of Application **NO. PZ22-0018 – brought by GULF COAST RV AND BOAT STORAGE LLC -** Amendment to the Official Zoning Map from High Intensity Commercial (CH) to Industrial (IND) on 8.25 acres. Section 27, Township 18S, Range 17E; specifically, a part of Parcel ID 17E18S21 32210 (AK# 1089018), which address is **1075 N Suncoast Boulevard, Crystal River. Motion carried 5-0.**

- c) **1. Conduct a Public Hearing for APPLICATION No. PZ22-0012/PZ22-0013 – brought by the City of Crystal River (Town Square) -** Amendment to the Comprehensive Plan’s Future Land Use Map (FLUM) from Central Business District (CBD) to Public/Semi-Public (P/SP). Section 21 Township 18S, Range 17E; specifically, Parcels 17E18S210170 0050 (AK 3506185), 17E18S210170 0095 (AK 3506213), 17E18S210170 0110 (AK 1077257), 17E18S210170 0045 (AK 2914157), and 17E18S210080 0080 (AK 1075289), comprising approximately 3.33 Acres (MOL), and which address is **559 N Citrus Avenue, Crystal River.**
- 2. Conduct a Quasi-Judicial Public Hearing for APPLICATION No. PZ22-0012/PZ22-0013 – City of Crystal River (Town Square) -** Amendment to the Official Zoning Map from General Commercial (CG) to Public Institutional (PI). Section 21 Township 18S, Range 17E; specifically, Parcels 17E18S210170 0050 (AK 3506185), 17E18S210170 0095 (AK 3506213), 17E18S210170 0045 (AK 2914157), and 17E18S210080 0080 (AK 1075289), comprising approximately 2.84 Acres (MOL), and which address is **559 N Citrus Avenue, Crystal River.**

Chair opened the quasi-judicial hearing.

Staff Presentation: Urban Planner Jenette Collins presented both applications simultaneously to the commission regarding a rezoning and FLUM change to Crystal River Town Square from General Commercial (CG) to Public/Institution (PI).

Public Comment: None

Commission Discussion: A motion was made by Commissioner Gause to recommend Council approval for Application No. PZ22-0012 and PZ22-0013 – brought by the City of Crystal River (Town Square) – **Motion carried 5-0.**

- 10) Unfinished Business: Planning and Community Development Services Director Brian Herrmann addressed the Special Planning Commission Meeting to be held on March 15, 2022, regarding the Civic Masterplan.
- 11) New Business: None.
- 12) Citizen Input: None.
- 13) Staff Comments: None.
- 14) Commissioner's Comments: None.
- 15) Chairman's Comments: None.
- 16) Adjournment: A motion to adjourn was made by Chairman Grannan, seconded by Commissioner Martin. Motion carried 5-0. Meeting adjourned at 7:20pm.

ATTEST:

Recording Secretary Zach Ciciera

Chairman Daniel Grannan



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	April 7, 2022	
APPLICATION NO. PZ22-0024 – Maya Hotel LLC		
PROPOSED AMENDMENT:	ZONING MAP	From: Residential Waterfront (R-W) To: Neighborhood Business Residential (NBR)
SUBJECT PROPERTY:	Section 21, Township 18S, Range 17 E; specifically, Parcel ID: 17E18S210100 000B0 0010 (AK 1075700), comprising 0.28 acre (MOL) and which address is 704 NW 6 th Street, Crystal River. A complete legal description of the property is on file with the Planning & Development Services Department.	
PROPERTY OWNER:	Maya Hotel, LLC, 1610 SE Paradise Circle, Crystal River, FL 34429	
LAST OCCUPANT:	Single-family residence	
LAND USE:	The existing Future Land Use is Medium Density Residential (MDR)	
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 Panel Number 12017C0188E. (Effective date: January 15, 2021)	
SURROUNDING AREA:	<p>North – High Intensity Commercial (CH) on the Zoning Map, and the Community Redevelopment Area-Downtown Commercial Waterfront Overlay District (CRA-DCWOD); the properties are developed with a condominium and hotel.</p> <p>South – Residential Waterfront (RW) on the Zoning Map; the property immediately west is vacant (residentially committed).</p> <p>East – Waterfront Commercial (WC) on the Zoning Map, and in the CRA-DCWOD; the property is developed with a hotel.</p> <p>West – RW on the Zoning Map; the property is developed with a single-family residence.</p>	
PREPARED BY:	Jenette Collins, AICP, Urban Planner Crystal River Planning and Community Development Services	

BACKGROUND INFORMATION:

The subject property is a residential lot approximately 0.28 acre in area, being Lot 1 and the north 30 feet of Lot 2, Block B, Williams Point Subdivision. The property is located on the southwest corner of NW 6th Street and NW 7th Avenue, and is developed with a single-family residence constructed in 1961 as indicated on the Citrus County Property Appraiser’s tax roll.

The applicant has advised that they have been using the residence for an office since the time they purchased the property in 2019. The applicant makes the re-zoning request to formally allow for a commercial office as a use-by-right.

ANALYSIS: The applicant makes the request to rezone the subject property from Residential Waterfront (R-W) District to Neighborhood Business Residential District (NBR). Both zoning districts are permissible in the overlaying Medium Density Residential (MDR) land use category of the Future Land Use Map (FLUM). As such, an amendment to the FLUM is not necessary. The NBR District serves as a transitional zoning district between residentially committed areas and adjoining commercial development.

Zoning Map Amendment: The applicant has advised that the current single-family residence operates an office. It is noted that Section 5.01.01 *Home occupations*, of the LDC (applied consistent with Section 559.955 *Home-based business; local government restriction*, Florida Statute) allows a home-based business as secondary to a property’s primary use as a residential dwelling. As in the current situation, when viewed from the street, the use of the residential lot as a home business must conform to the residential area that surrounds the property.

Amending the zoning to NBR would allow the owner to redevelop the site with a commercial office as the primary use. The following table provides a comparison of existing and proposed zoning districts as described in the Land Development Code.

Zoning District:	From: R-W, Residential Waterfront		To: NBR, Neighborhood Business Residential	
Allowed Use:	Single-family residential use, associated accessory structures, and essential public services.		Mix of residential uses, except for resort housing units, and compatible small-scale business, commercial, and institutional uses in transitioning neighborhoods, including associated accessory structures, and essential public services	
Max. Density and Housing Types:	4.0 du/ac	Single-family	8.0 du/ac	Single-family Multi-family
Maximum ISR:	45%		50%	
Maximum FAR:	N/A		0.3	

ISR: Impervious Surface Ratio, and FAR: Floor to Area Ratio
 Source: Crystal River Zoning Ordinance (Ord. No. 05-O-08)

Compatibility with Adjacent Uses – The site faces and is across the street from commercial development. As such, no compatibility issues are presented when considering the existing multi-family condominium and hotel properties that lie north and east of the subject property. Additionally, the property is located adjacent to the geographical boundary of the CRA-DCWOD. This infill district encourages mixed-use development. The existing local street network (laid out in grid pattern) is designed to promote the interconnectivity desired for the urban character of the CRA.

However, consideration must be given to the existing residential neighborhood known as Williams Point Subdivision that lies behind (south and west of) the subject property. The NBR District would allow the property to be redeveloped as a commercial site. A change-of-use from single family residence to a commercial office use would require the site to meet minimum design requirements of the LDC for landscape buffering and compatible small-scale design that may assist in mitigating compatibility concerns. The following table provides a comparison of the existing versus proposed buffering requirements based on the zoning designation.

Zoning District:		Existing R-W, Residential Waterfront	Proposed NBR, Neighborhood Business Residential
Minimum Required planted buffers (Based on Adjacent Zoning)	NORTH:	“None” adjacent to a local street.	“B” (15-foot width) adjacent to local street.
	SOUTH:	“None” for existing single-family residence.	“B” (15-foot width) adjacent to R-W.
	EAST:	“None” adjacent to a local street.	“B” (15-foot width) adjacent to local street.
	WEST:	“None” for existing single-family residence.	“B” (15'-width) adjacent to R-W.

Note: A type “B” buffer requires four canopy trees and four understory trees per 100 linear feet of property line.

Environmental: The Soils Survey Map for Citrus County, FL (FL017) prepared by the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service, defines the soil types found on the site as 12-Immokalee fine sand, 0 to 2 percent slopes and being poorly drained. Property elevations vary from 3 feet to 4 feet above mean sea level.

INFRASTRUCTURE:

Transportation (Ingress/Egress): Access is taken from NW 6th Street, which is a City maintained, improved, local right-of-way.

Water/Sewer: Development is required to connect to central water and sewer services.

Stormwater Management: Stormwater management requirements for new commercial development 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.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The following Goal, Objective and Policies of the Comprehensive Plan are relevant:

GOAL 2: Crystal River will be a balanced and well-planned community.

OBJECTIVE 2.1: 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.

POLICIES:

D) The City will ensure that all proposed development and redevelopment is consistent with the Comprehensive Plan, and the implementing land development regulations.

E) Land development regulations shall continue to be implemented which ensure the compatibility of the proposed use with adjacent uses; regulations shall include provisions designed to mitigate incompatibility, such as setbacks,

landscaped buffers, building orientation, scale, parking lot, landscaping, or driveway location.

The subject property is designated MDR on the FLUM. The proposed NBR zoning district may be used to implement the MDR land use category. For that reason, the request is found consistent with the Comprehensive Plan provided the development standards of the LDC are adhered to for redevelopment.

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 Land Development Code, 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).

The following findings of fact are presented:

1. The request is to amend to Official Zoning Map from R-W to NBR, which is an allowed zoning district of the MDR land use category as depicted on the Future Land Use Map of the Comprehensive Plan.
2. The proposed amendment is found compatible with the existing commercial land uses located across NW 6th Street and NW 7th Avenue.
3. The project will be served by central water and sewer.
4. New development shall be designed to be compliant with current development standards of the Land Development Code (LDC) and other code standards shall assist in mitigating incompatibility with the adjacent residentially committed properties.

STAFF RECOMMENDATION: Staff finds that the proposed amendment is consistent with the Comprehensive Plan. The requested zoning is found compatible with the existing land use and zoning lying north and east of the subject property. Development standards as required by the Land Development Code shall serve to mitigate any negative conflicts where the subject property abuts the residentially committed neighborhood.

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

PLANNING COMMISSION ACTION:

- 1) PZ22-0024 - Zoning Map Amendment –

CITY COUNCIL ACTION:

- 1) PZ22-0024 - Zoning Map Amendment -

ATTACHMENTS:

1. Staff PowerPoint Presentation
2. Notice/Locator Map of subject property
3. Draft Ordinance
4. Applicant's Submittal with supporting documents

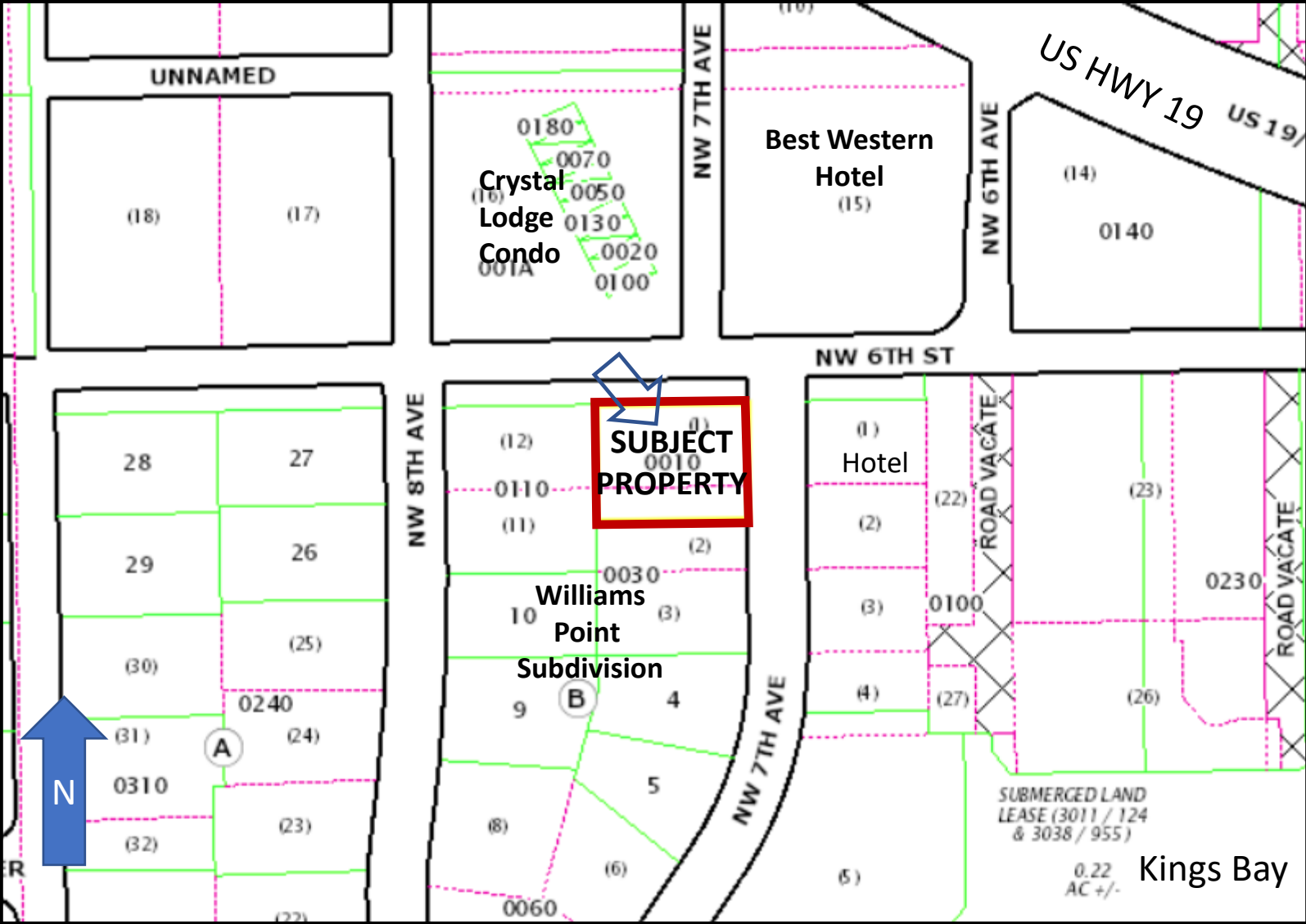


PZ22-0024

ZONING AMENDMENT

MAYA HOTEL LLC

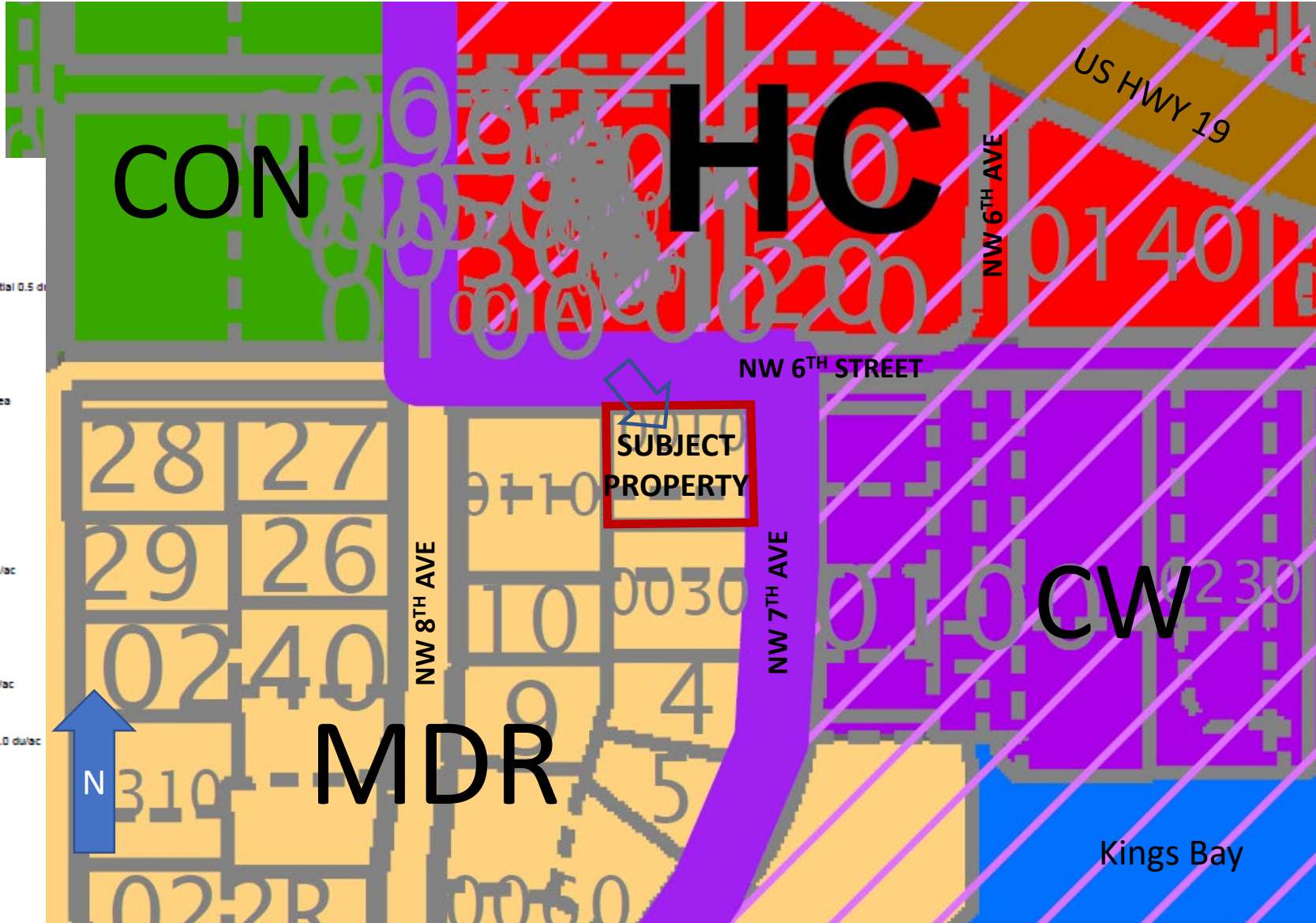
LOCATOR MAP



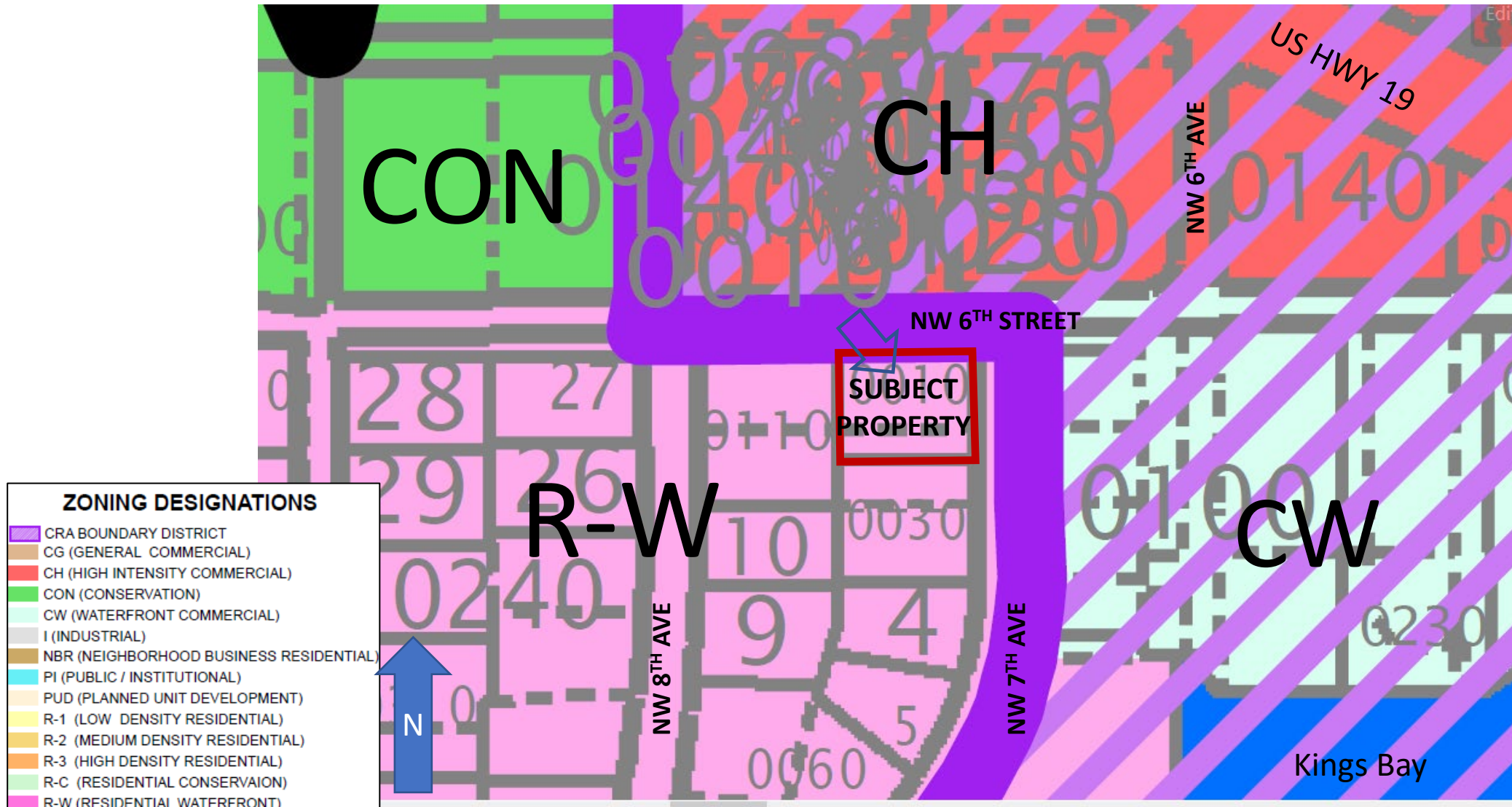
FUTURE LAND USE MAP (No Change)

LAND USE

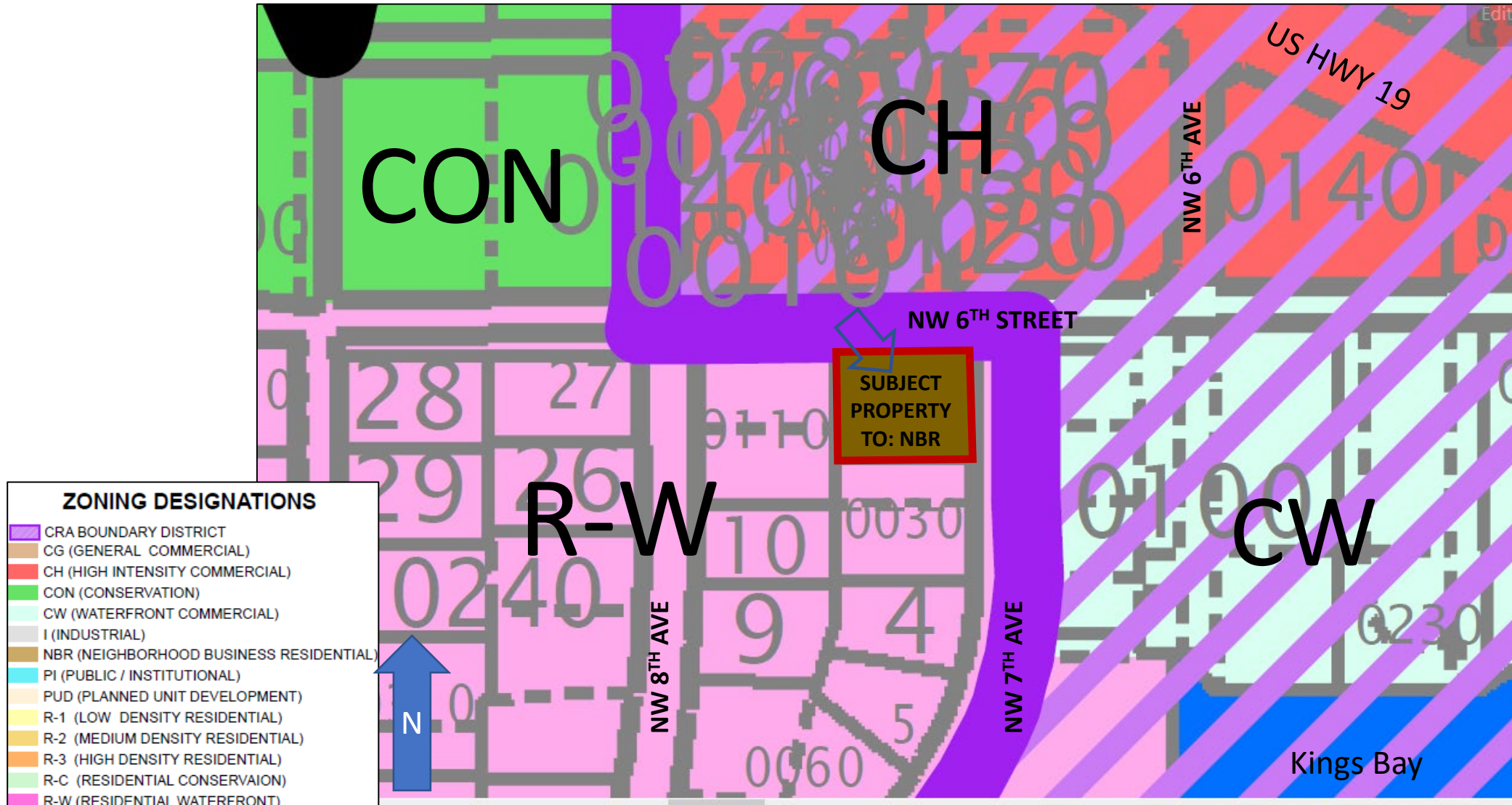
-  CBD - Central Business District
-  CLDR - Coastal Low Density Residential 0.5 d
-  CON - Conservation 0.5 d/alc
-  CRA - Community Redevelopment Area
-  CW - Waterfront Commercial
-  HC - Highway Commercial
-  HDR - High Density Residential 12 d/alc
-  IND - Industrial
-  LDR - Low Density Residential 3.0 d/alc
-  MDR - Medium Density Residential 8.0 d/alc
-  MXD - Mixed Use
-  OISC - Office / Service Commercial
-  P/BP - Public/Semi-Public



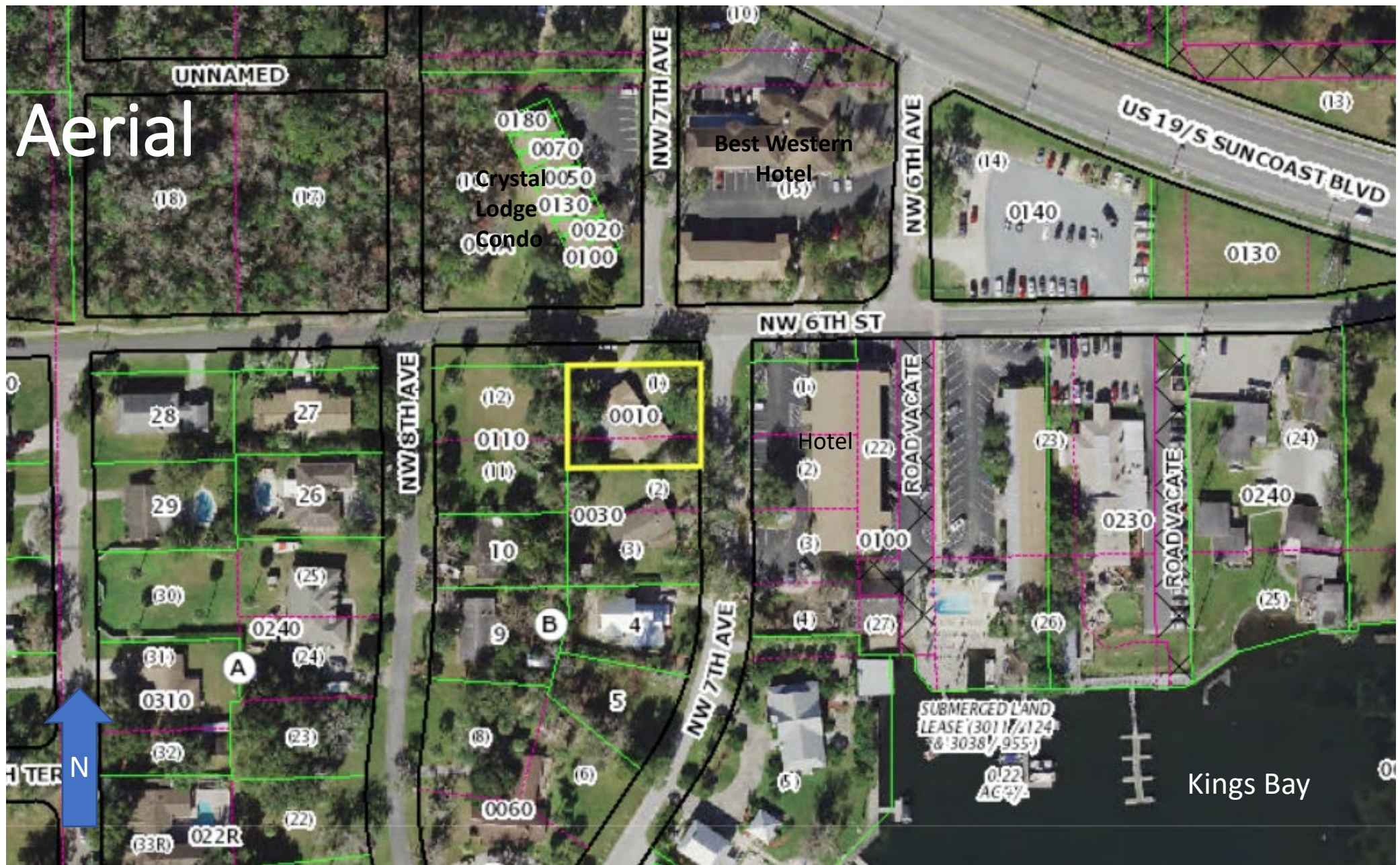
ZONING MAP – EXISTING R-W



ZONING MAP – PROPOSED FROM R-W TO NBR



Aerial





Subject Property — posted 3-18-2022

LOOKING WEST ON NW 6TH STREET

Crystal
Lodge
Condo


Subject
Property



LOOKING SOUTH ON NW 7TH AVENUE

HOTEL

Williams
Point
Subdivision

Subject
Property 



LOOKING ACROSS STREET AND EAST ON NW 6TH STREET

Best Western Hotel

US HWY 19



QUESTIONS?

PZ22-0024

ZONING AMENDMENT

MAYA HOTEL LLC



City of Crystal River

123 Northwest Highway 19
Crystal River, Florida 34428
Telephone: (352) 795-4216
Facsimile: (352) 795-6351

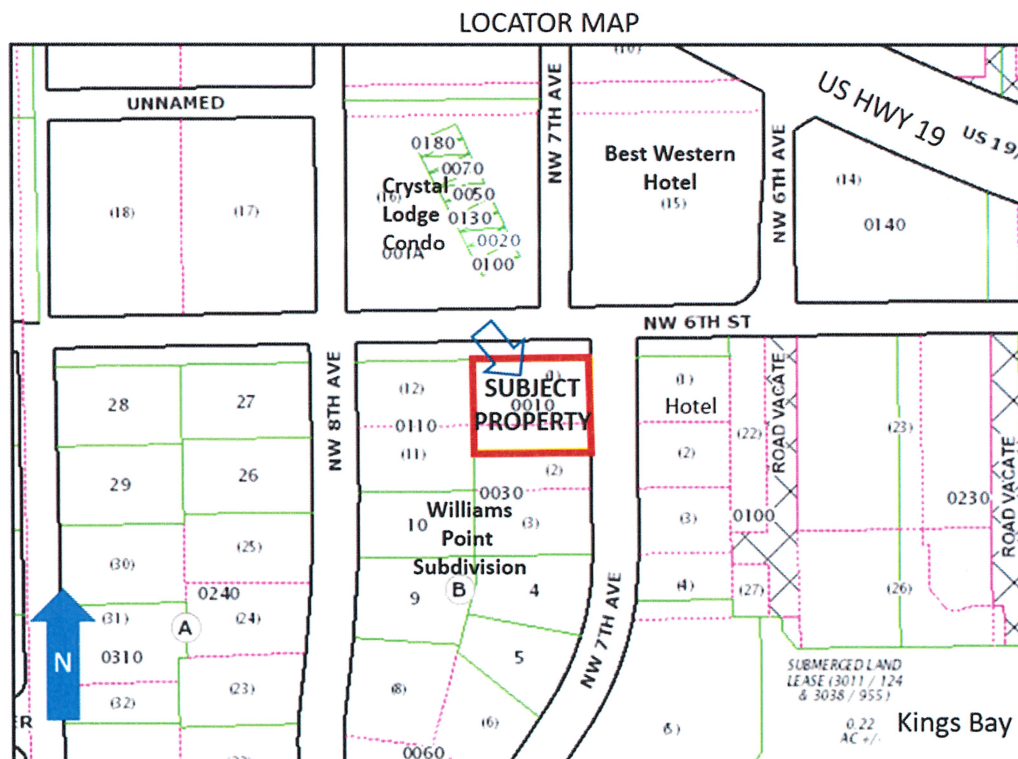
RE: Application No. PZ22-0024

March 21, 2022

Notice of Proposed Amendment to the Official Zoning Map of the City of Crystal River.

Dear Property Owner:

Please be advised that *Maya Hotel, LLC* has made formal application to the City of Crystal River for a zoning amendment for 0.28 acres (MOL) by reclassifying the property on the Official Zoning Map from Residential Waterfront (R-W) to Neighborhood Business Residential (NBR) zoning district. Subject property is located at 704 NW 6th Street, Crystal River, Florida 34428, lying in Section 21, Township 18S, Range 17E, specifically, Parcel 17E18S210100 000B0 0010 (AK 1075700), 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 Department.



Subject Property: 704 NW 6th Street, Crystal River

You are being sent a notification because you are located within 300 feet of the subject property. The applicant's presence is requested at the public hearings. If you wish to speak for or against this request for a Future Land Use Map Amendment and Re-Zoning Request, please be advised that Public Hearings will be held on:

Planning Commission: Public Hearing – Thursday, April 7, 2022, at 5:30 p.m.

City Council: Public Hearing – Monday, May 9, 2022, 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: PZ22-0024

ORDINANCE 22-O-12

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA BY REZONING 0.28 ACRE (MOL) OF PROPERTY OWNED BY MAYA HOTEL LLC FROM RESIDENTIAL WATERFRONT (R-W) TO NEIGHBORHOOD BUSINESS RESIDENTIAL (NBR) 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 public hearings as required by law; and

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

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

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

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the official zoning map of the City of Crystal River, Florida, by rezoning 0.28 acres (MOL) owned by Maya Hotel LLC from Residential Waterfront (R-W) to Neighborhood Business Residential (NBR) 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. PZ22-0024 MAYA HOTEL, LLC

The official zoning map of the City of Crystal River is hereby amended to change the zoning designation from Residential Waterfront (R-W) to Neighborhood Business Residential (NBR) Zoning 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, 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 _____, 2022.

THIS ORDINANCE was introduced and placed on a second reading on the _____ day of _____, 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

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

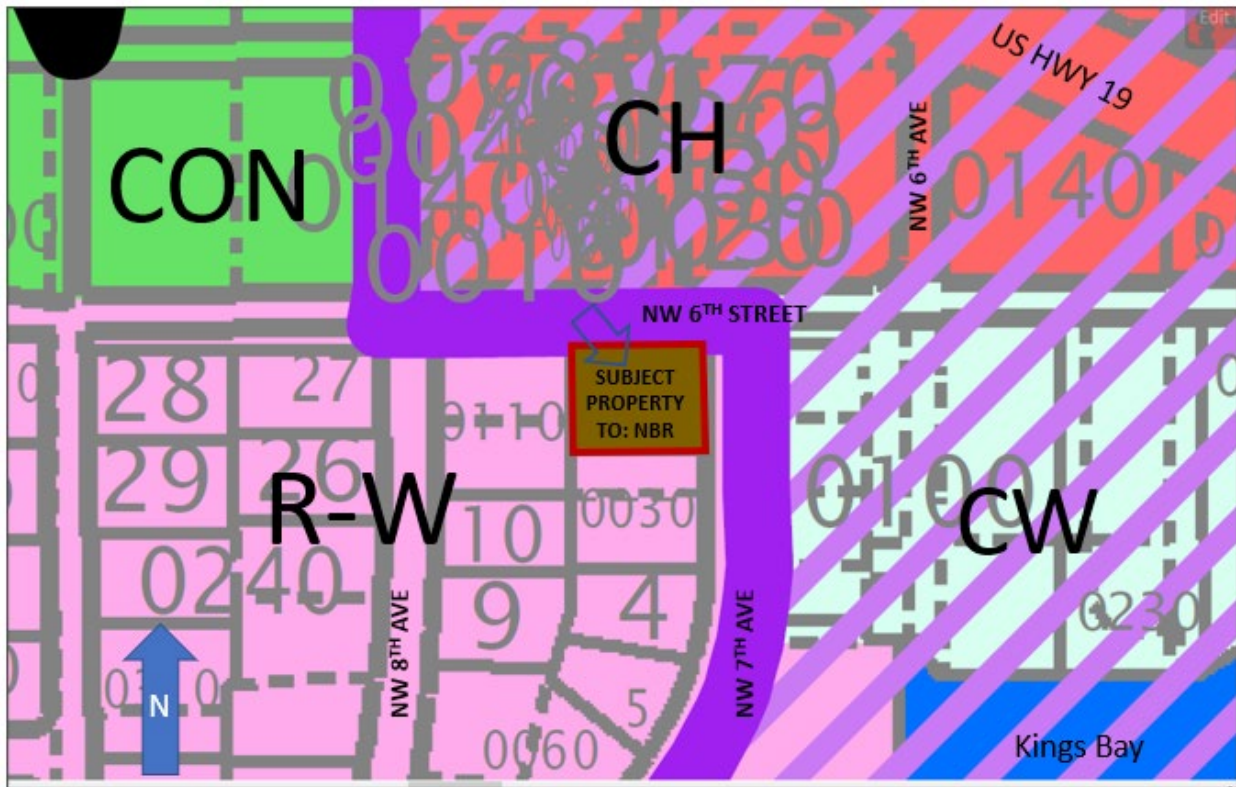
For property lying in Section 21, Township 18 South, Range 17 East, as follows:

ALT KEY 1075700 (Parcel ID: 17E18S210100 000B0 0010), BEING MORE PARTICULARLY DESCRIBED AS:

LOT 1 AND THE NORTH 30 FEET OF LOT 2, BLOCK B, WILLIAMS POINT SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 62, PUBLIC RECORDS OF CITRUS COUNTY, FLORIDA.

Comprising approximately 0.28 Acre (MOL)

ZONING MAP





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

P222-0024

Applicant Information:

Name: MAYA HOTEL, LLC.
 Address: 1610 SE PARADISE CIRCLE, CRYSTAL RIVER, FL 34429
 Phone #: 352-257-9562 Fax #: 352-795-3401 Cell #: 352-257-9562
 Email Address: pm Patel84@gmail.com

Property Description:

Parcel Account #: 1075700 Alt. Key # 1075700
 Street Address (or street & avenue location): 704 NW 6th STREET
CRYSTAL RIVER, FL 34428
 Legal Description: ATTACHED

(or attachment)

Property Acreage: 0.28 Sq. ft.: 12,376
 Present F.L.U.M. Designation: MDR
 Present Zoning Designation: RW
 Requested Zoning Designation: NBR

Reason for the Request: SITE HAS BEEN USED AS BUSINESS OFFICE SINCE THE HOUSE WAS BOUGHT.

Explain Consistency with the Future Land Use Plan: _____

Additional Contact Information (other than Owner or Agent)

Name: PARESH DESAI / PARIK PATEL
 Address: 1610 SE PARADISE CIRCLE, CRYSTAL RIVER, FL 34429
 Phone #: 352-257-9562 Fax #: 352-795-3401 Cell #: 352-257-9562
 Email Address: pm Patel84@gmail.com

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

RECEIVED
FEB 24 2022
 BY: [Signature]

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

JANICE A. WARREN, C.F.C.
 CITRUS COUNTY TAX COLLECTOR

2021 REAL ESTATE

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

ACCOUNT NUMBER	ESCROW CODE	MILLAGE CODE
1075700		000R

S R

See reverse side for important information.

704 NW 6TH AVE CRYSTAL RIVER 344
 LOT 1 & THE N 30 FT OF LOT 2 BLK
 B WILLIAMS PT ACC TO THE MAP OR
 PLAT THEREOF AS REC IN PB 2 PG
 62 PRCCF



MAYA HOTEL LLC
 1610 SE PARADISE CIR
 CRYSTAL RIVER, FL 34429

MAILING ADDRESS: 210 N. APOPKA AVE., SUITE 100 • INVERNESS, FL 34450-4298 • (352) 341-6500

AD VALOREM TAXES

TAXING AUTHORITY	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE VALUE	MILLAGE RATE	TAXES LEVIED
General County	150,799	0	150,799	6.1937	934.00
Transportation Trust	150,799	0	150,799	.5972	90.06
Health Department	150,799	0	150,799	.0626	9.44
Library	150,799	0	150,799	.3207	48.36
Schools Local Req'd Effort	158,835	0	158,835	3.5690	566.88
Schools Capital Outlay	158,835	0	158,835	1.5000	238.25
Schools Discretionary	158,835	0	158,835	.7480	118.81
City of Crystal River	150,799	0	150,799	6.5900	993.77
SWFWMD General	150,799	0	150,799	.2535	38.23
Mosquito Control	150,799	0	150,799	.4307	64.95
TOTAL				20.2654	\$3,102.75

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	RATE	AMOUNT
<p>Avoid waiting in line-Pay ONLINE at www.citrustc.us</p>		
TOTAL		\$0.00

COMBINED TAXES AND ASSESSMENTS	\$3,102.75
---------------------------------------	------------

IF PAID BY	Nov 30	Dec 31	Jan 31	Feb 28	Mar 31
	2,978.64	3,009.67	3,040.69	3,071.72	3,102.75

PLEASE BRING FOR RECEIPT.



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	April 7, 2022	
APPLICATION NUMBER:	PZ22-0029/PZ22-0030 – Heritage Development Company o/b/o Crystal River LTD Partnership	
PROPOSED AMENDMENTS:	FUTURE LAND USE	From: Low Density Residential (LDR) To: Medium Density Residential (MDR)
	ZONING	From: Low Density Residential (R1) To: Medium Density Residential (R2)
SUBJECT PROPERTY:	Sections 33 and 34, Township 18S, Range 17E; specifically, a part of Parcel 34000 (AK 3521123), comprising approximately 27.61 Acres (MOL) and which address is 8800 W Pure Lane, Crystal River. A complete legal description of the property is on file with the Planning & Community Development Department.	
PROPERTY OWNER:	Crystal River Ltd Partnership, 34555 Chagrin Blvd., Chagrin Falls, Ohio 44022	
LAST OCCUPANT:	Vacant	
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 12017C0302E. (Effective date: January 15, 2021)	
SURROUNDING AREA:	North – Vacant (Single-Family Residential lots in County) South – Commercial vacant and Crystal River Plaza shopping center (City) East – Commercial vacant, commercial retail and office, State DRA (City) West – Developed Single-Family Residential in County	
PROJECT MANAGER:	Brian Herrmann, CNU-A, LEED AP, Director, Planning and Community Development Services Department	

BACKGROUND INFORMATION:

The site is in the City of Crystal River. The applicant is requesting a **Future Land Use Amendment** AND a **Zoning Amendment** for 27.61 acres of the overall parcel that totals 51.12 acres.

EASTERN BOUNDARY: A small portion of the property, on the eastern side of the parcel (immediately adjacent to Crystal River Plaza shopping center) fronts directly onto U.S. 19 / Suncoast Blvd. Slightly to the north of this property the applicant has established a limited partnership with W & M Properties (34555 Chagrin Blvd. Moreland Hills, OH. 44002) for an additional .83 acres of land. This property is more substantial. It also fronts directly onto U.S. 19 / Suncoast Blvd., potentially providing the applicant with a “right in – right out” vehicular access to the property. The remainder of the property to the north is located behind a mix of retail and office development that also fronts U.S. 19 / Suncoast Blvd.

The Crystal River Airport is located across U.S. 19 / Suncoast Blvd. on the eastern side of the thoroughfare. Potential impacts of the airport are conveyed in the **NECESSARY INFRASTRUCTURE** section of this report.

WESTERN BOUNDARY: The western edge of the property abuts a wooded area. The area is located directly behind a residentially committed neighborhood known as Paradise Country Club. The houses in this community front onto North Country Club Drive and back to the property. The lots are approximately 0.34 acre in area, and have been developed with single-family residences. The community is not located in the City of Crystal River, but rather Citrus County.

These residents have expressed concerns at the potential increase in adjoining density. In order to address this concern, the applicant depicts a landscape buffer on the first 100 feet of the abutting property. The area would likely remain vegetated, as no buildings or parking can be constructed there. Stormwater retention can. The buffer would increase the separation significantly, as the area is already wooded. That said, it is important to understand that this is conceptual only. Should the zoning changes be made, and the property be sold, there is no condition to require this buffer width.

SOUTHERN BOUNDARY: The property abuts vacant land to the southwest and the Crystal River Plaza shopping center to the southeast.

NORTHERN BOUNDARY: The northern portion of the property abuts a series of subdivided, vacant lots lying in Citrus County's jurisdiction.

ANALYSIS:

During discussions with Staff the applicant conveyed a desire to develop the property as a true "mixed-use" community. As this is rare in Citrus County, let alone the City of Crystal River, Staff made it clear that they agreed with the concept and would attempt to work with the applicant where appropriate. Currently, the Future Land Use and Zoning designations for the property do not allow for this type of proposal. In fact, the applicant had hoped to utilize the City's Mixed Use zoning district as part of this process; however, as written the present standards prevent this from occurring.

While the provisions that are in place do allow for a mix of uses, the desired pattern of development is not permissible under today's regulations. As such, the applicant has created a "conceptual plan" that incorporates the proposed changes to both the Future Land Use and Zoning. It shows residential apartments (or condominiums) located to the rear of the property, while fully integrating office, service, retail, restaurant, recreation, and public assembly uses to the front.

The applicant has produced a bubble diagram titled *Crystal River Mixed Use Development* to showcase these plans. The proposal conveys a timeline for development as well as the types of intended uses. Staff has worked with the applicant to establish both the look and feel of the potential community. In fact, the applicant has been very receptive throughout the entire process.

That said, it is important to understand that this is conceptual only and not required by code for the requested amendments. The proposed changes to the City's Comprehensive Plan and Zoning map do not ensure that the applicant will build the plan that is shown. While a significant amount of time and resources has been invested into the design, and the applicant clearly understands the type of mixed-use community that the City wishes to promote, should the property be sold, or the market change the applicant would only be required to meet the standards of the Land Development Code and nothing else.

PROPOSAL:

Currently, the applicant is requesting that the front portion of the parcel's Future Land Use (FLU)

designation (that which fronts U.S. 19 / Suncoast Blvd) be maintained as Highway Commercial (HC) on the Future Land Use map and High Intensity Commercial (CH) on the Zoning map. **NO CHANGE IS PROPOSED.** Highway Commercial (HC) is one of the more intense Future Land Use categories permitted in the City. The maximum development intensity / Floor Area Ratio (FAR) is 0.7. While this is somewhat suburban in character, it is appropriate for land that abuts U.S. 19 / Suncoast Blvd.

That said, the applicant is requesting a change to both the Future Land Use designation and Zoning designation at the rear of the property – behind the area that is designated as Highway Commercial (HC) / High Intensity Commercial (CH). This will allow their concept depicting “town center” commercial development at the front of the property to transition back into medium density residential housing.

Proposed Changes to the Back Of the Parcel: The area is currently designated as Low Density Residential (LDR) on the Future Land Use map. This permits 3 du per acre (maximum). The area is considered Low Density Residential (R1) on the Zoning map. The applicant would like to change this area to Medium Density Residential (MDR) on the Future Land Use map. This will permit 8 du per acre (maximum). In addition, they wish to change the Zoning to Medium Density Residential (R3) in this location.

No changes to the Future Land Use or Zoning have been requested for the property that is located on the southern end of the parcel (behind the Beall’s shopping center). The area is extremely low and extremely wet. As a result, both commercial development and residential development are highly unlikely.

ADDITIONAL INFORMATION:

Florida State law requires zoning to comply with the standards found in the Comprehensive Plan. The proposed changes to the Future Land Use and Zoning will ensure that this is the case. In addition, as previously conveyed, this site is fronted by U.S. 19 / Suncoast Blvd and backed by a tree lined and elevated railroad spur, both of which provide separation from the Paradise Country Club residential neighborhood.

The site is ideal for the applicant’s proposal, with commercial uses proposed for the front of the property that abuts the highway US 19 and medium density residential located to the middle and rear. The R2 zoning will allow 216 dwelling units to be built (27 acres X 8 du/ac = 216 units). When split between five buildings, as shown, one can expect about twenty units per floor. All but one of the proposed buildings is two stories. The building closest to the US 19 “commercial area” is depicted as three stories.

The proposed plan conveys a high level of design and urbanism. Four of the five residential buildings depict a frontage that addresses the street, providing wide sidewalks for walking and on-street parallel parking. The commercial “downtown” that fronts highway US 19 maintains this same pattern, with several units addressing the street, having extremely wide sidewalks and on street parking.

NECESSARY INFRASTRUCTURE:

TRANSPORTATION – As shown on the applicant’s exhibit: *Crystal River Mixed Use Development* three areas of ingress / egress are proposed.

1. **Primary access** to the site would take place from the three combined lots that front U.S. 19 / Suncoast Blvd. This is a principal arterial roadway that is currently functioning at service level

- C. The applicant has a limited partnership with W & M Properties (34555 Chagrin Blvd. Moreland Hills, OH. 44002) and Quin Associates (175 Andover Street, Danvers, MA 01923) to be known as **Crystal River Limited Partnership**. The Citrus County Property Appraiser lists W & M Properties as owner of the .83-acre parcel that fronts U.S. 19 / Suncoast Blvd. As shown, access will be provided from the property via a right in / right out (RIRO) intersection.
2. **Secondary access** is shown to the north of the project via West Pure Lane (a local road). While a signal is highly unlikely, it does appear as if full access is provided, allowing one to head both north and south on U.S. 19 / Suncoast Blvd.
 3. A **Third access** is shown just inside (and to the north) of the primary entrance to Crystal River Plaza. This is a fully signalized intersection, providing access to U.S. 19 / Suncoast Blvd.

The City will require a traffic analysis for ingress / egress lane requirements at the time of development permit.

WATER – The project is required to connect to a public potable water supply system. Ozello Water typically provides service for this area of the City.

SEWER – The project is required to connect to the City of Crystal River’s sanitary sewer system.

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.

CRYSTAL RIVER AIRPORT – The applicant is proximate to the runway protection zone for the Crystal River Airport. Therefore, at time of development permit the applicant will need certification from the Federal Aviation Administration (FAA) regarding the allowed heights of the proposed buildings that are shown and intended to be constructed; including and accounting for the base flood elevation as determined by the FEMA Base Flood Insurance Map. Following approval, the proposal will need to be sent to the Florida Department of Transportation and Citrus County for review, with the possibility of additional provisions / limitations being added by either government agency.

APPLICABLE DESIGN STANDARDS IN THE LAND DEVELOPMENT CODE (LDC):

MULTI-FAMILY DEVELOPMENT – The LDC states that parcels of two (2) or more acres shall comply with the design standards of section 4.02.04 Design Standards for Large Scale Multi-Family Development.

COMMERCIAL DEVELOPMENT – The LDC states that all commercial development and commercial centers shall comply with the supplemental standards set forth in section 5.05.11 Commercial Centers and 5.05.00 Supplemental Standards for Specific Uses.

This is important, as the rezoning / comprehensive plan amendment does not lock the applicant in to their proposed plan. However, LDC standards would be applicable.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The proposed changes to the Future Land Use designation for this property are consistent with several of the GOALS, OBJECTIVES, and POLICIES found in the City of Crystal River Comprehensive Plan. These include:

GOAL 2:

Crystal River will be a balanced and well-planned community.

OBJECTIVE 2.1:

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.

POLICIES:

- D) The City will ensure that all proposed development and redevelopment is consistent with the Comprehensive Plan, and the implementing land development regulations.
- E) Land development regulations shall continue to be implemented which ensure the compatibility of the proposed use with adjacent uses; regulations shall include provisions designed to mitigate incompatibility, such as setbacks, landscaped buffers, building orientation, scale, parking lot landscaping, or driveway location.

OBJECTIVE 2.8:

Development in Crystal River will be consistent with all elements of the Crystal River Comprehensive Plan.

POLICIES:

- A) All land development regulations, including zoning districts and regulations, shall be consistent with the Crystal River Comprehensive Plan.
- B) No building permit or development order will be issued for development which is not consistent with the Crystal River Comprehensive Plan.

GOAL 3:

Crystal River will promote & 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.

COMPREHENSIVE PLAN REVIEW:

The applicant’s proposal depicts a mixed-use development that is consistent with Goal 2 and Goal 3 of the Comprehensive Plan (above) as well as the Land Development Code (LDC). This includes specific Objectives and Policies. The density permitted in the Medium-Density Residential neighborhood is 8 dwelling-units per acre. This is more intense than the single-family residential neighborhood that is located behind the subject property, but it is in keeping with the applicant’s proposal to scale down the built environment in intensity from U.S. 19 / Suncoast Blvd as it transitions to the rear (west) side of the parcel.

SUMMARY OF PUBLIC COMMENTS:

Public comments have not been received as of this writing of the Staff Report.

FINDINGS:

As conveyed in Section 8.02.03 of the Crystal River Land Development Code, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding applications to amend the comprehensive plan (Future Land Use Map) and the Official Zoning Map (rezoning).

STAFF RECOMMENDATION:

As conveyed previously, the applicant has submitted a concept site plan that indicates a desire to develop the entire property as a “mixed-use” community. To do so they must change both the

Future Land Use and Zoning designation for a portion of the parcel. While there are no guarantees that the applicant will proceed with their actual plan for the property, they have invested significant time and effort on the proposal. That said, should they decide not to proceed, both the Future Land Use and Zoning designation that is proposed for the property is suitable and will ensure that future development is appropriate for this location. Therefore, Staff supports the following changes, as proposed by the applicant:

Front of the Property

- **Future Land Use and Zoning:**
STAYS THE SAME

Rear of the Property (27.61 acres)

- **Current Future Land Use:**
Low Density Residential (LDR) – 3 du per acre max.
- **Proposed Future Land Use:**
Medium Density Residential (MDR) – 8 du per acre max. – **PROPOSED CHANGE**
- **Current Zoning:**
Low Density Residential (R1)
- **Proposed Zoning:**
Medium Density Residential (R2) – **PROPOSED CHANGE**

The southernmost portion of the parcel, which is extremely wet will maintain its current Future Land Use of: Highway Commercial (HC) and Coastal Low Density Residential (CLDR). The Zoning will be maintained as: High Intensity Commercial (CH) and Residential Conservation (RC).

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES:

Please see Staff’s PowerPoint presentation.

PLANNING COMMISSION RECOMMENDATION:

- Comprehensive Plan Amendment (Future Land Use Map) –
- Land Development Code Amendment (Official Zoning Map) –

CITY COUNCIL ACTION:

- Comprehensive Plan Amendment (Future Land Use Map) –
- Land Development Code Amendment (Official Zoning Map) -

ATTACHMENTS:

1. Staff PowerPoint Presentation
2. Notice/Locator Map of Subject Property
3. Draft Ordinances for FLUM and Re-zoning
4. Applicant’s Submittal with Supporting Documents



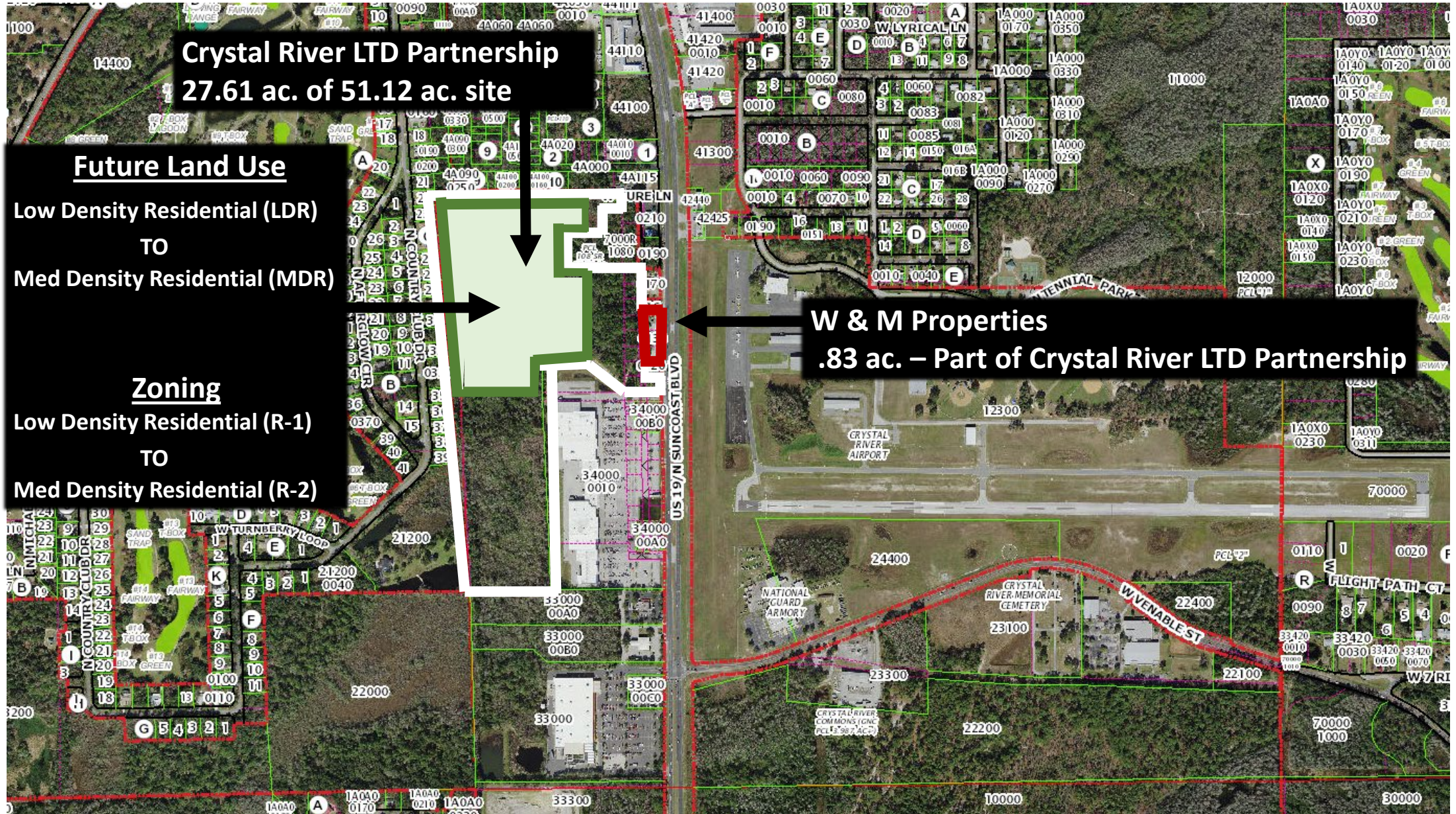
PZ22-0029
COMPREHENSIVE PLAN MAP AMENDMENT
and
PZ22-0030
ZONING MAP AMENDMENT

Heritage Development Company
for
Crystal River LTD Partnership

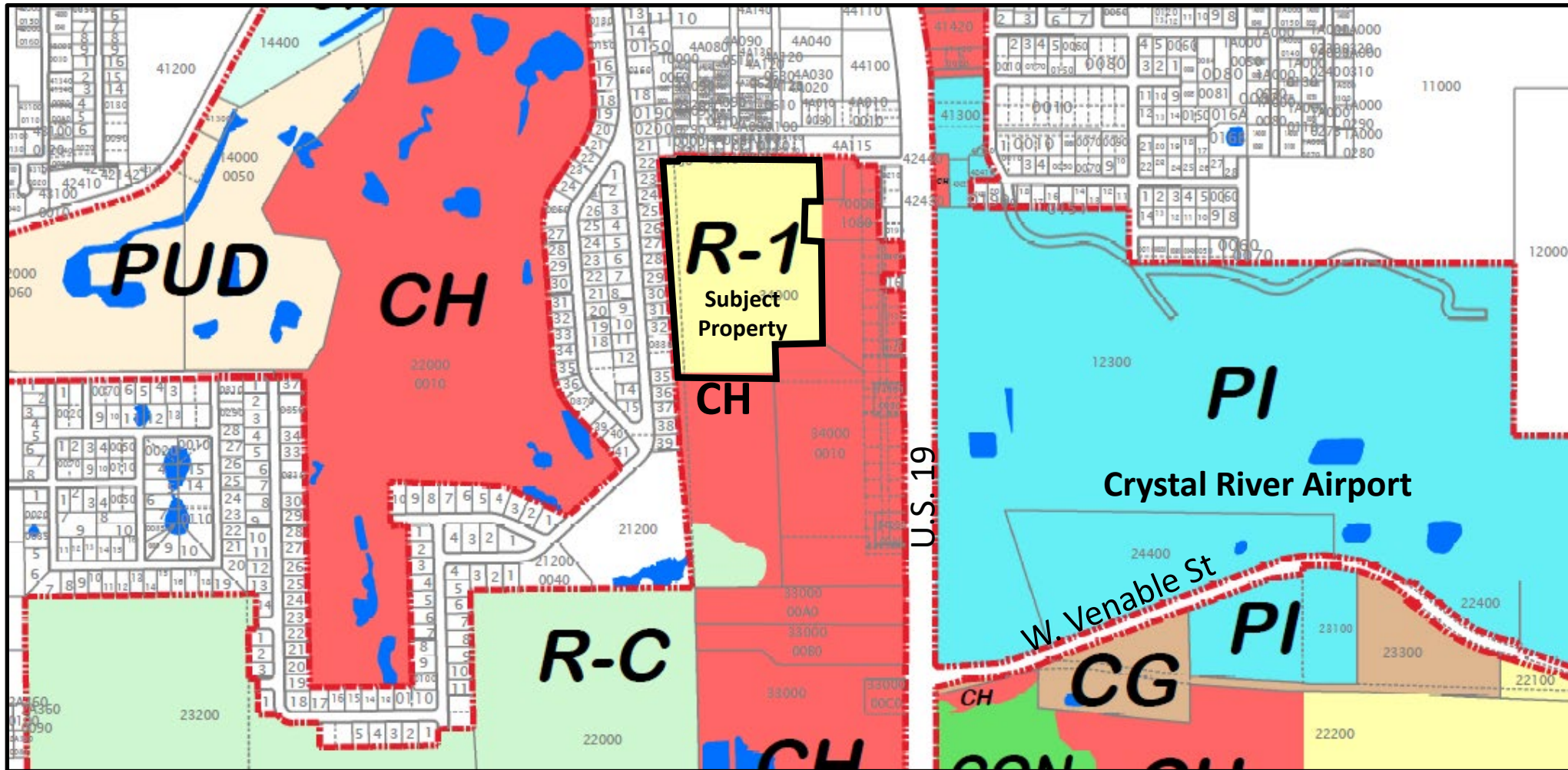
Location – Aerial Map



Location – Aerial Map

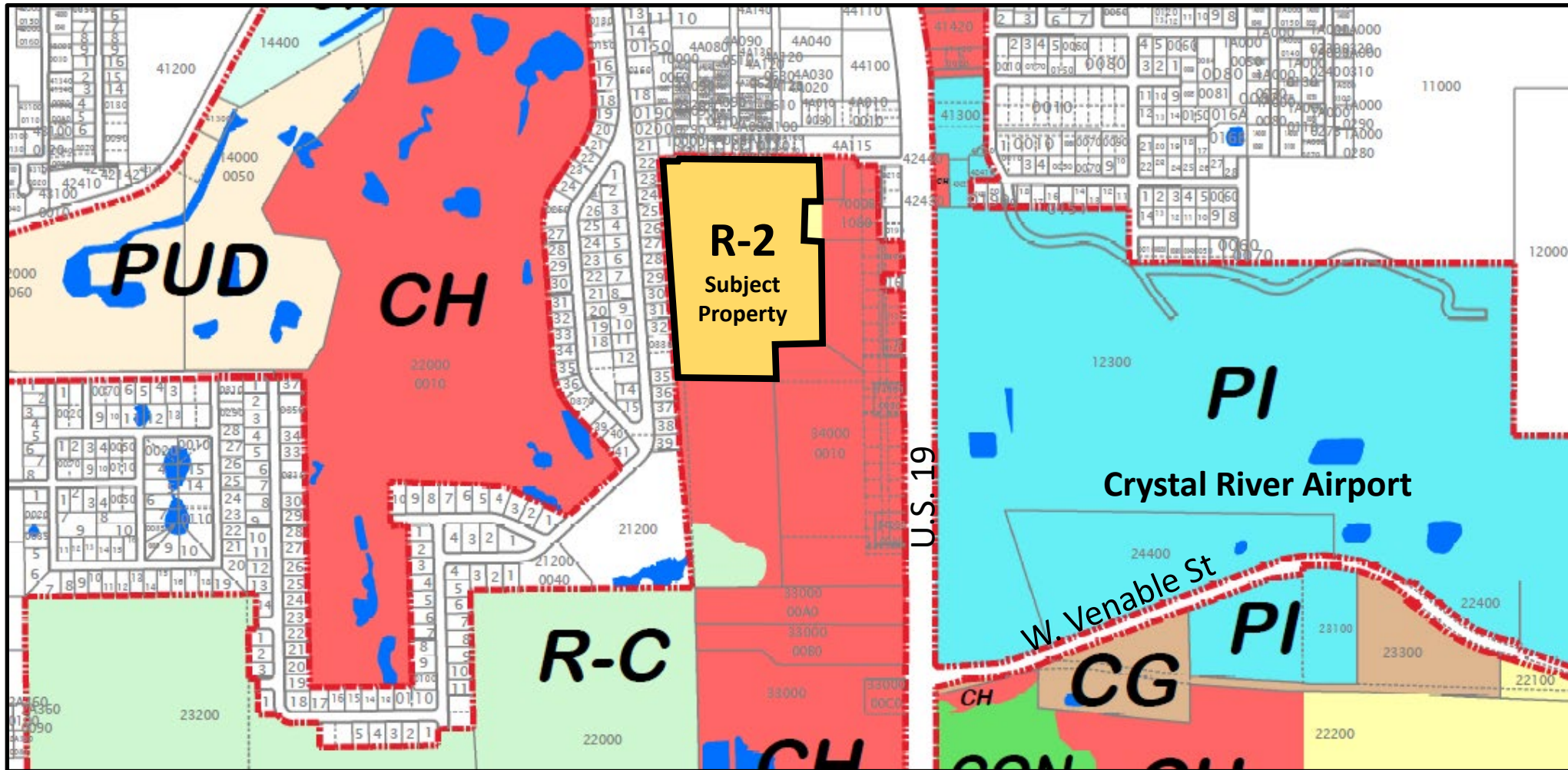


Zoning Amendment

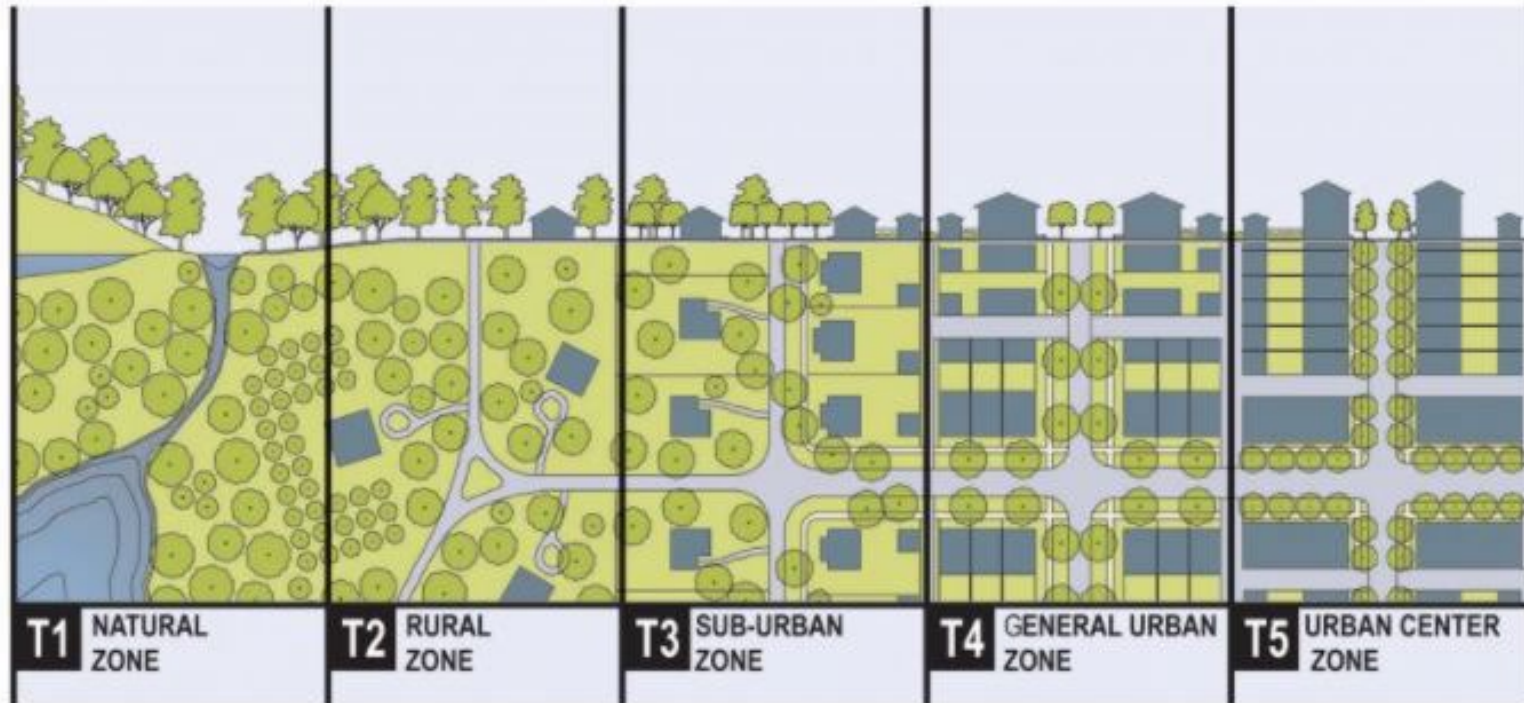


CURRENT ZONING –Low Density Residential (R-1)

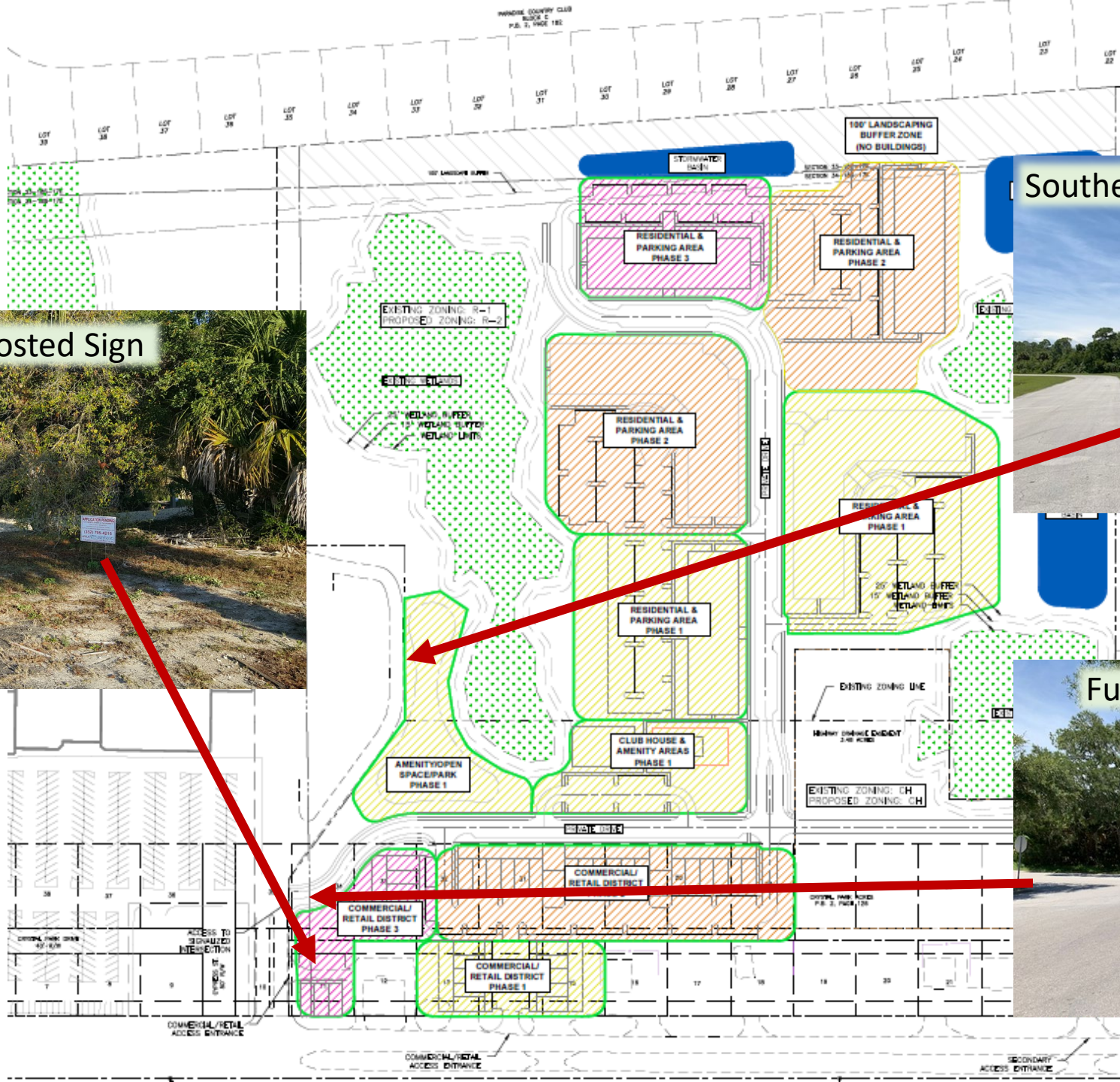
Zoning Amendment



PROPOSED ZONING – NORTH: High Density Residential (R-2)



Rural to Urban Transect



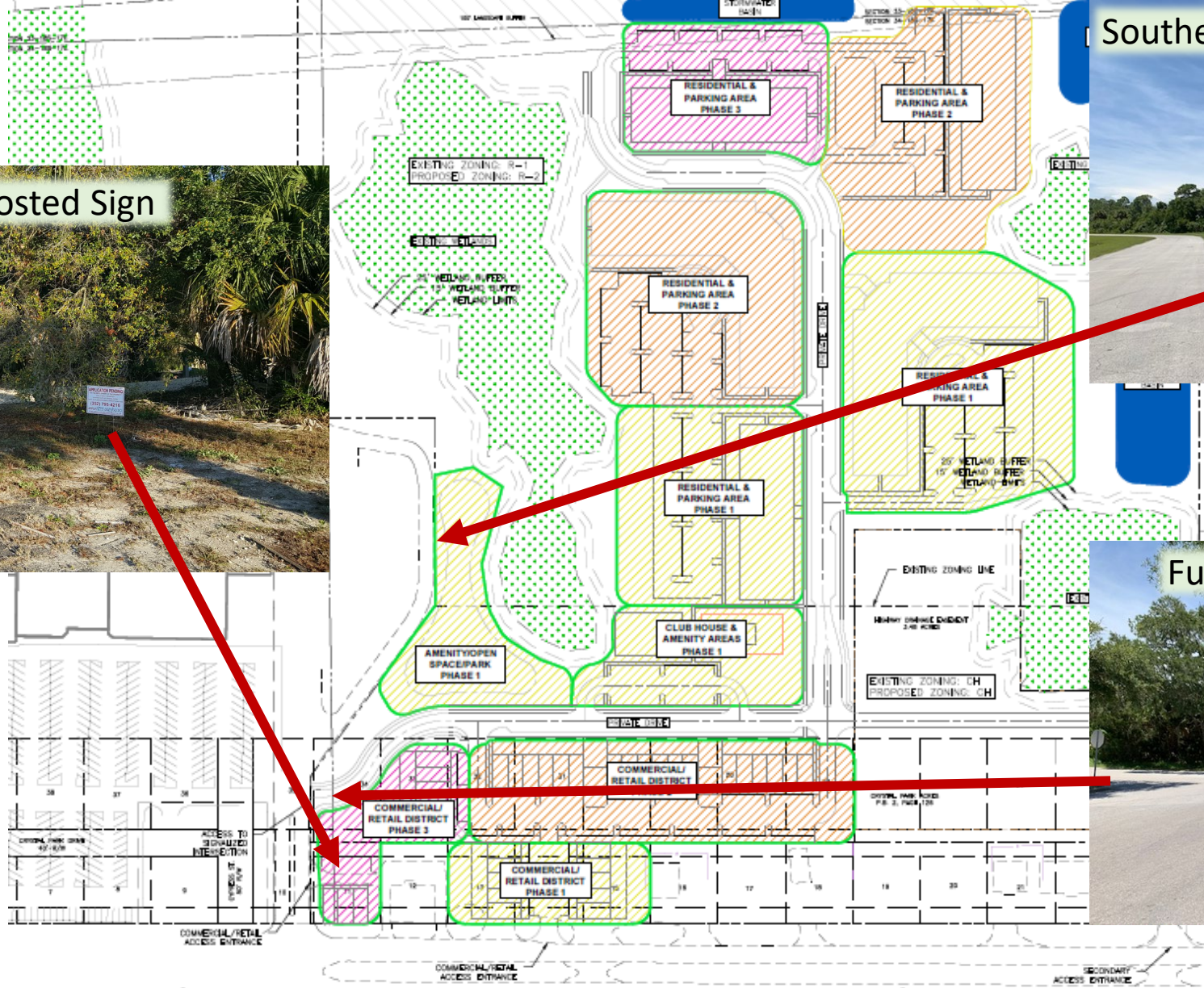
Southeastern Edge of Property

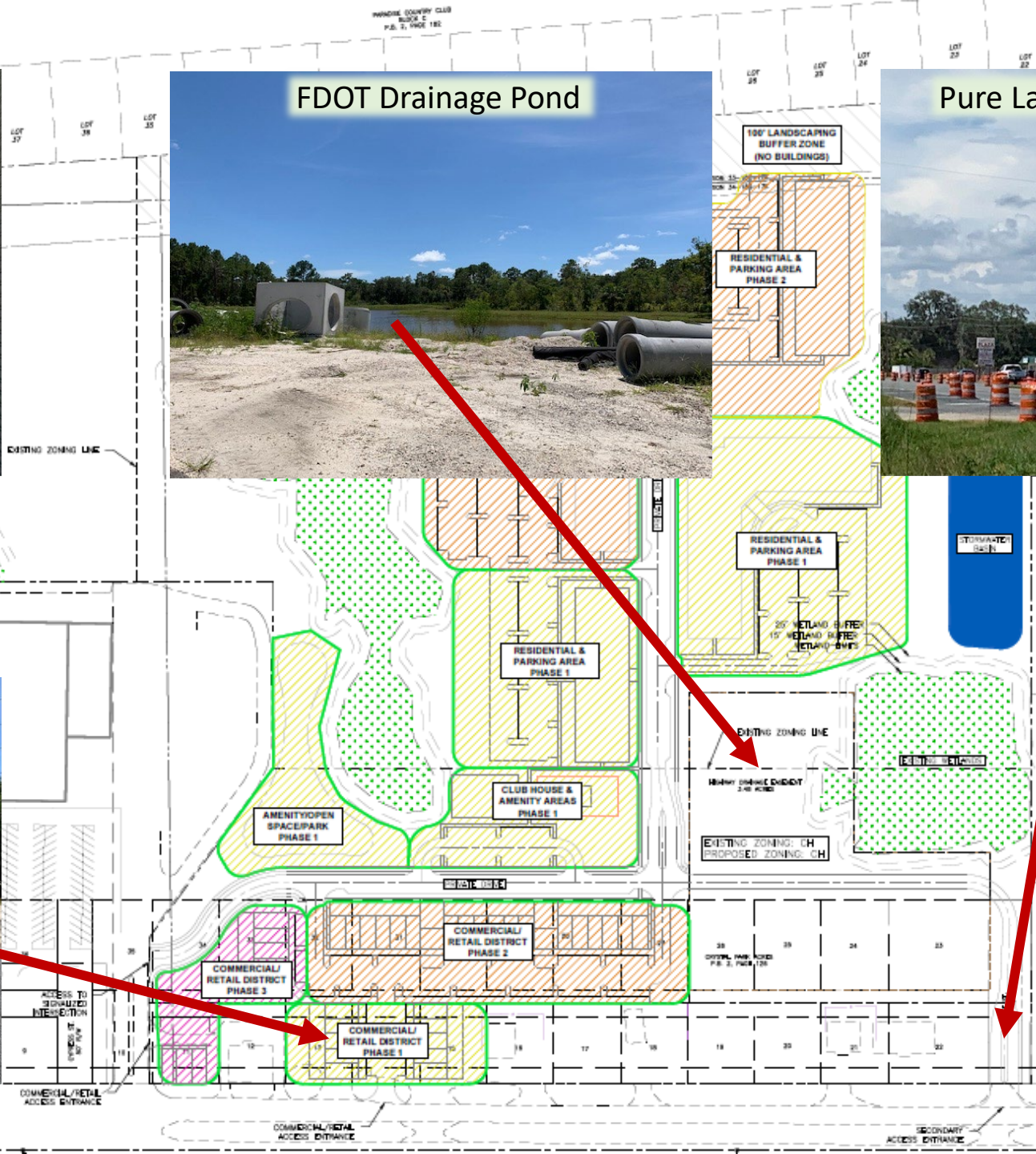


Driveway with Posted Sign



Future Street (private)





100' Landscaping Buffer Zone – Stormwater Treatment, No Buildings, No Parking

Res. Condos / Apts. Phase 3

Residential Condos / Apts. Phase 2

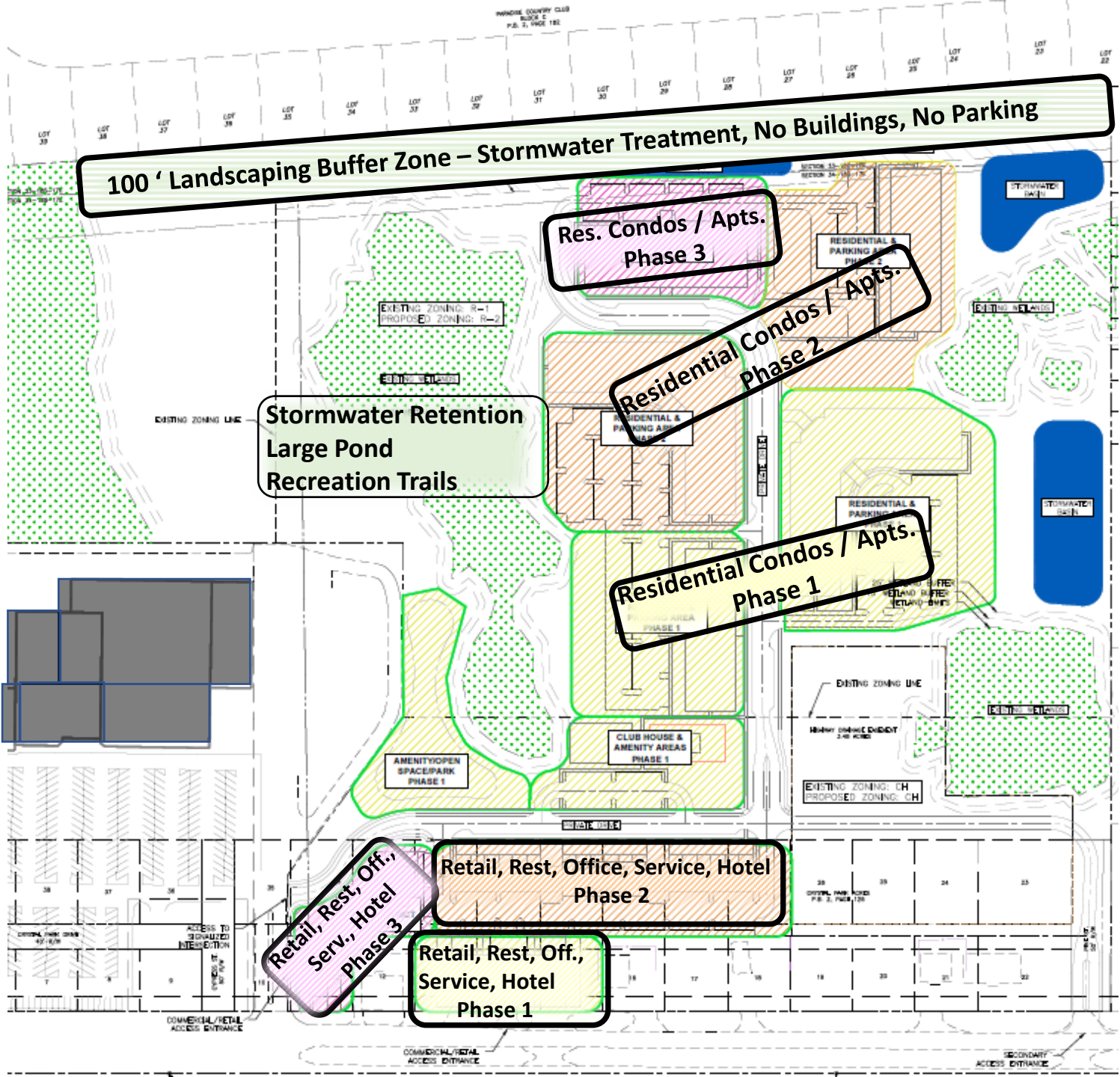
Residential Condos / Apts. Phase 1

Stormwater Retention Large Pond Recreation Trails

Retail, Rest, Office, Service, Hotel Phase 2

Retail, Rest, Off., Service, Hotel Phase 1

Retail, Rest, Off., Serv., Hotel Phase 3





QUESTIONS?

PZ22-0029

COMPREHENSIVE PLAN MAP AMENDMENT

and

PZ22-0030

ZONING MAP AMENDMENT

Heritage Development Company

for

Crystal River LTD Partnership



City of Crystal River

123 Northwest Highway 19
Crystal River, Florida 34428
Telephone: (352) 795-4216
Facsimile: (352) 795-6351

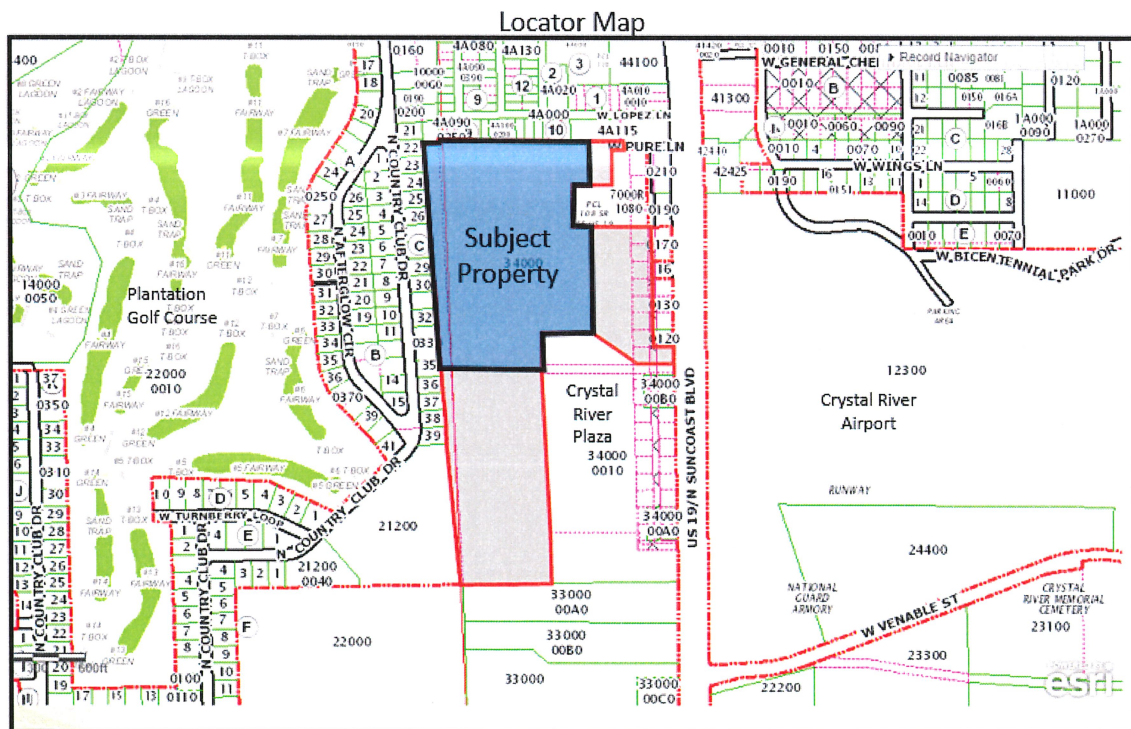
RE: Application Nos. PZ22-0029/PZ22-0030

March 21, 2022

Notice of Proposed Small-Scale Comprehensive Plan Amendment and Proposed Amendment to the Official Zoning Map of the City of Crystal River.

Dear Property Owner:

Please be advised that *Heritage Development Company o/b/o Crystal River LTD Partnership* has made formal application to the City of Crystal for a small scale amendment to the Future Land Use Map of the Comprehensive Plan of the City of Crystal River, Florida, for 27.61 acres (MOL) to redesignate the Future Land Use from Low Density Residential (LDR) to Medium Density Residential (MDR) land use category; and by reclassifying the property on the Official Zoning Map from Low Density Residential (R-1) to Medium Density Residential (R-2) zoning district. The subject property is located at 8800 W Pure Lane, Crystal River, Florida 34429, lying in Section 33 and Section 34, Township 18 South, Range 17 East, specifically a Part of Parcel ID 17E18S34 34000 (Alt Key 3521123), 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.



8800 W Pure Lane, 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 Future Land Use Map Amendment and Re-Zoning Request, please be advised that a Quasi-Judicial Public Hearings will be held on:

Planning Commission: Thursday, April 7, 2022, at 5:30 p.m.

City Council: Monday, May 9, 2022, 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,



Brian Herrmann, CNU-A, LEED AP
Director
Planning and Community Development Services Department
City of Crystal River

CC: File PZ21-0029/PZ21-0030

DRAFT
ORDINANCE NO. 22-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 27.61 ACRES (MOL) OF PROPERTY OWNED BY CRYSTAL RIVER LTD PARTNERSHIP FROM LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM DENSITY RESIDENTIAL (MDR) LAND USE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS 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 27.61 acres (MOL) owned by Crystal River LTD Partnership by redesignating the Future Land Use from Low Density Residential (LDR) to Medium Density Residential (MDR) 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. PZ22-0029 CRYSTAL RIVER LTD PARTNERSHIP

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 Low Density Residential (LDR) to Medium Density Residential (MDR) 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 _____, 2022.

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 33 and Section 34, Township 18 South, Range 17 East, specifically a Part of Parcel ID 17E18S34 34000 (Alt Key 3521123), as follows:

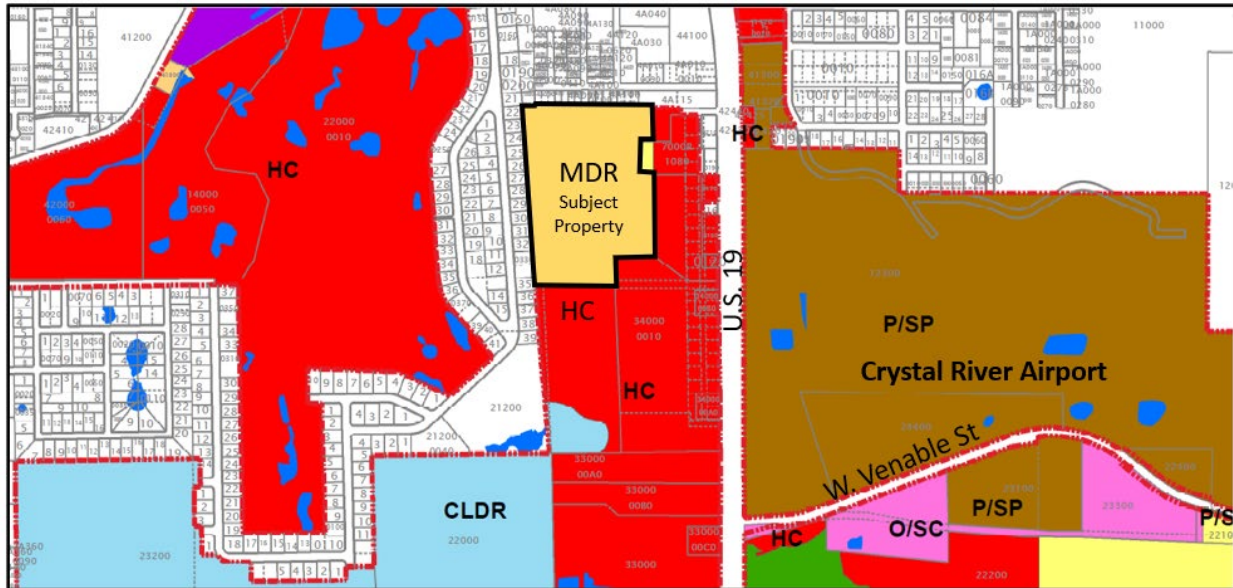
A parcel of land lying within Section 33 and Section 34, Township 18 South, Range 17 East, Citrus County, Florida, more particularly described as follows:

Commence at the Southwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, Citrus County, Florida, thence South 89 Degrees 35 Minutes 06 Seconds West along the South line of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East for a distance of 14.11 feet, thence North 04 Degrees 07 Minutes 46 Seconds West along the East line of Block "C" as shown on the Plat of Paradise Country Club as recorded in Plat Book 2, Page 182, Public Records of Citrus County, Florida, and the West Right-of-Way line of (abandoned) 120 foot wide Seaboard Coast Line Railroad Company mainline tract as described in Official Records Book 487, Page 293 through 295, Public Records of Citrus County, Florida, for a distance of 1269.99 feet near the Southeast corner of Lot 35 of said Block "C", said point being the Point of Beginning; thence South 89 Degrees 59 Minutes 57 Seconds East for a distance of 635.03 feet, thence North for a distance of 204.54 feet, thence North 89 Degrees 54 Minutes 05 Seconds East for a distance of 278.11 feet, thence North 00 Degrees 04 Minutes 46 Seconds East for a distance of 621.83 feet, thence North 89 Degrees 59 Minutes 25 Seconds West for a distance of 112.94 feet, thence North 00 Degrees 02 Minutes 50 Seconds East for a distance of 245.52 feet, thence South 89 Degrees 57 Minutes 10 Seconds East for a distance of 113.08 feet, thence North 00 Degrees 04 Minutes 46 Seconds East for a distance of 265.23 feet to a point on the North line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, thence North 89 Degrees 55 Minutes 14 Seconds West along said North line for a distance of 890.81 feet to the Northwest corner of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, thence South 01 Degree 50 Minutes 05 Seconds East along the West line of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, for a distance of 4.90 feet to a point on the East Right-of-Way line of said (abandoned) 120 foot wide Seaboard Coast Line Railroad Company main line tract, thence North 4 Degrees 07 Minutes 58 Seconds West along said East Right-of-Way line a distance of 4.91 feet to a point on the North line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, Citrus County, Florida, thence South 89 Degrees 21 Minutes 13 Seconds West along said North line for a distance of 120.23 feet to a point on said East line of Block "C", and said West Right-of-Way line of (abandoned) 120 foot wide Seaboard Coast Line Railroad Company main line tract, thence South 4 Degrees 07 Minutes 46 Seconds East along said East line of Block "C" and said West Right-of-Way line for a distance of 1305.79 feet to a point along the North line of the Southeast $\frac{1}{4}$ of said Section 33, Township 18 South, Range 17 East, said point also being the Northwest corner of lands described in Official Record Book 487, Pages 296 through 298, Public

Records of Citrus County, Florida, thence South 4 Degrees 07 Minutes 47 Seconds East along said East line of Block "C" and the East line of said Lot 35, Block "C", and said West Right-of-Way line, for a distance of 35.08 feet to the Point of Beginning.

Containing 27.61 Acres, more or less.

Future Land Use Map Amendment



DRAFT

ORDINANCE 22-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 27.61 ACRES (MOL) OF PROPERTY OWNED BY CRYSTAL RIVER LTD PARTNERSHIP FROM LOW DENSITY RESIDENTIAL (R-1) TO MEDIUM DENSITY RESIDENTIAL (R-2) 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 public hearings as required by law; and

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

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

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

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the official zoning map of the City of Crystal River, Florida, by rezoning 27.61 acres (MOL) owned by Crystal River LTD Partnership, from Low Density Residential (R-1) to

Medium Density Residential (R-2) 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. PZ22-0030 CRYSTAL RIVER LTD PARTNERSHIP

The official zoning map of the City of Crystal River is hereby amended to change the zoning designation from Low Density Residential (R-1) to Medium Density Residential (R-2) Zoning 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, 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 simultaneous with the effective date of the associated Comprehensive Plan Amendment.

THIS ORDINANCE was introduced and placed on first reading on the _____ day of _____, 2022.

THIS ORDINANCE was introduced and placed on a second reading on the _____ day of _____, 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

APPROVED AS TO FORM AND LEGALITY:

VOTE OF COUNCIL:

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

Meek _____
Guy _____
Brown _____
Fitzpatrick _____
Holmes _____

EXHIBIT "A"

LEGAL DESCRIPTION FOR AMENDMENT TO THE CRYSTAL RIVER ZONING MAP

For property lying in Section 33 and Section 34, Township 18 South, Range 17 East, specifically a Part of Parcel ID 17E18S34 34000 (Alt Key 3521123), as follows:

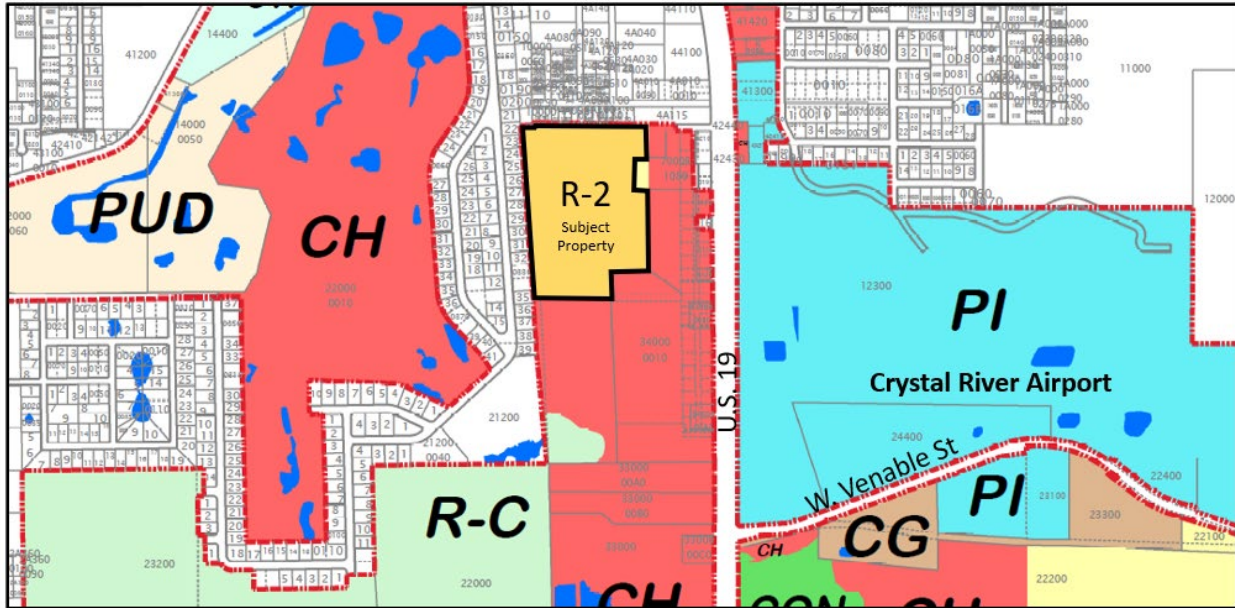
A parcel of land lying within Section 33 and Section 34, Township 18 South, Range 17 East, Citrus County, Florida, more particularly described as follows:

Commence at the Southwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, Citrus County, Florida, thence South 89 Degrees 35 Minutes 06 Seconds West along the South line of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East for a distance of 14.11 feet, thence North 04 Degrees 07 Minutes 46 Seconds West along the East line of Block "C" as shown on the Plat of Paradise Country Club as recorded in Plat Book 2, Page 182, Public Records of Citrus County, Florida, and the West Right-of-Way line of (abandoned) 120 foot wide Seaboard Coast Line Railroad Company mainline tract as described in Official Records Book 487, Page 293 through 295, Public Records of Citrus County, Florida, for a distance of 1269.99 feet near the Southeast corner of Lot 35 of said Block "C", said point being the Point of Beginning; thence South 89 Degrees 59 Minutes 57 Seconds East for a distance of 635.03 feet, thence North for a distance of 204.54 feet, thence North 89 Degrees 54 Minutes 05 Seconds East for a distance of 278.11 feet, thence North 00 Degrees 04 Minutes 46 Seconds East for a distance of 621.83 feet, thence North 89 Degrees 59 Minutes 25 Seconds West for a distance of 112.94 feet, thence North 00 Degrees 02 Minutes 50 Seconds East for a distance of 245.52 feet, thence South 89 Degrees 57 Minutes 10 Seconds East for a distance of 113.08 feet, thence North 00 Degrees 04 Minutes 46 Seconds East for a distance of 265.23 feet to a point on the North line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, thence North 89 Degrees 55 Minutes 14 Seconds West along said North line for a distance of 890.81 feet to the Northwest corner of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, thence South 01 Degree 50 Minutes 05 Seconds East along the West line of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, for a distance of 4.90 feet to a point on the East Right-of-Way line of said (abandoned) 120 foot wide Seaboard Coast Line Railroad Company main line tract, thence North 4 Degrees 07 Minutes 58 Seconds West along said East Right-of-Way line a distance of 4.91 feet to a point on the North line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, Citrus County, Florida, thence South 89 Degrees 21 Minutes 13 Seconds West along said North line for a distance of 120.23 feet to a point on said East line of Block "C", and said West Right-of-Way line of (abandoned) 120 foot wide Seaboard Coast Line Railroad Company main line tract, thence South 4 Degrees 07 Minutes 46 Seconds East along said East line of Block "C" and said West Right-of-Way line for a distance of 1305.79 feet to a point along the North line of the Southeast $\frac{1}{4}$ of said Section 33, Township 18 South, Range 17 East, said point also being the Northwest corner of lands described in Official Record Book 487, Pages 296 through 298, Public Records of Citrus County, Florida, thence South 4 Degrees 07 Minutes 47 Seconds East along said East line of Block "C" and the East line of said Lot 35, Block "C", and said West Right-of-Way

line, for a distance of 35.08 feet to the Point of Beginning.

Containing 27.61 Acres, more or less.

Zoning Amendment



DRY



City of Crystal River

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

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

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

Check One: Small Scale # Acres _____ AltKey: 3521123
Large Scale # Acres 27.610 Parcel #: 17E18S34 34000

Name of Petitioner(s): Robert Benjamin, Heritage Development Company

Address of Petitioner(s): 34555 Chagrin Blvd.

City Moreland Hills State OH Zip Code 44022

Phone # 440-247-0820 Fax # _____ Cell # 216-410-3485

Email Address: RBenjamin@heritagedev.net

Legal Description attached: Yes No Survey attached: Yes No

Street address of property (if applicable): 8800 W. Pure Lane, Crystal River, FL

Existing Land Use: LDR Proposed Land Use: MDR

Reason for Request: Large scale development of the site with a maximum 8 du/acre for residential area.

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

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

Robert Benjamin, Heritage Development Company, being first duly sworn, affirm and say that I am the:

(check one)

_____ owner, or

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



Signature

34555 Chagrin Blvd.

Address

440-247-0820

Phone Number

Moreland Hills, OH 44022

City, State, Zip Code

State of Ohio

County of Cuyahoga

The foregoing instrument was acknowledged before me this 1st, day of Sept, 2020, by Mr Robert Benjamin, who is personally known to me or has produced n/a as identification and who did/did not take an oath.



Notary Public

Commission No.: _____

Commission Expires: _____



ANTHONY J. LAZZARO, Attorney
Notary Public, State of Ohio
My Commission Has No
Expiration Date
Section 147.03 R.C.



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: Mike Timko Woolpert, Inc.
Address: 1203 Walnut Street, 2nd Floor, Cincinnati, OH 45202
Phone #: 513-527-2562 Fax #: _____ Cell #: 513-520-4344
Email Address: mike.timko@woolpert.com

Property Description:

Parcel Account #: 17E18S34 34000 Alt. Key # 3521123
Street Address (or street & avenue location): 8800 W. Pure Lane, Crystal River, FL

Legal Description: Refer to the attached document.

(or attachment)

Property Acreage: 27.610 Sq. ft.: 1,202,688
Present F.L.U.M. Designation: LDR, submitted for Amendment to MDR
Present Zoning Designation: R-1

Requested Zoning Designation: R-2

Reason for the Request: Large scale development of the site with a land use at 8 du/acre to accommodate residential and commercial construction.

Explain Consistency with the Future Land Use Plan: The project team is requesting a FLUM Amendment from LDR to MDR to accommodate the proposed development.

Additional Contact Information (other than Owner or Agent)

Name: Robert Benjamin, Heritage Development Company
Address: 34555 Chagrin Blvd., Moreland Hills, OH 44022
Phone #: 440-247-0820 Fax #: _____ Cell #: 216-410-3485
Email Address: RBenjamin@heritagedev.net

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

Development Requirements and Zoning Justification:

1. Developed buildings shall be connected to potable water/sewer.
2. Roadway/transportation improvements subject to Traffic Analysis submitted and approved by the City of Crystal River and/or FDOT.
3. Owner/Engineer to submit a Tree Preservation Plan for review and approval by City of Crystal River and/or Citrus County.
4. Owner/Engineer to provide Geological and Biological surveys of the site to determine sensitive development areas.
5. Owner/Engineer to submit to FAA and the Citrus County Airport Advisory Board for approval of all buildings to be located on site. Response documents to be provided to the City of Crystal River.

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	<p>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</p> <p style="text-align: center; color: red;">NOT WITHIN CRA DISTRICT</p>
Complete	<p>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.</p>
Compliance Report	<p>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.</p>

R-2 Zoning Boundary Legal Description

A parcel of land lying within Section 33 and Section 34, Township 18 South, Range 17 East, Citrus County, Florida, more particularly described as follows:

Commence at the Southwest corner of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, Citrus County, Florida,

thence South 89 Degrees 35 Minutes 06 Seconds West along the South line of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East for a distance of 14.11 feet,

thence North 04 Degrees 07 Minutes 46 Seconds West along the East line of Block "C" as shown on the Plat of Paradise Country Club as recorded in Plat Book 2, Page 182, Public Records of Citrus County, Florida, and the West Right-of-Way line of (abandoned) 120 foot wide Seaboard Coast Line Railroad Company mainline tract as described in Official Records Book 487, Page 293 through 295, Public Records of Citrus County, Florida, for a distance of 1269.99 feet near the Southeast corner of Lot 35 of said Block "C", said point being the Point of Beginning;

thence South 89 Degrees 59 Minutes 57 Seconds East for a distance of 635.03 feet,

thence North for a distance of 204.54 feet,

thence North 89 Degrees 54 Minutes 05 Seconds East for a distance of 278.11 feet,

thence North 00 Degrees 04 Minutes 46 Seconds East for a distance of 621.83 feet,

thence North 89 Degrees 59 Minutes 25 Seconds West for a distance of 112.94 feet,

thence North 00 Degrees 02 Minutes 50 Seconds East for a distance of 245.52 feet,

thence South 89 Degrees 57 Minutes 10 Seconds East for a distance of 113.08 feet,

thence North 00 Degrees 04 Minutes 46 Seconds East for a distance of 265.23 feet to a point on the North line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East,

thence North 89 Degrees 55 Minutes 14 Seconds West along said North line for a distance of 890.81 feet to the Northwest corner of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East,

thence South 01 Degree 50 Minutes 05 Seconds East along the West line of said Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, for a distance of 4.90 feet to a point on the East Right-of-Way line of said (abandoned) 120 foot wide Seaboard Coast Line Railroad Company main line tract,

thence North 4 Degrees 07 Minutes 58 Seconds West along said East Right-of-Way line a distance of 4.91 feet to a point on the North line of the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 34, Township 18 South, Range 17 East, Citrus County, Florida,

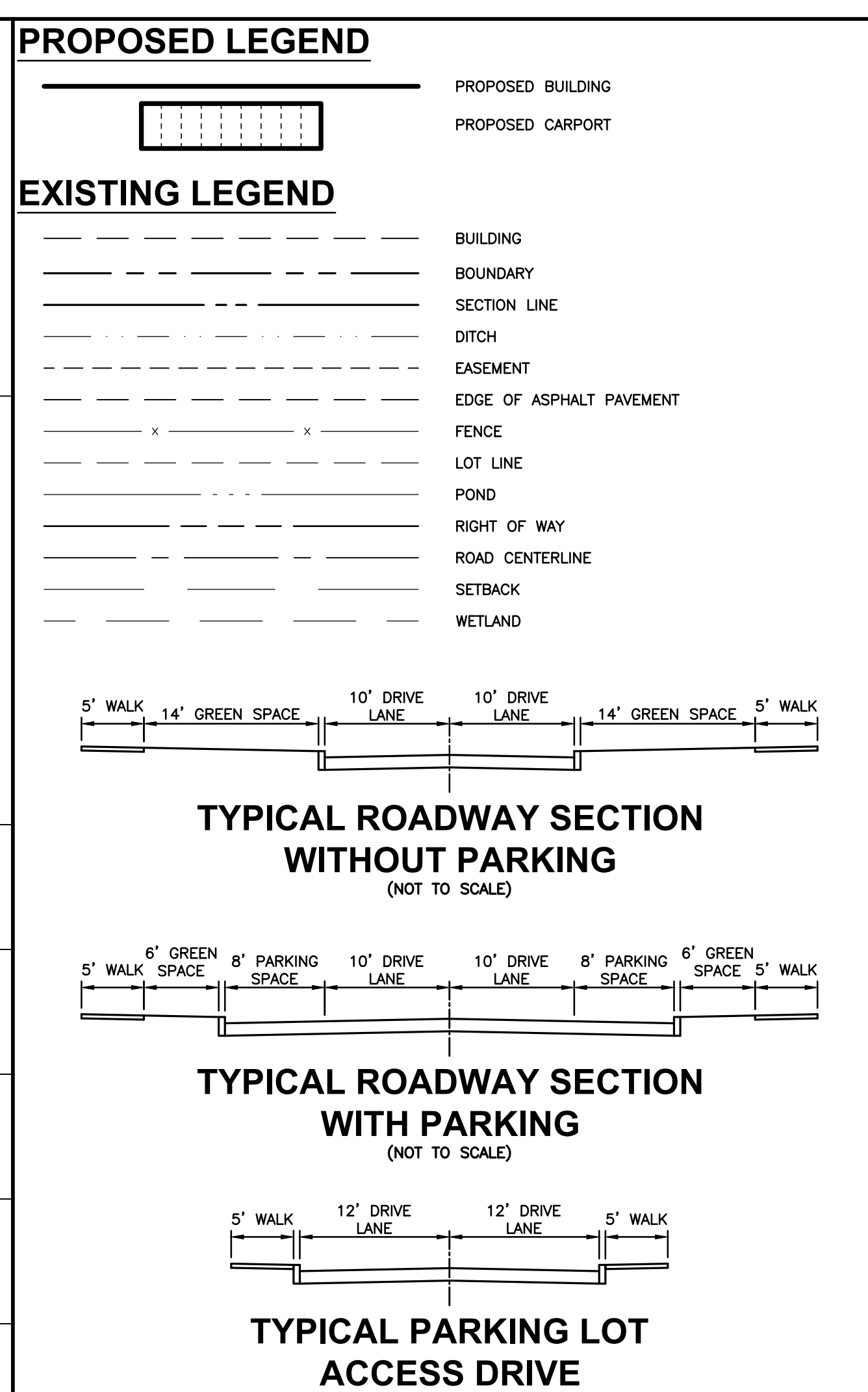
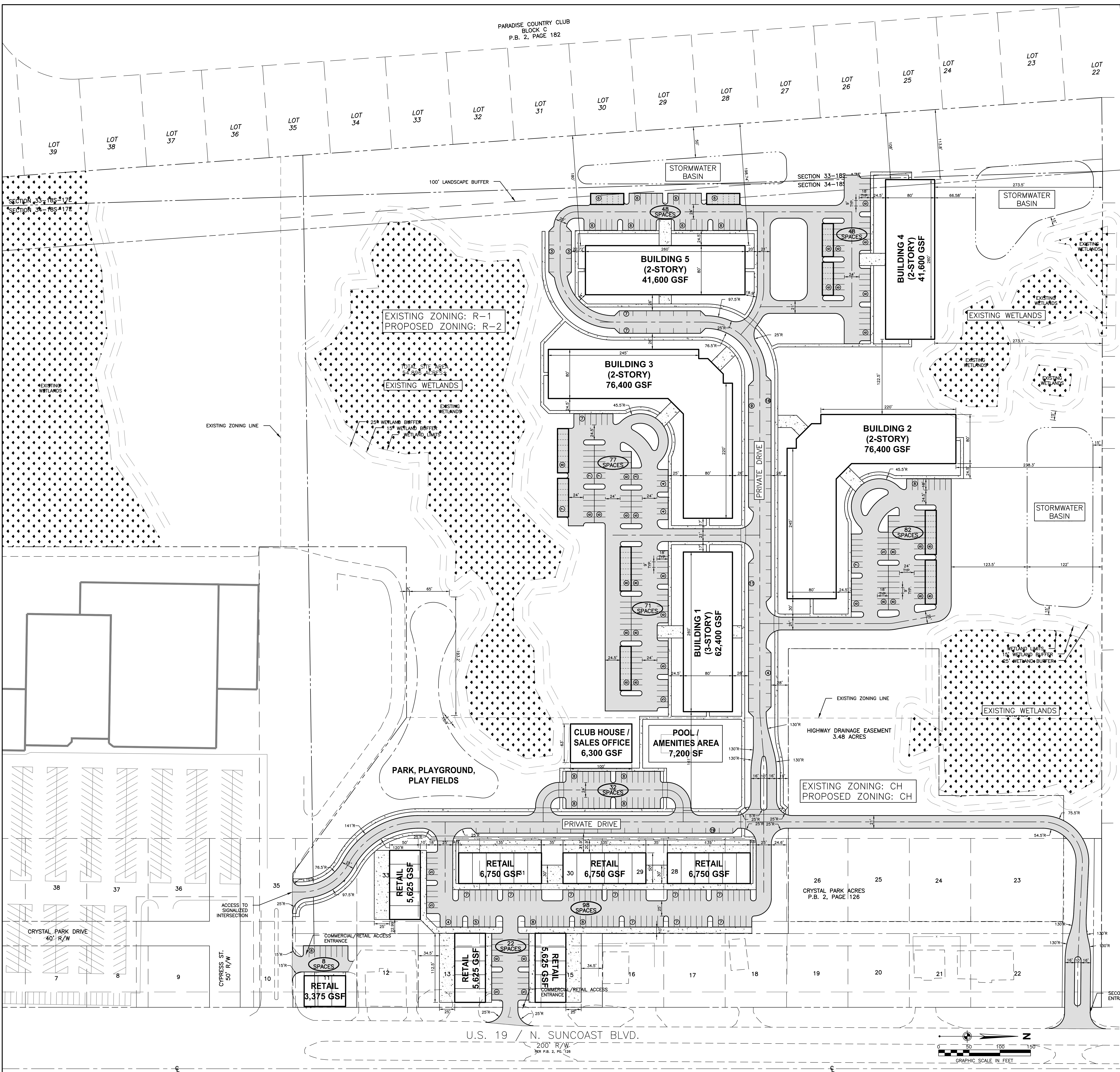
thence South 89 Degrees 21 Minutes 13 Seconds West along said North line for a distance of 120.23 feet to a point on said East line of Block "C", and said West Right-of-Way line of (abandoned) 120 foot wide Seaboard Coast Line Railroad Company main line tract,

thence South 4 Degrees 07 Minutes 46 Seconds East along said East line of Block "C" and said West Right-of-Way line for a distance of 1305.79 feet to a point along the North line of the Southeast $\frac{1}{4}$ of said Section 33, Township 18 South, Range 17 East, said point also being the Northwest corner of lands described in Official Record Book 487, Pages 296 through 298, Public Records of Citrus County, Florida,

thence South 4 Degrees 07 Minutes 47 Seconds East along said East line of Block "C" and the East line of said Lot 35, Block "C", and said West Right-of-Way line, for a distance of 35.08 feet to the Point of Beginning.

Layout Tab Name: C:\CONCEPT SITE PLAN - images - ArcGIS Webmap.ppt; C:\Users\Aero111\Documents\080804-10.dwg; 080804-10.dwg; 080804-10.dwg; Ex. Development to South.dwg
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PARADISE COUNTRY CLUB
BLOCK C
P.B. 2, PAGE 182



SITE DATA TABLE

ADJOINING PROPERTIES

ADJOINING PROPERTIES	DIRECTION	ZONING	USE
LA JOLLA PALMS LOT 13, BLOCK A/B/C; LOT 12, BLOCK B	NORTH	R-1	RESIDENTIAL NON-WATERFRONT
NOT PLATTED	SOUTH	CH	COMMERCIAL / COMMERCIAL OFF-HIGHWAY
CRYSTAL RIVER PLAZA SHOPPING CENTER	EAST	CH	COMMERCIAL / COMMERCIAL OFF-HIGHWAY
CRYSTAL PARK ACRES	EAST	CH	COMMERCIAL
PARADISE COUNTRY CLUB LOTS 22-39	WEST	R-1	RESIDENTIAL NON-WATERFRONT

EXISTING SITE

LAND USE	ACREAGE (PER ZONING)
COMMERCIAL OFF HIGHWAY (CH)	8.0±
ACREAGE NON-WATERFRONT (R-1)	28.2±
SWAMP/LAKE BOTTOM (RC)	17.1±

PROPOSED SITE

PROPOSED ZONING	LAND USE	USE BREAKDOWN	LAND ALLOCATION (ACRES)
COMMERCIAL/RETAIL (CH)	7 BLDGS/34± TENANT SPACES		8.0±
MEDIUM DENSITY RESIDENTIAL (R-2)	5 BLDGS/262± D.U. @ 8.0 D.U./ACRE		28.2±
SWAMP/LAKE BOTTOM (RC)	CONSERVATION		17.1±

IMPERVIOUS AREA SUMMARY

IMPERVIOUS AREA	ACRES
RESIDENTIAL BUILDINGS/STRUCTURES	3.5±
COMMERCIAL/RETAIL BUILDINGS	0.8±
ROADS/PARKING LOTS/DRIVEWAYS	8.2±
TOTAL IMPERVIOUS	12.5±

IMPERVIOUS RATIO

IMPERVIOUS RATIO	CH ZONE	75% MAX / 58% ACTUAL
R-2 ZONE	65% MAX / 30% ACTUAL	
RC ZONE	10% MAX / 0% ACTUAL	

OPEN SPACE/PUBLIC AREA ACTUAL

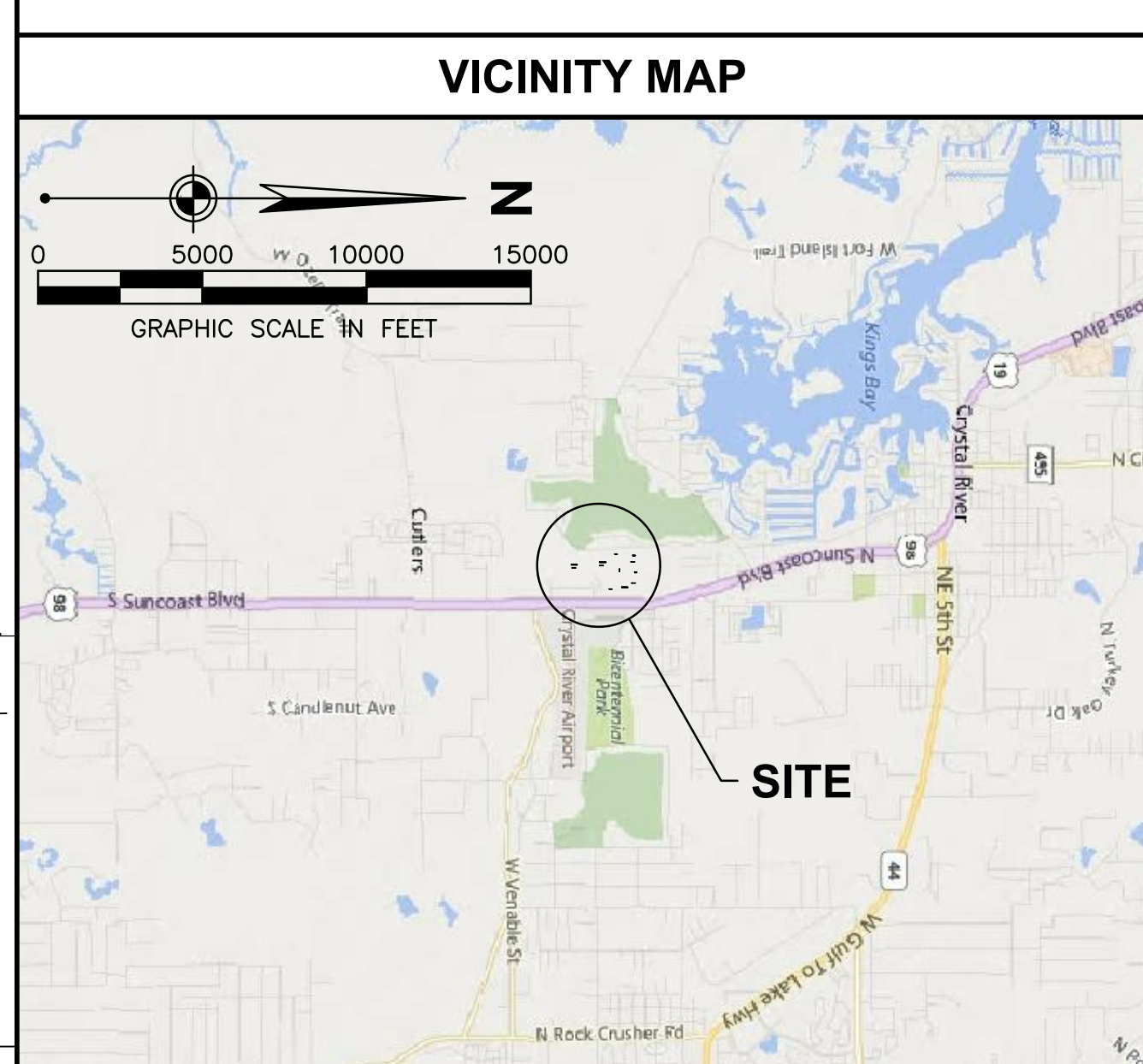
AREA REQUIRED	AREA ACTUAL	70% (19.9 ACRES)
10± (2.8 ACRES)	70% (19.9 ACRES)	

PARKING SUMMARY

PARKING SUMMARY	COVERED	UNCOVERED	TOTAL
RESIDENTIAL (1.24 SPACES/D.U.)	71	255	326
ON-STREET PARKING	0	79	79
CLUB HOUSE/POOL	0	32	32
COMMERCIAL/RETAIL (3.5 SPACES/TENANT)	0	128	128
TOTAL SPACES	71	494	565

NOTES

- CLUB HOUSE/POOL AREA INCLUDES AMENITY SPACES.
- COMMERCIAL/RETAIL BUILDINGS MAY BE A MIXTURE OF COMMERCIAL, RETAIL, MEDICAL, OR OFFICE.



REVISION

NO.	DATE	DESCRIPTION

PROJECT NO.: 080804
DATE: 2/16/22

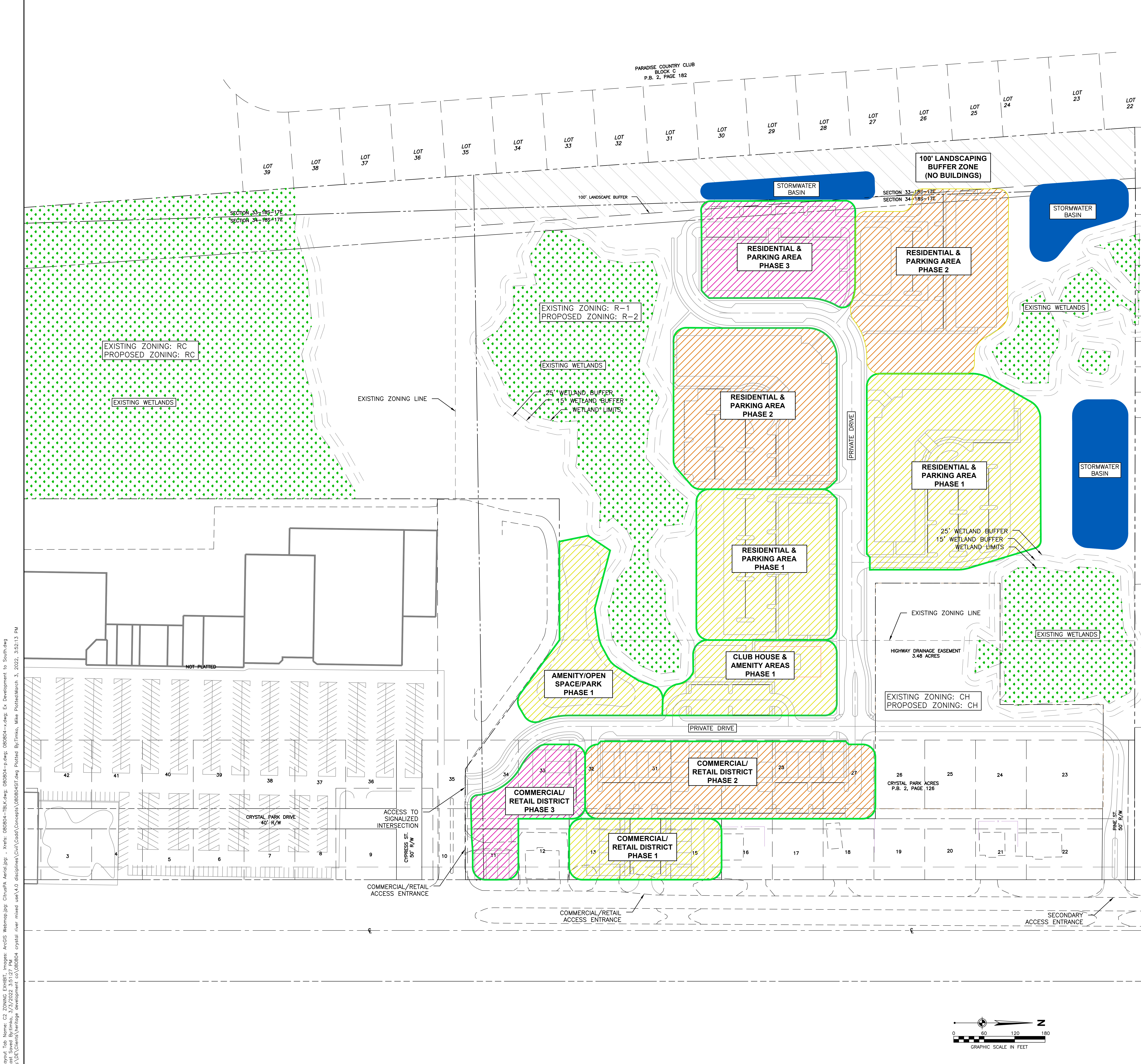
DESIGNER: DR.
CHECKER: CD.

1203 Walnut Street
2nd Floor
Cincinnati, OH 45202
WOOLBERT
ARCHITECTURAL ENGINEERING PROFESSIONAL

CRYSTAL RIVER MIXED USE DEVELOPMENT
US HIGHWAY 19, CRYSTAL RIVER, FLORIDA
HERITAGE DEVELOPMENT COMPANY
3455 CHAGRIN BLVD., MORELAND HILLS, OH 44022

CONCEPT SITE PLAN

SHEET NO. **C1**



PROPOSED LEGEND

- PROPOSED BUILDING
- PROPOSED CARPORT

EXISTING LEGEND

- BUILDING
- BOUNDARY
- SECTION LINE
- DITCH
- EASEMENT
- EDGE OF ASPHALT PAVEMENT
- FENCE
- LOT LINE
- POB
- RIGHT OF WAY
- ROAD CENTERLINE
- SETBACK
- WETLAND

PROJECT No.	No.	DATE	REVISION
080604			
DATE 2/7/22			
DES. RWJ			
DR. RWJ			
CKD. MAT			

1203 Walnut Street
2nd Floor
Cincinnati, OH 45202
513.272.8300
FAX: 937.461.0743

WOOLBERT
ARCHITECTURAL ENGINEERING INCORPORATED

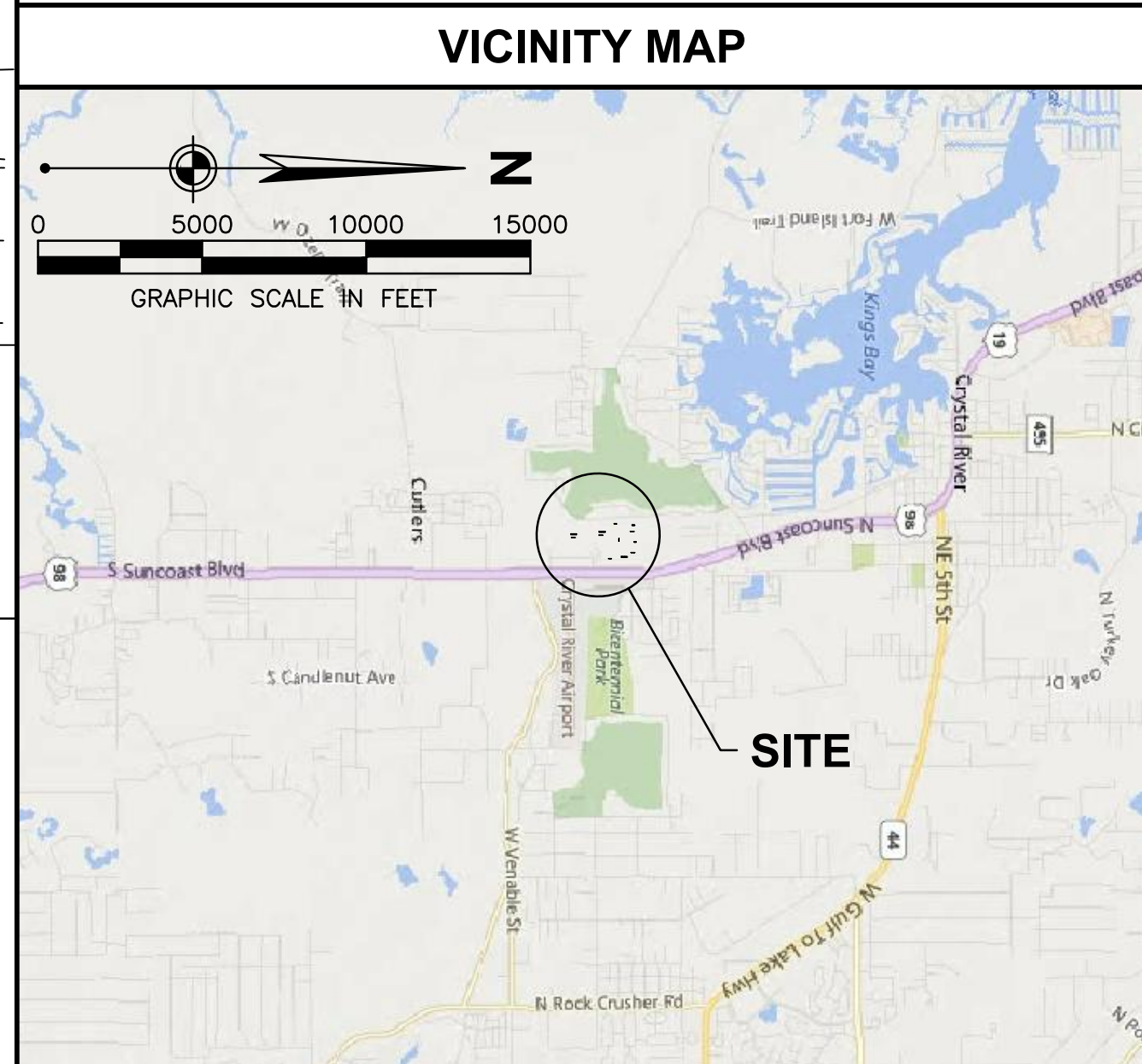
CRYSTAL RIVER MIXED USE DEVELOPMENT
US HIGHWAY 19, CRYSTAL RIVER, FLORIDA

HERITAGE DEVELOPMENT COMPANY
3455 CHAGRIN BLVD., MORELAND HILLS, OH 44022

ZONING EXHIBIT

SHEET No. **C2**

- DEVELOPMENT REQUIREMENTS AND ZONING JUSTIFICATION:**
- DEVELOPED BUILDINGS SHALL BE CONNECTED TO POTABLE WATER/SEWER.
 - ROADWAY/TRANSPORTATION IMPROVEMENTS SUBJECT TO TRAFFIC ANALYSIS SUBMITTED AND APPROVED BY THE CITY OF CRYSTAL RIVER AND/OR FDOT.
 - OWNER/ENGINEER TO SUBMIT A TREE PRESERVATION PLAN FOR REVIEW AND APPROVAL BY CITY OF CRYSTAL RIVER AND/OR CITRUS COUNTY.
 - OWNER/ENGINEER TO PROVIDE GEOLOGICAL AND BIOLOGICAL SURVEYS OF THE SITE TO DETERMINE SENSITIVE DEVELOPMENT AREAS.
 - OWNER/ENGINEER TO SUBMIT TO FAA AND THE CITRUS COUNTY AIRPORT ADVISORY BOARD FOR APPROVAL OF ALL BUILDINGS TO BE LOCATED ON SITE. RESPONSE DOCUMENTS TO BE PROVIDED TO THE CITY OF CRYSTAL RIVER.



Layout File Name: C:\ZONING EXHIBIT... Images: ArcGIS WebMapServer... CitrusPA_Aerial.jpg... Xrefs: 080604-p.dwg, 080604-r.dwg, Ex: Development to South.dwg
 9/1/2021 10:45:00 AM



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	April 7, 2022
APPLICATION #	PERMIT NO: PZ22-0025 ORDINANCE: 22-O-10 Text Amendment's to the Land Development Code
APPLICANT:	City of Crystal River, 123 NW US Highway 19, Crystal River, Fl. 24429
PROPOSED ZONING TEXT AMENDMENTS:	Three text amendments within the City of Crystal River Land Development Code: 1. Section 1.07.00 – Acronyms and Definitions 2. Section 4.02.07 – Design Standards for Roadside Vending in City Zoning Districts 3. Section 5.05.09 – Marinas These amendments are supported by the City's Comprehensive Plan.
PROJECT MANAGER:	Brian Herrmann, <i>CNU-A, LEED AP</i> Director of Planning and Development Services

1. **BACKGROUND INFORMATION:**

The staff is requesting three amendments to the text of the City of Crystal River's Land Development Code. The proposed changes are found in both the definitions and the specific chapters within the ordinance. There are three primary goals associated with these changes:

1. Improve the ability of Staff to provide customer service to residents and developers within the City; or
2. Update or improve upon the City's existing zoning regulations so that they will continue to benefit the citizens that live, work, and recreate in the community; or
3. Improve upon the City's built environment.

2. **PROPOSED AMENDMENTS:**

The following amendments are proposed to the text of the Land Development Code:

1. Section 1.07.00 – Acronyms and Definitions
2. Section 4.02.07 – Design Standards for Roadside Vending in City Zoning Districts
3. Section 5.05.09 – Marinas and Boat Facilities

TEXT AMENDMENT #1: REDEFINE THE DEFINITION OF SUBSTANTIAL IMPROVEMENT

Proposed Changes to the Text:

1.07.00. Acronyms and definitions.

- B. *List of defined terms.* Words and phrases shall be construed according to the common and approved usage of the language. Words with specific meaning in this LDC are defined below.

Substantial improvement: Any repair, reconstruction, rehabilitation, or improvement of a structure, the cost of which equals or exceeds, ~~over a five-year period,~~ a **cumulative** total of fifty (50) percent of the market value of the structure. Market value is determined before improvement, repair, or reconstruction is started. Substantial improvement occurs when the first alteration of any structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include any project to

comply with state or local health, sanitary, or safety code specifications which are necessary solely to assure safe living conditions. The term does not include alteration of a structure listed on the *National Register of Historic Places* or the *State Inventory of Historic Places*.

REASON FOR THE CHANGE:

The Federal Emergency Management Agency (FEMA) oversees the National Flood Insurance Program (NFIP) and its Community Rating System (CRS). The latter is a voluntary program that the City of Crystal River participates in. As a result, residents with insurable property that is located within a special flood hazard area qualify for a reduction in their premium. Currently, the City has a rating of 7, resulting in a 15% insurance reduction. (a rating of 9 = a 5% reduction, 8 = a 10% reduction, 7 = a 15% reduction, 6 = a 20% reduction, 5 = a 25% reduction, 4 = a 30% reduction, 3 = a 35% reduction, 2 = a 40% reduction, and 1 = a 45% reduction)

The proposed change that is cited in the definition above will shorten the time associated with the cumulative costs as they relate to the 50% substantial damage calculation. Such costs will no longer be added together over a five (5) year period. Rather, they will be evaluated on a permit-by-permit basis.

EXAMPLE: Under the current system a commercial building that is appraised at \$100,000 is limited to improvements of up to \$49,999 over a five (5) year period. If the value is exceeded or the 5-year period of time is violated then a new building in keeping with the latest FEMA standards must be constructed.

However, if the proposed changes to the text are made the owner of such a property could institute improvements to the building of up to \$49,999. As soon as the last permit associated with the proposed job is closed out, the owner could begin work on another \$49,999 job. In fact, the owner might decide to get an updated appraisal. This would likely show an increase in value, allowing the owner to plan a second project of even greater value.

While the proposed change will impact the City's CRS metrics, it has been conveyed to City officials that the potential impact will not negatively influence our overall rating of 7. As a result, the current benefits associated with this change far outweigh any negatives.

TEXT AMENDMENT #2: UPDATE THE DEVELOPMENT STANDARDS FOR ROADSIDE VENDING

Proposed Changes to the Text:

4.02.07. – Design Development standards for roadside vending in City zoning districts.

4.02.07.1. – Purpose.

- A. Mobile vending units have existed in various forms over several centuries, often distinguished by both their physical characteristics and their operational requirements. The purpose of this section is to:
 1. recognize this specialized market segment;
 2. classify the permitted types of uses; and
 3. establish appropriate provisions for the typical range of activities associated with this use while mitigating any undesirable impacts.

B. Reserved.

4.02.07.2. – Definitions.

- A. Mobile kitchens (**food trucks**), pushcarts & non-mobile food carts, and kiosks, booths, and tents. These methods of vending address products that include food, beverages, seasonal products and similar items and are classified as one (1) of the following:



1. *Class I–Mobile Kitchens (food trucks).* Full-service mobile kitchens consist of a wheeled vehicle that is readily moveable and designed for the service of food from the interior of the unit. Mobile kitchens are regulated by the Florida Department of Business and Professional Regulation (FDBPR). In addition to the vending of products allowed for Class II and Class III mobile dispensaries, these vehicles may cook, prepare, and assemble food items on or in the unit and serve a full menu. Customers may be notified of the vehicle's location by social media or other forms of advertising. Mobile kitchens require the use of a commercial commissary kitchen for servicing, restocking, and maintenance each operating day.



2. *Class II–Pushcarts and non-mobile food carts.* These non-motorized....



3. *Class III–Non–food kiosks, booths, and tents.* These vendors utilize....

B. Reserved.

4.02.07.3—General to All


4.02.07.3 – Roadside Vending Permit: Approval, Expiration, Suspension, and Revocation

- A. A Roadside Vending permit for a Class I mobile kitchen (food truck); Class II pushcart or non-mobile food cart; and Class III non-food kiosk, booth, or tent:
 1. may be applied for at any time throughout the year.
 2. shall expire on September 30th of each year but may be renewed annually.
- B. In order to protect the health, safety, and welfare of the general public, or to obtain compliance with local, State or Federal laws, special conditions and restrictions may be added to the Roadside Vending permit by Planning and Development Services staff. Such conditions and restrictions shall be binding.
- C. A permit issued under this section may be immediately suspended or revoked by the City if:
 1. the applicant violates any of the requirements of this ordinance.
 2. any required business or health permit has expired or been suspended, revoked, or canceled.
- D. It is a violation to vend any product from a mobile food dispensing vehicle, cart, booth, or kiosk that is located at a location that fails to comply with the requirements of this section. This section excludes a contractual or other private arrangement between a roadside vendor and an individual or group that wishes to have food catered to a specific location and which is not open to the public.

4.02.07.4 – General to all.



- A. Class I mobile kitchens (food trucks); Class II pushcarts or non-mobile food carts; and Class III non-food kiosks, booths, and tents associated with roadside vending shall submit an application for approval under the terms of a minor development permit with the following information:
 1. A statement of express written approval for the proposed activity from the property owner:

- a. The statement shall convey that only one Class I, or one Class II, or one Class III unit / temporary structure may be established on the parcel.
 - b. The statement shall convey whether permission is granted for the one unit / temporary structure to be left overnight on the property.
 - c. The statement shall convey the days and hours in which the one Class I, or one Class II, or one Class III unit / temporary structure may be open and operate from the site.
2. A site plan showing the design and general location of the temporary Class I, or Class II, or Class III unit / temporary structure, as well as all proposed signage.
 3. A statement conveying that the proposed use is in compliance with the City's Land Development Code.
 4. A statement in which the applicant agrees to utilize a commissary in association with the use – if required by law.
 5. A copy of a current business tax receipt from the City of Crystal River.
 6. Proof of possession of all required insurance.
 7. A copy of appropriate State and County Health Department licenses.
- B. One Class I mobile kitchen (food truck), or one Class II pushcart or non-mobile food cart, or one Class III non-food kiosk, booth, or tent shall be permitted to locate in the parking lot of an existing property, so long as the property is:
1. fully developed with a principal use; and
 2. the principal use is in possession of a Business Tax Receipt from the City; and
 3. the property contains sufficient parking as conveyed in the City's Land Development Code.
- C. The unit / temporary structure shall not be located within a no-parking area, loading zone, or public right-of-way; nor shall it obstruct pedestrian or vehicular traffic in any way.
- D. The unit / temporary structure shall be located such that it complies with all visibility requirements for intersections.
- E. The unit / temporary structure shall not be left unattended during hours of operation.
- F. The unit / temporary structure shall remove and dispose of all trash that is created or generated as a result of operation at the site. All trash shall be transferred to a location that is appropriately designated to address such material. Grease shall not be released or disposed of in the city's sanitary sewer system, tree pits, storm drains, or onto public streets or public spaces.
- G. The unit / temporary structure shall not have external water or sewer service provided to it from the primary use that is located on the site, nor the site in general.

TABLE 4.02.07.A: CLASS I MOBILE KITCHEN AND CLASS II PUSHCART & NON-MOBILE FOOD CART	
Description	
<p><u>Class I – Mobile Kitchen (food truck)</u> – full-service mobile kitchens are comprised of a wheeled vehicle that is readily moveable and designed for the service of food from the interior of the unit. These vehicles may cook, prepare, and assemble food items on or in the unit and serve a full menu.</p>	
<p><u>Class II – Pushcart and Non-mobile Food Cart</u> – These non-motorized food carts cannot be driven but may be towed to the site. They vend items that require very little preparation, such as fruits, vegetables, hot dogs, pre-cooked and pre-packaged food and juices. Items may be heated and prepared for sale on the cart. Such carts require a commissary.</p>	
<u>Permitted Use</u>	<u>Permitted Zoning District</u>
<u>Class I – Mobile Kitchens (food trucks)</u>	<u>(CH) High Intensity Commercial</u>
<u>Class II – Pushcarts and non-mobile food carts</u>	<u>(CH) High Intensity Commercial</u> <u>(CG) General Commercial in CRA</u> <u>(CW) Waterfront Commercial in CRA</u>
<u>Signage and Related Elements</u>	
<p>A. <u>Signage shall not be placed in the right-of-way of a street, lane, or pathway; nor shall it block vehicle visibility.</u></p> <p>B. <u>Unless specifically addressed herein, no sign, emblem, or decorative element shall be attached to, or extend outward from the top or side of a mobile kitchen, pushcart, or non-mobile food cart; specifically, the rectangular structure that forms the basic outline of the truck or cart.</u></p> <p>C. <u>Class I mobile kitchens AND Class II pushcarts and non-mobile food carts may have the following types of signage and / or elements associated with the unit:</u></p> <ol style="list-style-type: none"> 1. <u>Name and Decorative Emblem</u> – the name of the business, cart, or truck and one or more decorative emblem (or emblems) associated with the name may be painted, printed, or applied directly upon one or more of the four sides that comprise the unit. The name as well as all decorative emblems shall be applied such that they are completely “flat” on the surface. 2. <u>Sidewalk Signboard</u> – One sidewalk sandwich sign (A frame sign) may be sited within ten (10) feet of a truck or cart. The sign shall not to exceed six (6) SF., with a max. width of 24” and a max. height of 36”. <p>D. <u>Class I mobile kitchens may have the following types of signage and / or elements associated with the unit:</u></p> <ol style="list-style-type: none"> 1. <u>Awning or Canopy</u> – An awning or canopy may be attached to the side of the mobile kitchen so long as no supporting posts or poles touch the ground. This type of signage and / or element provides shading that will keep customers cool and dry during hot or inclement weather. <ol style="list-style-type: none"> a. <u>An awning or canopy shall be attached to the side of the mobile kitchen (food truck) such that it covers the opening or window area that is used for ordering food and transferring payment when the unit is not in operation.</u> b. <u>The maximum width of an awning or canopy shall not exceed the width of the current opening or window area that is used for ordering food and transferring payment by more than three (3) feet on either side.</u> c. <u>The maximum length of an awning or canopy shall not exceed vertical length of the current opening or window that is used for ordering food and transferring payment by more than three (3) feet.</u> d. <u>The maximum height of the awning or canopy shall not exceed the height of the primary roof that comprises the Class I mobile kitchen (food truck).</u> e. <u>A Class I mobile kitchen (food truck) may have painted, printed, or applied letters and / or graphics located on the sloping plane or the valance of an awning. Such lettering and / or graphics shall be completely flat on the surface.</u> 	

- f. A Class I mobile kitchen (food truck) may have three-dimensional text that conveys the name of the business, cart, or truck located on the top (roof) of the canopy. Such text shall not exceed twelve (12) inches in height, nor shall it extend beyond the two sides that comprise the canopy.
- 2. **Rooftop Signage** – A Class I mobile kitchen (food truck) may have a sign located on its roof that runs along each of the “long sides” of the truck that is sited no more than one foot from the edge. The sign shall be comprised of three-dimensional text in the form of individual letters. Such letters shall not exceed twelve (12) inches in height. A “board sign” shall not be permitted. The text shall convey the name of the business, cart, or truck, and shall consist of no more than a few words or a phrase. The words or phrase shall be limited to an area that extends from four (4) feet to the left of the primary serving window to four (4) feet to the right of the primary serving window.
- E. **Approval.** In order for a Class I mobile kitchen AND Class II pushcart or non-mobile food cart to garner final approval of its signage, a dimensional drawing of all proposed structures and signage, including the verbiage, objects, dimensions, measurements, etc. shall be submitted to the Planning and Development Services Department for review.
- F. **Review of Deviations.** Any signage, emblem, or decorative element that fails to meet the standards conveyed above may be approved by the Director of Planning and Development Services if the deviation(s) from the standards:
 - a. are minimal and not likely to be noticed when viewed as part of the overall proposal;
 - b. promote a level of design or aesthetics that is equal to or exceeds that which would be present without the item;
 - c. do not negatively impact the physical character of both the primary use and the secondary use; and
 - d. continue to meet all aspects of the Purpose and Intent found in Section 4.07.02 of this code.



TABLE 4.02.07.B: CLASS III NON-FOOD KIOSKS, BOOTHS, AND TENTS	
Description	
<p><u>Class III – Non-food Kiosks, Booths, and Tents</u> –These facilities are temporary structures. The sales at such units range from overnight items such as soap, chimes, and flowers to strictly seasonal objects such as fireworks and Christmas trees.</p>	
Permitted Use	Permitted Zoning District
<u>Class III – Non-Food Kiosks, Booths, and Tents</u>	<u>(CH) High Intensity Commercial</u>
Signage and Related Elements	
<p>A. <u>Signage shall not be placed in the right-of-way of a street, lane, or pathway; nor shall it block vehicle visibility.</u></p> <p>B. <u>A Class III Non-food Kiosk, Booth, or Tent may have the following types of signage and / or elements associated with the facility:</u></p> <ol style="list-style-type: none"> 1. <u>Sidewalk Signboard – One sidewalk sandwich sign (A frame sign) may be sited within ten (10) feet of a truck or cart. The sign shall not to exceed six (6) SF., with a max. width of 24” and a max. height of 36”.</u> 2. <u>Wall Sign or Banner – Class III Non-food Kiosks, Booths, and Tents selling fireworks, Christmas trees, soap, chimes, flowers, etc. may have one (1) wall sign or one temporary banner located on the front side of the structure (facing the street). If the booth is located on a corner lot then it may have two signs (facing each street). These signs shall not exceed 12 SF. in size.</u> <p>C. <u>Approval. In order for a Class III Non-food Kiosk, Booth, or Tent to garner final approval of its signage, a dimensional drawing of all proposed structures and signage, including the verbiage, objects, dimensions, measurements, etc. shall be submitted to the Planning and Development Services Department for review.</u></p> <p>D. <u>Review of Deviations. Any signage, emblem, or decorative element that fails to meet the standards conveyed above may be approved by the Director of Planning and Development Services if the deviation(s) from the standards:</u></p> <ol style="list-style-type: none"> 1. <u>are minimal and not likely to be noticed when viewed as part of the overall proposal;</u> 2. <u>promote a level of design or aesthetics that is equal to or exceeds that which would be present without the item;</u> 3. <u>do not negatively impact the physical character of both the primary use and the secondary use; and</u> 4. <u>continue to meet all aspects of the Purpose and Intent found in Section 4.07.02 of this code.</u> 	
	

REASON FOR THE CHANGE:

In order to support local entrepreneurship, innovation, and tastes, the City of Crystal River permits food trucks, food carts, and non-food related sales to locate in specific zoning districts within the city as an accessory use. New standards were recently written into the Land Development Code to address these uses. While the more significant changes to the code appear to be working just fine, certain aspects of the intended text were not conveyed as clearly as they should have been. As a result, applicants have either questioned or even ignored some of the standards that were put into place.

Though it has only been about eight months since the provisions were overhauled, now is the ideal time to address this, as the staff can infuse stronger language that is supported by visually impactful graphics. Such a process is in keeping with the new Civic Master Plan as well as the proposed form-based code that the City hopes to adopt. A form-based code is typically laden with images, photos, and graphics. That said, the changes to this section are primarily comprised of the following elements, which include both text as well as illustrative items:

- Promotes a new format that includes text, photos, tables, and graphics.
- Clarifies the number of food trucks, food carts, or seasonal sales tents that may operate as an accessory use from an occupied lot that contains a building or use.
- Clarifies the intent of the 200 sq. ft. demarcated area within the parking lot, including how a food truck or food cart is impacted.
- Clarifies the intent of the three (3) parking space boundary within the parking lot, including the ways in which a food truck or food cart are impacted.
- Eliminates language that requires a food truck or food cart to move off-site at the end of each day.
- Clarifies language stating that no water or sewer service may be provided to the food truck, food cart, or seasonal sales tents from the primary building or use that occupies the site.
- Clarifies language regarding standards for signage for food trucks, food carts, or seasonal sales tents, including:
 - the use of flat (painted, printed, applied) signage on a food truck or food cart.
 - the use of awnings and canopies as a type of signage on food trucks.
 - the use of 3-dimensional letters for signage on the roof of a food truck.
 - the use and location of an A frame sign.
 - requirements for sign approval as well as deviations that are consistent with the standards.

Current Text to be Removed:

~~4.02.07.3—General to all.~~

~~A. Zoning standards.~~

~~The following uses shall only be permitted in these zoning districts:~~

PERMITTED USE	PERMITTED ZONING DISTRICT
--------------------------	--------------------------------------

1. Class I—Mobile Kitchens	
---------------------------------------	--

Class II—Pushcarts & Non-mobile Food Carts	
---	--

Class III—Non-food Kiosks, Booths, and Tents	(CH) High Intensity Commercial
---	---

2. Class II—Pushcarts & Non-mobile Food Carts	(CG) General Commercial in CRA
--	---

	(CW) Waterfront Commercial in CRA
--	--

~~B. Class I Mobile kitchens; Class II Pushcarts & Non-mobile Food Carts; and Class III Non-food Kiosks, Booths, and Tents associated with roadside vending:~~

~~1. shall only be permitted to locate and sell from the parking area of a site that is fully developed with a principal use, open to the public, and contains sufficient parking as conveyed in the City of Crystal River Land Development Code.~~

~~2. shall be limited to a maximum of two hundred (200) square feet, shall not block more than three (3) parking spaces, and shall comply with all visibility requirements for intersections.~~

~~3. shall not be located within any no-parking area, loading zone, or public right-of-way.~~

~~4. shall not obstruct pedestrian or vehicular traffic.~~

- ~~5. shall be self-contained. No permanent structure shall be erected and all items associated with the establishment shall be removed at the end of each day. There shall be no water or sewer service provided to the establishment.~~
 - ~~6. shall not be unattended for more than thirty (30) minutes.~~
 - ~~7. shall remove and dispose of all trash that is created or generated because of their presence at the site.~~
- C. ~~Class I Mobile kitchens; Class II Pushcarts & Non-mobile Food Carts; and Class III Non-food Kiosks, Booths, and Tents associated with roadside vending shall submit an application for approval under the terms of a minor development permit with the following information:~~
- ~~1. A statement of express written approval for the proposed activity from the property owner.~~
 - ~~2. A site plan showing the design and general location of the temporary structure, as well as all proposed signage.~~
 - ~~3. A statement of the proposed use that complies with the City's Land Development Code.~~
 - ~~4. A current business tax receipt from the City of Crystal River.~~
 - ~~5. A copy of appropriate State and County Health Department licenses.~~
- D. ~~Class I Mobile kitchens; Class II Pushcarts & Non-mobile Food Carts; and Class III Non-food Kiosks, Booths, and Tents associated with roadside vending shall:~~
- ~~1. Display the appropriate Business Tax Receipt, Insurance statements, and State or County Health Permits or Licenses.~~
 - ~~2. Utilize a commissary if required.~~
- E. ~~It is a violation to vend any product from a mobile food dispensing vehicle, cart, booth, or kiosk that is located at a location that fails to comply with the requirements of this section. This section excludes a contractual or other private arrangement between a roadside vendor and an individual or group that wishes to have food catered to a specific location and which is not open to the public.~~
- F. ~~In order to protect the health, safety, and welfare of the general public, or to obtain compliance with local, State or Federal laws, special conditions and restrictions may be added to the permit which shall be binding upon the applicant, to any permit or other form of approval that may be issued.~~
- G. ~~Expiration.~~
- ~~A Roadside Vending permit shall expire on September 30th of each year but may be renewed on an annual basis.~~
- H. ~~Suspension and Revocation.~~
- ~~A permit issued under this section may be suspended or revoked by the City if any required business or health permit or license for the roadside vending market has expired or been suspended, revoked or canceled. In addition, a permit may be immediately revoked if the applicant violates any of the requirements of this ordinance.~~
- I. ~~Signage.~~
- ~~1. Mobile Kitchens may be painted in such a manner as to convey the name of the business or truck.~~
 - ~~2. Class I Mobile kitchens; Class II Pushcarts & Non-mobile Food Carts; and Class III Non-food Kiosks, Booths, and Tents may have one sidewalk sandwich sign (A Frame) not to exceed 6 SF. (width = 24", height = 36"). The sign shall be located adjacent to the sales area.~~
 - ~~3. Class III Non-food Kiosks, Booths, and Tents selling fireworks, Christmas trees, soap, chimes, flowers, etc. may have one (1) wall sign or one temporary banner located on the front side of the structure (facing the street). If the booth is located on a corner lot then it may have two signs (facing each street). These signs shall not exceed 12 SF. in size.~~

- ~~4. Signage cannot be placed in the right-of-way or block visibility.~~
- ~~5. A dimensioned drawing of all signage shall be submitted to the Planning and Development Services Department for review and must be approved by the Director.~~

TEXT AMENDMENT #3: STRENGTHEN STANDARDS FOR MARINAS AND BOAT FACILITIES:

Proposed Changes to the Text:

5.05.09. Marinas and Boat Facilities.

A. Generally.

1. No new boat marina (or boating facility or boat ramp) may be constructed unless an existing boat ramp facility of similar capacity within the Essential Habitat Area (as defined in the Manatee Element of the Comprehensive Plan) is permanently closed. For purpose of this section, a boat shall be defined as any vessel propelled by motor, sails, or a human powered vessel (including kayaks or canoes).
 2. Whereby item (1) above is satisfied, a marina is shall only be permissible in the CW zoning district, subject to the district standards and the supplemental standards set forth below.
- B. A marina shall provide parking for boat trailers or vehicle-trailer combinations. Fifty (50) percent of the required off-street parking vehicles may be replaced with parking for vehicle-trailer combinations. In addition to the required parking set forth in section 6.04.07, parking may be provided for boat trailers.
- C. A marina may provide wet or dry storage for boats; sale of fuel and oil for watercraft; sale of parts and supplies for watercraft; sale of prepared, packaged food and beverages for personal consumption; sale of personal safety equipment; sale of bait; and sale of fishing equipment.
- D. Construction of a new marina, expansion of an existing marina, or renovation of an existing marina shall comply with the following standards:
1. All docks and structures erected over or in the water shall be confined to the area adjacent to the uplands forming a part of the marina.
 - ~~#2. #3. #4. #5. #6. #7. #8. #9. #10. #11.~~
 12. Facilities for engine repair shall be within an enclosed building.
- E. Any marina which provides mooring for vessels for living-aboard purposes shall comply with the following standards:
1. The vessels used for habitation shall have sewage holding facilities.
 - ~~#2. #3.~~
 4. The marina shall have public restrooms with facilities for sewage disposal and bathing, meeting the requirements of the standard plumbing code.
- F. Proof of permits or exemptions from applicable state and federal regulatory agencies shall be provided to the city.

(Ord. No. 05-O-08, §§ 1, 2, 5-17-2005)

REASON FOR THE CHANGE:

In order to clarify the provisions that are found within the City's Land Development Code (LDC) and ensure that the language will properly convey the same intent that is stated in the City's Comprehensive Plan the following language was updated or added to the text of the LDC.

1. No new boat marina (or boating facility or boat ramp) may be constructed unless an existing boat ramp facility of similar capacity within the Essential Habitat Area (as defined in the Manatee Element of the Comprehensive Plan) is permanently closed.

- 2. For purposes of this section, a boat shall be defined as any vessel propelled by motor, sails, or a human powered vessel (including kayaks or canoes).
- 3. If permitted, a marina shall only be sited in the CW zoning district, subject to the district standards and the accompanying supplemental standards.

In addition, while two potential sites are identified as suitable for new facilities on the Crystal River and Kings Bay, neither of these sites is located within the City of Crystal River. Therefore, the aforementioned text –in combination with the Manatee Element of the Comprehensive Plan– severely restricts such development and construction from taking place within the City of Crystal River.

CITY OF CRYSTAL RIVER COMPREHENSIVE PLAN

MANATEE ELEMENT

September 12, 2011



Similar to that which is conveyed in the above text from the Land Development Code, the Manatee Element of the **City’s Comprehensive Plan** states:

Land Development

Properly controlled land development is critical to manatee protection. -----

Marina / Boat Facility Siting

Marina/boat facility siting for the purposes of this plan is defined as the determination of a location for commercial marinas, commercial docking structures, and public/private boat launching facilities.

The relationship between manatee habitat and boat traffic was analyzed in order to distinguish the vulnerability of specific areas to the development of docking and launching facilities. Sites suitable for the development of boating facilities should meet the following criteria: 1) minimize boat travel in areas where manatees are sighted; 2) do not cause destruction of aquatic vegetation eaten by manatees; and 3) meet design standards in wetlands (Packard, 1983).

Analysis for Siting Criteria

Crystal River and Kings Bay

The Packard Plan analyzed suitable areas on the Crystal River / Kings Bay and found no suitable sites. Areas were identified which either minimize boat / manatee overlap or minimize the disturbance of wetlands. The only areas on the Crystal River and Kings Bay which are sites minimizing boat / manatee overlap are located downstream near the Gulf at two locations, one at Fort Island and near the mouth of the river. **However, it should be noted that both sites are located in the Coastal High Hazard Area (velocity zone; see Coastal, Lakes, and River Element**

of Comprehensive Plan) and would not be appropriate for marina / boat facilities development.

Land Development

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 for new facilities on the Crystal River and Kings Bay: one at Fort Island and one near the mouth of the Crystal River. **Neither location is within the City of Crystal River.**

POLICIES

- A. **A new marina or boating facility or boat ramp may be constructed if an existing boat ramp facility of similar capacity within an essential Habitat area is permanently closed.**
- B. -----
- C. -----

Residential Dock Density

OBJECTIVE 1.3. In an effort to limit -----

3. THE (3) TEXT AMENDMENTS ARE CONSISTENT WITH THE COMPREHENSIVE PLAN:

Each of the three proposed changes to the text of the City’s Land Development Code are consistent with specific **GOALS, OBJECTIVES,** and **POLICIES** that are found within the City of Crystal River Comprehensive Plan.

As stated previously, the proposed amendments address one or more of the following items:

- 1. Improve the ability of Staff to provide customer service to residents and developers within the City; or
- 2. Update or improve upon the City’s existing zoning regulations so that they will continue to benefit the citizens that live, work, and recreate in the community; or
- 3. Improve upon the City’s built environment.

This ensures that they are consistent with specific Goals, Objectives, and Policies that are found in the Comprehensive Plan. For example:

Goal 2 of the Comprehensive Plan states:

“Crystal River will be a balanced and well-planned community.”

The provisions that address a **Substantial Improvement, Roadside Vending, and Marinas and Boat Facilities** will update or improve upon the City’s existing zoning standards while broadening the opportunity for citizens that live, work, and recreate within the community to benefit from these.

Whether the specific change impacts the time and cost that is associated with improvements to such structures, stricter design criteria for those performing roadside vending, or simply ensures better protection for the manatee – one of our communities greatest assets and attractions, all three of these proposals is essential to creating a more balanced and well-planned community.

Objective 2.8 of the Comprehensive Plan states:

“Development in Crystal River will be consistent with all elements of the Crystal River Comprehensive Plan.”

The standards that address a **Substantial Improvement, Roadside Vending, and Marinas and Boat Facilities** will update the City’s existing zoning in a manner that:

1. benefits the citizens that live, work, and recreate in the community, and
2. improves upon our built environment

...while also ensuring that development in Crystal River remains consistent with the Comprehensive Plan.

Goal 3 of the Comprehensive Plan states:

“Crystal River will promote and maintain the character of community through consistent land use.”

The standards that are proposed for **Marinas and Boat Facilities** will promote and maintain the character of this community through consistent land use policies that ensure ongoing protection of the manatee.

Objective 3.2 of the Comprehensive Plan states:

The Character and quality of existing residential neighborhoods will be maintained or upgraded.

Standards regarding **Substantial Improvements** will update the City’s existing zoning provisions in a way that benefits both the:

1. citizens that live, work, and recreate in our community, as well as
2. our built environment

This change will help to promote the character and quality of existing residential neighborhoods by allowing for development that does not have to be raised in order to comply with the most recent FEMA standards.

4. SUMMARY OF PUBLIC COMMENTS:

No public comments were received prior to the writing of the Staff Report.

5. PLANNING COMMISSION ACTION:

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

Additionally, Subsection (C.) (#4) of 10.03.04. (Procedures for action by the Planning Commission) states that “the Planning Commission shall recommend to the City Council that

the application be **approved**, **approved with conditions** (changes), or **denied**. The recommendation shall be in writing and shall include findings to support the recommendation.”

6. SUPPORTING ATTACHMENTS, DIAGRAMS, and POWERPOINT PRESENTATIONS:

- A. Staff’s PowerPoint Presentation
- B. Staff Backup Material



CITY OF CRYSTAL RIVER

PERMIT NO: PZ22-0025

ORDINANCE: 22-0-10

THREE LDC TEXT AMENDMENTS:

1. Section 1.07.00 – Acronyms and Definitions
2. Section 4.02.07 – Design Standards for Roadside Vending in City Zoning Districts
3. Section 5.05.09 – Marinas and Boat Facilities

PROPOSED AMENDMENTS:

The following amendments are proposed to the text of the Land Development Code:

1. Section 1.07.00 – Acronyms and Definitions
2. Section 4.02.07 – Design Standards for Roadside Vending in City Zoning Districts
3. Section 5.05.09 – Marinas and Boat Facilities

TEXT AMENDMENT #1: REDEFINE THE DEFINITION OF SUBSTANTIAL IMPROVEMENT

1.07.00. Acronyms and definitions.

- B. *List of defined terms.* Words and phrases shall be construed according to the common and approved usage of the language. Words with specific meaning in this LDC are defined below.

Substantial improvement: Any repair, reconstruction, rehabilitation, or improvement of a structure, the cost of which equals or exceeds, ~~over a five-year period,~~ a **cumulative** total of fifty (50) percent of the market value of the structure. Market value is determined before improvement, repair, or reconstruction is started. Substantial improvement occurs when the first alteration of any structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include any project to comply with state or local health, sanitary, or safety code specifications which are necessary solely to assure safe living conditions. The term does not include alteration of a structure listed on the *National Register of Historic Places* or the *State Inventory of Historic Places*.

FEMA oversees the National Flood Insurance Program (NFIP) and its Community Rating System (CRS).

The City of Crystal River participates in this voluntary program.

Currently, the City has a rating of 7 – resulting in a 15% insurance premium reduction for property that is located within a flood hazard area.

The proposed change to the definition will shorten the time associated with the cumulative costs as they relate to the 50% substantial damage calculation. Such costs will no longer be added together over a five (5) year period. Rather, they will be evaluated on a permit-by-permit basis.

For example: Under the current system a commercial building that is appraised at \$100,000 may make improvements of up to \$49,999 over a five (5) year period. If the 50% value is exceeded, or the 5-year time period is violated, then a new building in keeping with the latest FEMA standards must be constructed.

However, if the proposed changes to the text are made the owner of such a property could institute improvements to the building of up to \$49,999. As soon as the last permit associated with the proposed job is closed out, the owner could begin work on another \$49,999 job.

The proposed change will impact the City's CRS metrics. However, City officials believe that the potential impact will not negatively influence our overall CRS rating of 7.

As a result, the potential benefits associated with this change far outweigh any negatives.

TEXT AMENDMENT #2: UPDATE THE DEVELOPMENT STANDARDS FOR ROADSIDE VENDING

4.02.07.3—General to All

4.02.07.3 – Roadside Vending Permit: Approval, Expiration, Suspension, and Revocation


- A. A Roadside Vending permit for a Class I mobile kitchen (food truck); Class II pushcart or non-mobile food cart; and Class III non-food kiosk, booth, or tent:
 - 1. may be applied for at any time throughout the year.
 - 2. shall expire on September 30th of each year but may be renewed annually.
- B. In order to protect the health, safety, and welfare of the general public, or to obtain compliance with local, State or Federal laws, special conditions and restrictions may be added to the Roadside Vending permit by Planning and Development Services staff. Such conditions and restrictions shall be binding.
- C. A permit issued under this section may be immediately suspended or revoked by the City if:
 - 1. the applicant violates any of the requirements of this ordinance.
 - 2. any required business or health permit has expired or been suspended, revoked, or canceled.
- D. It is a violation to vend any product from a mobile food dispensing vehicle, cart, booth, or kiosk that is located at a location that fails to comply with the requirements of this section. This section excludes a contractual or other private arrangement between a roadside vendor and an individual or group that wishes to have food catered to a specific location and which is not open to the public.

4.02.07.4 – General to all.

- A. Class I mobile kitchens (food trucks); Class II pushcarts or non-mobile food carts; and Class III non-food kiosks, booths, and tents associated with roadside vending shall submit an application for approval under the terms of a minor development permit with the following information:
1. A statement of express written approval for the proposed activity from the property owner:
 - a. The statement shall convey that only one Class I, or one Class II, or one Class III unit / temporary structure may be established on the parcel.
 - b. The statement shall convey whether permission is granted for the one unit / temporary structure to be left overnight on the property.
 - c. The statement shall convey the days and hours in which the one Class I, or one Class II, or one Class III unit / temporary structure may be open and operate from the site.
 2. A site plan showing the design and general location of the temporary Class I, or Class II, or Class III unit / temporary structure, as well as all proposed signage.
 3. A statement conveying that the proposed use is in compliance with the City's Land Development Code.
 4. A statement in which the applicant agrees to utilize a commissary in association with the use – if required by law.
 5. A copy of a current business tax receipt from the City of Crystal River.
 6. Proof of possession of all required insurance.
 7. A copy of appropriate State and County Health Department licenses.

- B. One Class I mobile kitchen (food truck), or one Class II pushcart or non-mobile food cart, or one Class III non-food kiosk, booth, or tent shall be permitted to locate in the parking lot of an existing property, so long as the property is:
 - 1. fully developed with a principal use; and
 - 2. the principal use is in possession of a Business Tax Receipt from the City; and
 - 3. the property contains sufficient parking as conveyed in the City's Land Development Code.
- C. The unit / temporary structure shall not be located within a no-parking area, loading zone, or public right-of-way; nor shall it obstruct pedestrian or vehicular traffic in any way.
- D. The unit / temporary structure shall be located such that it complies with all visibility requirements for intersections.
- E. The unit / temporary structure shall not be left unattended during hours of operation.
- F. The unit / temporary structure shall remove and dispose of all trash that is created or generated as a result of operation at the site. All trash shall be transferred to a location that is appropriately designated to address such material. Grease shall not be released or disposed of in the city's sanitary sewer system, tree pits, storm drains, or onto public streets or public spaces.
- G. The unit / temporary structure shall not have external water or sewer service provided to it from the primary use that is located on the site, nor the site in general.

TABLE 4.02.07.A: CLASS I MOBILE KITCHEN AND CLASS II PUSHCART & NON-MOBILE FOOD CART

Description	
<p>Class I – Mobile Kitchen (food truck) – full-service mobile kitchens are comprised of a wheeled vehicle that is readily moveable and designed for the service of food from the interior of the unit. These vehicles may cook, prepare, and assemble food items on or in the unit and serve a full menu.</p>	
<p>Class II – Pushcart and Non-mobile Food Cart – These non-motorized food carts cannot be driven but may be towed to the site. They vend items that require very little preparation, such as fruits, vegetables, hot dogs, pre-cooked and pre-packaged food and juices. Items may be heated and prepared for sale on the cart. Such carts require a commissary.</p>	
Permitted Use	Permitted Zoning District
Class I – Mobile Kitchens (food trucks)	(CH) High Intensity Commercial
Class II – Pushcarts and non-mobile food carts	(CH) High Intensity Commercial (CG) General Commercial in CRA (CW) Waterfront Commercial in CRA
Signage and Related Elements	
<p>A. <u>Signage shall not be placed in the right-of-way of a street, lane, or pathway; nor shall it block vehicle visibility.</u></p> <p>B. <u>Unless specifically addressed herein, no sign, emblem, or decorative element shall be attached to, or extend outward from the top or side of a mobile kitchen, pushcart, or non-mobile food cart; specifically, the rectangular structure that forms the basic outline of the truck or cart.</u></p> <p>C. <u>Class I mobile kitchens AND Class II pushcarts and non-mobile food carts may have the following types of signage and / or elements associated with the unit:</u></p> <ol style="list-style-type: none"> 1. Name and Decorative Emblem – the name of the business, cart, or truck and one or more decorative emblem (or emblems) associated with the name may be painted, printed, or applied directly upon one or more of the four sides that comprise the unit. The name as well as all decorative emblems shall be applied such that they are completely “flat” on the surface. 2. Sidewalk Signboard – One sidewalk sandwich sign (A frame sign) may be sited within ten (10) feet of a truck or cart. The sign shall not to exceed six (6) SF., with a max. width of 24” and a max. height of 36”. <p>D. <u>Class I mobile kitchens may have the following types of signage and / or elements associated with the unit:</u></p> <ol style="list-style-type: none"> 1. Awning or Canopy – An awning or canopy may be attached to the side of the mobile kitchen so long as no supporting posts or poles touch the ground. This type of signage and / or element provides shading that will keep customers cool and dry during hot or inclement weather. <ol style="list-style-type: none"> a. <u>An awning or canopy shall be attached to the side of the mobile kitchen (food truck) such that it covers the opening or window area that is used for ordering food and transferring payment when the unit is not in operation.</u> b. <u>The maximum width of an awning or canopy shall not exceed the width of the current opening or window area that is used for ordering food and transferring payment by more than three (3) feet on either side.</u> c. <u>The maximum length of an awning or canopy shall not exceed vertical length of the current opening or window that is used for ordering food and transferring payment by more than three (3) feet.</u> d. <u>The maximum height of the awning or canopy shall not exceed the height of the primary roof that comprises the Class I mobile kitchen (food truck).</u> e. <u>A Class I mobile kitchen (food truck) may have painted, printed, or applied letters and / or graphics located on the sloping plane or the valance of an awning. Such lettering and / or graphics shall be completely flat on the surface.</u> 	

- f. A Class I mobile kitchen (food truck) may have three-dimensional text that conveys the name of the business, cart, or truck located on the top (roof) of the canopy. Such text shall not exceed twelve (12) inches in height, nor shall it extend beyond the two sides that comprise the canopy.
- 2. **Rooftop Signage** – A Class I mobile kitchen (food truck) may have a sign located on its roof that runs along each of the “long sides” of the truck that is sited no more than one foot from the edge. The sign shall be comprised of three-dimensional text in the form of individual letters. Such letters shall not exceed twelve (12) inches in height. A “board sign” shall not be permitted. The text shall convey the name of the business, cart, or truck, and shall consist of no more than a few words or a phrase. The words or phrase shall be limited to an area that extends from four (4) feet to the left of the primary serving window to four (4) feet to the right of the primary serving window.
- E. **Approval.** In order for a Class I mobile kitchen AND Class II pushcart or non-mobile food cart to garner final approval of its signage, a dimensional drawing of all proposed structures and signage, including the verbiage, objects, dimensions, measurements, etc. shall be submitted to the Planning and Development Services Department for review.
- F. **Review of Deviations.** Any signage, emblem, or decorative element that fails to meet the standards conveyed above may be approved by the Director of Planning and Development Services if the deviation(s) from the standards:
 - a. are minimal and not likely to be noticed when viewed as part of the overall proposal;
 - b. promote a level of design or aesthetics that is equal to or exceeds that which would be present without the item;
 - c. do not negatively impact the physical character of both the primary use and the secondary use; and



TABLE 4.02.07.B: CLASS III NON-FOOD KIOSKS, BOOTHS, AND TENTS

Description

Class III – Non-food Kiosks, Booths, and Tents –These facilities are temporary structures. The sales at such units range from overnight items such as soap, chimes, and flowers to strictly seasonal objects such as fireworks and Christmas trees.



Permitted Use

Class III – Non-Food Kiosks, Booths, and Tents

Permitted Zoning District

(CH) High Intensity Commercial

Signage and Related Elements

- A. Signage shall not be placed in the right-of-way of a street, lane, or pathway; nor shall it block vehicle visibility.
- B. A Class III Non-food Kiosk, Booth, or Tent may have the following types of signage and / or elements associated with the facility:
 - 1. **Sidewalk Signboard** – One sidewalk sandwich sign (A frame sign) may be sited within ten (10) feet of a truck or cart. The sign shall not to exceed six (6) SF., with a max. width of 24” and a max. height of 36”.
 - 2. **Wall Sign or Banner** – Class III Non-food Kiosks, Booths, and Tents selling fireworks, Christmas trees, soap, chimes, flowers, etc. may have one (1) wall sign or one temporary banner located on the front side of the structure (facing the street). If the booth is located on a corner lot then it may have two signs (facing each street). These signs shall not exceed 12 SF. in size.
- C. **Approval.** In order for a Class III Non-food Kiosk, Booth, or Tent to garner final approval of its signage, a dimensional drawing of all proposed structures and signage, including the verbiage, objects, dimensions, measurements, etc. shall be submitted to the Planning and Development Services Department for review.
- D. **Review of Deviations.** Any signage, emblem, or decorative element that fails to meet the standards conveyed above may be approved by the Director of Planning and Development Services if the deviation(s) from the standards:
 - 1. are minimal and not likely to be noticed when viewed as part of the overall proposal;
 - 2. promote a level of design or aesthetics that is equal to or exceeds that which would be present without the item;
 - 3. do not negatively impact the physical character of both the primary use and the secondary use; and
 - 4. continue to meet all aspects of the Purpose and Intent found in Section 4.07.02 of this code.



REASONS FOR MAKING THESE CHANGES NOW!

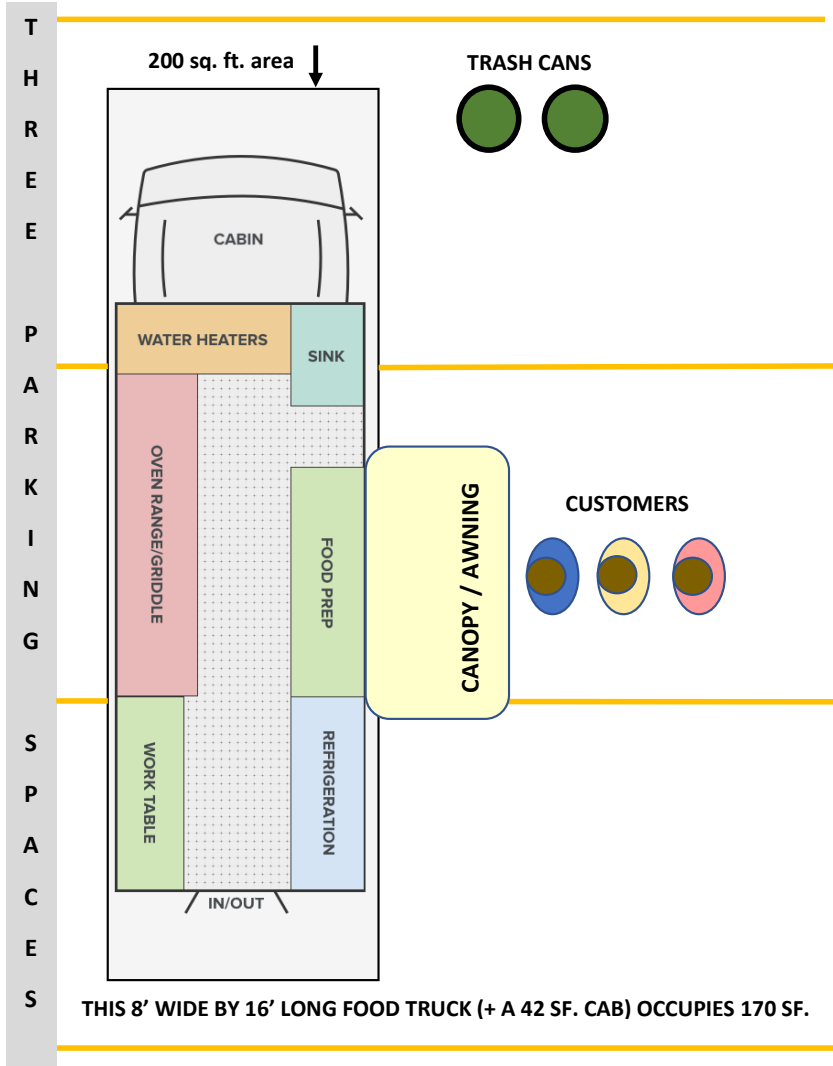
It has only been about 8 months since provisions were overhauled and issues have arisen.

Stronger language (that is supported by graphics) is needed.

The use of images, photos, and graphics are in keeping with a form-based code – which the City hopes draft next.

That said, these changes specifically address or clarify the following issues:

- More text, photos, tables, and graphics.
- The # of food trucks, carts, and seasonal sales tents that may operate as an accessory use from a given lot.
- The intent of the 200 sq. ft. demarcated area within the parking lot.
- The intent of the three (3) parking space boundary within the parking lot.
- Allows the property owner to determine if a food truck or cart must move off-site at the end of each day.
- Clarifies language stating that no water or sewer service may be provided to the truck, cart, or tent from the primary building or use.
- Clarifies language regarding standards for signage, including:
 - the use of flat (painted, printed, applied) signage.
 - the use of awnings and canopies on food trucks.
 - the use of 3-dimensional letters on the roof of a food truck.
 - the use and location of A frame signs.
 - requirements for sign approval as well as recognized variations in the provisions.



These are examples of **Class I Mobile Kitchens.** These food trucks are permitted in the High Intensity Commercial (CH) district of the city.



These are examples of **Class II Pushcarts and Non-mobile Food Carts**. They are permitted in the General Commercial (CG) district and Waterfront Commercial (CW) district of the Community Redevelopment Area (**CRA**)



TEXT AMENDMENT #3: STRENGTHEN STANDARDS FOR MARINAS AND BOAT FACILITIES:

Proposed Changes to the Text:

5.05.09. Marinas and Boat Facilities.

A. Generally.

1. No new boat marina (or boating facility or boat ramp) may be constructed unless an existing boat ramp facility of similar capacity within the Essential Habitat Area (as defined in the Manatee Element of the Comprehensive Plan) is permanently closed. For purpose of this section, a boat shall be defined as any vessel propelled by motor, sails, or a human powered vessel (including kayaks or canoes).
 2. Whereby item (1) above is satisfied, a marina ~~is~~ shall only be permissible in the CW zoning district, subject to the district standards and the supplemental standards set forth below.
- A. A marina shall provide parking for boat trailers or vehicle-trailer combinations. Fifty (50) percent of the required off-street parking vehicles may be replaced with parking for vehicle-trailer combinations. In addition to the required parking set forth in section 6.04.07, parking may be provided for boat trailers.

In order to clarify the standards language was added in order to clearly update the text of the LDC.

EXAMPLE 1: No new boat marina (or boating facility or boat ramp) may be constructed unless an existing boat ramp facility of similar capacity within the Essential Habitat Area (as defined in the Manatee Element of the Comprehensive Plan) is permanently closed.

EXAMPLE 2: For purposes of this section, a boat shall be defined as any vessel propelled by motor, sails, or a human powered vessel (including kayaks or canoes).

EXAMPLE 3: If permitted, a marina shall only be sited in the CW zoning district, subject to the district standards and the accompanying supplemental standards.

IN ADDITION: While two potential sites are identified as suitable for new facilities on the Crystal River and Kings Bay, neither of these sites is located within the City of Crystal River.

Therefore, the aforementioned text –in combination with the **Manatee Element of the Comprehensive Plan**–severely restricts any such development and construction from taking place **within the City of Crystal River**.

Goal 2 of the Comprehensive Plan states:

“Crystal River will be a balanced and well-planned community.”

The provisions that address a **Substantial Improvement, Roadside Vending, and Marinas and Boat Facilities** will update or improve upon the City’s existing zoning standards while broadening the opportunity for citizens that live, work, and recreate within the community to benefit from these.

Whether the specific change impacts the time and cost that is associated with improvements to such structures, stricter design criteria for those performing roadside vending, or simply ensures better protection for the manatee – one of our communities greatest assets and attractions, all three of these proposals is essential to creating a more balanced and well-planned community.

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The standards that address a **Substantial Improvement, Roadside Vending, and Marinas and Boat Facilities** will update the City’s existing zoning in a manner that:

1. benefits the citizens that live, work, and recreate in the community, and
2. improves upon our built environment

...while also ensuring that development in Crystal River remains consistent with the Comprehensive Plan.

Goal 3 of the Comprehensive Plan states:

“Crystal River will promote and maintain the character of community through consistent land use.”

The standards that are proposed for **Marinas and Boat Facilities** will promote and maintain the character of this community through consistent land use policies that ensure ongoing protection of the manatee.

Objective 3.2 of the Comprehensive Plan states:

The Character and quality of existing residential neighborhoods will be maintained or upgraded.

Standards regarding **Substantial Improvements** will update the City’s existing zoning provisions in a way that benefits both the:

1. citizens that live, work, and recreate in our community, as well as
2. our built environment

This change will help to promote the character and quality of existing residential neighborhoods by allowing for development that does not have to be raised in order to comply with the most recent FEMA standards.



QUESTIONS?

CITY OF CRYSTAL RIVER

PERMIT NO: PZ22-0025

ORDINANCE: 22-O-10

THREE LDC TEXT AMENDMENTS:

1. Section 1.07.00 – Acronyms and Definitions
2. Section 4.02.07 – Design Standards for Roadside Vending in City Zoning Districts
3. Section 5.05.09 – Marinas and Boat Facilities

ORDINANCE NO. 22-O-10

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING ORDINANCE NUMBER 05-O-08, APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, AS AMENDED; AMENDING SECTION 1.07.00 ACRONYMS AND DEFINITION BY REDEFINING SUBSTANTIAL IMPROVEMENTS; AMENDING SECTION 4.02.07 DESIGN STANDARDS FOR ROADSIDE VENDING IN CITY ZONING DISTRICTS, ET SEQ.; AMENDING SECTION 5.05.09 MARINAS BY DEFINING SITING CRITERIA FOR MARINAS AND BOAT FACILITIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND SCRIVENER’S ERRORS; 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 various Sections 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 22-O-10 (PZ22-0025)

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. AMENDMENTS TO VARIOUS SECTIONS OF THE LAND DEVELOPMENT CODE.

The City Council of the City of Crystal River, Florida, hereby adopts this Ordinance of the proposed amendments for inclusion in the Land Development Code, as shown in **Exhibit "A"**, attached hereto, and incorporated 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 _____, 2022.

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 1.07.00 ACRONYMS AND DEFINITIONS, ITEM B. LIST OF DEFINED TERMS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED AS FOLLOWS:

(IT IS NOTED THAT NO OTHER DEFINED TERMS OF ITEM B. ARE AMENDED EXCEPT AS SPECIFIED HEREIN.)

1.07.00. Acronyms and definitions.

- B. *List of defined terms.* Words and phrases shall be construed according to the common and approved usage of the language. Words with specific meaning in this LDC are defined below.

Substantial improvement: Any repair, reconstruction, rehabilitation, or improvement of a structure, the cost of which equals or exceeds, ~~over a five-year period,~~ a cumulative total of fifty (50) percent of the market value of the structure. Market value is determined before improvement, repair, or reconstruction is started. Substantial improvement occurs when the first alteration of any structural part of the building commences, whether or not the alteration affects the external dimensions of the structure. The term does not, however, include any project to comply with state or local health, sanitary, or safety code specifications which are necessary solely to assure safe living conditions. The term does not include alteration of a structure listed on the *National Register of Historic Places* or the *State Inventory of Historic Places*.

TEXT AMENDMENT #2 – THAT SECTION 4.02.07 DESIGN STANDARDS FOR ROADSIDE VENDING, ET SEQ., OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED AS FOLLOWS:

4.02.07. – Design Development standards for roadside vending in City zoning districts.

4.02.07.1. – Purpose.

- A. Mobile vending units have existed in various forms over several centuries, often distinguished by both their physical characteristics and their operational requirements. The purpose of this section is to:
1. recognize this specialized market segment;
 2. classify the permitted types of uses; and
 3. establish appropriate provisions for the typical range of activities associated with this use while mitigating any undesirable impacts.

- B. Reserved.

4.02.07.2. – Definitions.

- A. Mobile kitchens (food trucks), pushcarts & non-mobile food carts, and kiosks, booths, and tents. These methods of vending address products that include food, beverages, seasonal products and similar items and are classified as one (1) of the following:



1. *Class I—Mobile Kitchens (food trucks).* Full-service mobile kitchens consist of a wheeled vehicle that is readily moveable and designed for the service of food from the interior of the unit. Mobile kitchens are regulated by the Florida Department of Business and Professional Regulation (FDBPR). In addition to the vending of products allowed for Class II and Class III mobile dispensaries, these vehicles may cook, prepare, and assemble food items on or in the unit and serve a full menu. Customers may be notified of the vehicle's location by social media or other forms of advertising. Mobile kitchens require the use of a commercial commissary kitchen for servicing, restocking, and maintenance each operating day.



2. *Class II—Pushcarts and non-mobile food carts.* These non-motorized....



3. *Class III—Non-food kiosks, booths, and tents.* These vendors utilize....

B. Reserved.

4.02.07.3—General to all.

A. Zoning standards.

The following uses shall only be permitted in these zoning districts:

PERMITTED USE	PERMITTED ZONING DISTRICT
---------------	---------------------------

1. Class I— Mobile Kitchens	
Class II— Pushcarts & Non-mobile Food Carts	
Class III— Non-food Kiosks, Booths, and Tents	(CH) High Intensity Commercial

2. Class II— Pushcarts & Non-mobile Food Carts	(CG) General Commercial in CRA
	(CW) Waterfront Commercial in CRA

B. Class I Mobile kitchens; Class II Pushcarts & Non-mobile Food Carts; and Class III Non-food Kiosks, Booths, and Tents associated with roadside vending:

- ~~1. shall only be permitted to locate and sell from the parking area of a site that is fully developed with a principal use, open to the public, and contains sufficient parking as conveyed in the City of Crystal River Land Development Code.~~
- ~~2. shall be limited to a maximum of two hundred (200) square feet, shall not block more than three (3) parking spaces, and shall comply with all visibility requirements for intersections.~~
- ~~3. shall not be located within any no-parking area, loading zone, or public right-of-way.~~
- ~~4. shall not obstruct pedestrian or vehicular traffic.~~
- ~~5. shall be self-contained. No permanent structure shall be erected and all items associated with the establishment shall be removed at the end of each day. There shall be no water or sewer service provided to the establishment.~~
- ~~6. shall not be unattended for more than thirty (30) minutes.~~
- ~~7. shall remove and dispose of all trash that is created or generated because of their presence at the site.~~

- C. ~~Class I Mobile kitchens; Class II Pushcarts & Non-mobile Food Carts; and Class III Non-food Kiosks, Booths, and Tents associated with roadside vending shall submit an application for approval under the terms of a minor development permit with the following information:~~
- ~~1. A statement of express written approval for the proposed activity from the property owner.~~
 - ~~2. A site plan showing the design and general location of the temporary structure, as well as all proposed signage.~~
 - ~~3. A statement of the proposed use that complies with the City's Land Development Code.~~
 - ~~4. A current business tax receipt from the City of Crystal River.~~
 - ~~5. A copy of appropriate State and County Health Department licenses.~~
- D. ~~Class I Mobile kitchens; Class II Pushcarts & Non-mobile Food Carts; and Class III Non-food Kiosks, Booths, and Tents associated with roadside vending shall:~~
- ~~1. Display the appropriate Business Tax Receipt, Insurance statements, and State or County Health Permits or Licenses.~~
 - ~~2. Utilize a commissary if required.~~
- E. ~~It is a violation to vend any product from a mobile food dispensing vehicle, cart, booth, or kiosk that is located at a location that fails to comply with the requirements of this section. This section excludes a contractual or other private arrangement between a roadside vendor and an individual or group that wishes to have food catered to a specific location and which is not open to the public.~~
- F. ~~In order to protect the health, safety, and welfare of the general public, or to obtain compliance with local, State or Federal laws, special conditions and restrictions may be added to the permit which shall be binding upon the applicant, to any permit or other form of approval that may be issued.~~
- G. ~~Expiration.~~
- ~~A Roadside Vending permit shall expire on September 30th of each year but may be renewed on an annual basis.~~
- H. ~~Suspension and Revocation.~~
- ~~A permit issued under this section may be suspended or revoked by the City if any required business or health permit or license for the roadside vending market has expired or been suspended, revoked or canceled. In addition, a permit may be immediately revoked if the applicant violates any of the requirements of this ordinance.~~
- I. ~~Signage.~~
- ~~1. Mobile Kitchens may be painted in such a manner as to convey the name of the business or truck.~~
 - ~~2. Class I Mobile kitchens; Class II Pushcarts & Non-mobile Food Carts; and Class III Non-food Kiosks, Booths, and Tents may have one sidewalk sandwich sign (A Frame) not to exceed 6 SF. (width = 24", height = 36"). The sign shall be located adjacent to the sales area.~~
 - ~~3. Class III Non-food Kiosks, Booths, and Tents selling fireworks, Christmas trees, soap, chimes, flowers, etc. may have one (1) wall sign or one temporary banner located on the front side of the structure (facing the street). If the booth is located on a corner lot then it may have two signs (facing each street). These signs shall not exceed 12 SF. in size.~~
 - ~~4. Signage cannot be placed in the right of way or block visibility.~~
 - ~~5. A dimensioned drawing of all signage shall be submitted to the Planning and Development Services Department for review and must be approved by the Director.~~

4.02.07.3 – Roadside Vending Permit: Approval, Expiration, Suspension, and Revocation

- A. A Roadside Vending permit for a Class I mobile kitchen (food truck); Class II pushcart or non-mobile food cart; and Class III non-food kiosk, booth, or tent:
 - 1. may be applied for at any time throughout the year.
 - 2. shall expire on September 30th of each year but may be renewed annually.
- B. In order to protect the health, safety, and welfare of the general public, or to obtain compliance with local, State or Federal laws, special conditions and restrictions may be added to the Roadside Vending permit by Planning and Development Services staff. Such conditions and restrictions shall be binding.
- C. A permit issued under this section may be immediately suspended or revoked by the City if:
 - 1. the applicant violates any of the requirements of this ordinance.
 - 2. any required business or health permit has expired or been suspended, revoked, or canceled.
- D. It is a violation to vend any product from a mobile food dispensing vehicle, cart, booth, or kiosk that is located at a location that fails to comply with the requirements of this section. This section excludes a contractual or other private arrangement between a roadside vendor and an individual or group that wishes to have food catered to a specific location and which is not open to the public.


4.02.07.4 – General to all.

- A. Class I mobile kitchens (food trucks); Class II pushcarts or non-mobile food carts; and Class III non-food kiosks, booths, and tents associated with roadside vending shall submit an application for approval under the terms of a minor development permit with the following information:
 - 1. A statement of express written approval for the proposed activity from the property owner:
 - a. The statement shall convey that only one Class I, or one Class II, or one Class III unit / temporary structure may be established on the parcel.
 - b. The statement shall convey whether permission is granted for the one unit / temporary structure to be left overnight on the property.
 - c. The statement shall convey the days and hours in which the one Class I, or one Class II, or one Class III unit / temporary structure may be open and operate from the site.
 - 2. A site plan showing the design and general location of the temporary Class I, or Class II, or Class III unit / temporary structure, as well as all proposed signage.
 - 3. A statement conveying that the proposed use is in compliance with the City's Land Development Code.
 - 4. A statement in which the applicant agrees to utilize a commissary in association with the use – if required by law.
 - 5. A copy of a current business tax receipt from the City of Crystal River.
 - 6. Proof of possession of all required insurance.
 - 7. A copy of appropriate State and County Health Department licenses.
- B. One Class I mobile kitchen (food truck), or one Class II pushcart or non-mobile food cart, or one Class III non-food kiosk, booth, or tent shall be permitted to locate in the parking lot of an existing property, so long as the property is:
 - 1. fully developed with a principal use; and
 - 2. the principal use is in possession of a Business Tax Receipt from the City; and
 - 3. the property contains sufficient parking as conveyed in the City's Land Development Code.

- C. The unit / temporary structure shall not be located within a no-parking area, loading zone, or public right-of-way; nor shall it obstruct pedestrian or vehicular traffic in any way.
- D. The unit / temporary structure shall be located such that it complies with all visibility requirements for intersections.
- E. The unit / temporary structure shall not be left unattended during hours of operation.
- F. The unit / temporary structure shall remove and dispose of all trash that is created or generated as a result of operation at the site. All trash shall be transferred to a location that is appropriately designated to address such material. Grease shall not be released or disposed of in the city's sanitary sewer system, tree pits, storm drains, or onto public streets or public spaces.
- G. The unit / temporary structure shall not have external water or sewer service provided to it from the primary use that is located on the site, nor the site in general.

(This space deliberately left blank.)

TABLE 4.02.07.A: CLASS I MOBILE KITCHEN AND CLASS II PUSH CART & NON-MOBILE FOOD CART

Description	
<p>Class I – Mobile Kitchen (food truck) – full-service mobile kitchens are comprised of a wheeled vehicle that is readily moveable and designed for the service of food from the interior of the unit. These vehicles may cook, prepare, and assemble food items on or in the unit and serve a full menu.</p>	
<p>Class II – Pushcart and Non-mobile Food Cart – These non-motorized food carts cannot be driven but may be towed to the site. They vend items that require very little preparation, such as fruits, vegetables, hot dogs, pre-cooked and pre-packaged food and juices. Items may be heated and prepared for sale on the cart. Such carts require a commissary.</p>	
Permitted Use	Permitted Zoning District
<p>Class I – Mobile Kitchens (food trucks)</p>	<p>(CH) High Intensity Commercial</p>
<p>Class II – Pushcarts and non-mobile food carts</p>	<p>(CH) High Intensity Commercial (CG) General Commercial in CRA (CW) Waterfront Commercial in CRA</p>
Signage and Related Elements	
<ol style="list-style-type: none"> 1. Signage shall not be placed in the right-of-way of a street, lane, or pathway; nor shall it block vehicle visibility. 2. Unless specifically addressed herein, no sign, emblem, or decorative element shall be attached to, or extend outward from the top or side of a mobile kitchen, pushcart, or non-mobile food cart; specifically, the rectangular structure that forms the basic outline of the truck or cart. 3. Class I mobile kitchens AND Class II pushcarts and non-mobile food carts may have the following types of signage and / or elements associated with the unit: <ol style="list-style-type: none"> a. Name and Decorative Emblem – the name of the business, cart, or truck and one or more decorative emblem (or emblems) associated with the name may be painted, printed, or applied directly upon one or more of the four sides that comprise the unit. The name as well as all decorative emblems shall be applied such that they are completely “flat” on the surface. b. Sidewalk Signboard – One sidewalk sandwich sign (A frame sign) may be sited within ten (10) feet of a truck or cart. The sign shall not to exceed six (6) SF., with a max. width of 24” and a max. height of 36”. 4. Class I mobile kitchens may have the following types of signage and / or elements associated with the unit: <ol style="list-style-type: none"> 1. Awning or Canopy – An awning or canopy may be attached to the side of the mobile kitchen so long as no supporting posts or poles touch the ground. This type of signage and / or element provides shading that will keep customers cool and dry during hot or inclement weather. <ol style="list-style-type: none"> a. An awning or canopy shall be attached to the side of the mobile kitchen (food truck) such that it covers the opening or window area that is used for ordering food and transferring payment when the unit is not in operation. b. The maximum width of an awning or canopy shall not exceed the width of the current opening or window area that is used for ordering food and transferring payment by more than three (3) feet on either side. c. The maximum length of an awning or canopy shall not exceed vertical length of the current opening or window that is used for ordering food and transferring payment by more than three (3) feet. d. The maximum height of the awning or canopy shall not exceed the height of the primary roof that comprises the Class I mobile kitchen (food truck). e. A Class I mobile kitchen (food truck) may have painted, printed, or applied letters and / or graphics located on the sloping plane or the valance of an awning. Such lettering and / or graphics shall be completely flat on the surface. 	

- f. A Class I mobile kitchen (food truck) may have three-dimensional text that conveys the name of the business, cart, or truck located on the top (roof) of the canopy. Such text shall not exceed twelve (12) inches in height, nor shall it extend beyond the two sides that comprise the canopy.
2. **Rooftop Signage** – A Class I mobile kitchen (food truck) may have a sign located on its roof that runs along each of the “long sides” of the truck that is sited no more than one foot from the edge. The sign shall be comprised of three-dimensional text in the form of individual letters. Such letters shall not exceed twelve (12) inches in height. A “board sign” shall not be permitted. The text shall convey the name of the business, cart, or truck, and shall consist of no more than a few words or a phrase. The words or phrase shall be limited to an area that extends from four (4) feet to the left of the primary serving window to four (4) feet to the right of the primary serving window.
5. **Approval.** In order for a Class I mobile kitchen AND Class II pushcart or non-mobile food cart to garner final approval of its signage, a dimensional drawing of all proposed structures and signage, including the verbiage, objects, dimensions, measurements, etc. shall be submitted to the Planning and Development Services Department for review.
6. **Review of Deviations.** Any signage, emblem, or decorative element that fails to meet the standards conveyed above may be approved by the Director of Planning and Development Services if the deviation(s) from the standards:
- are minimal and not likely to be noticed when viewed as part of the overall proposal;
 - promote a level of design or aesthetics that is equal to or exceeds that which would be present without the item;
 - do not negatively impact the physical character of both the primary use and the secondary use; and
 - continue to meet all aspects of the Purpose and Intent found in Section 4.07.02 of this code.



TABLE 4.02.07.B: CLASS III NON-FOOD KIOSKS, BOOTHS, AND TENTS

Description

Class III – Non-food Kiosks, Booths, and Tents –These facilities are temporary structures. The sales at such units range from overnight items such as soap, chimes, and flowers to strictly seasonal objects such as fireworks and Christmas trees.



Permitted Use

Class III – Non-Food Kiosks, Booths, and Tents

Permitted Zoning District

(CH) High Intensity Commercial

Signage and Related Elements

- A. Signage shall not be placed in the right-of-way of a street, lane, or pathway; nor shall it block vehicle visibility.
- B. A Class III Non-food Kiosk, Booth, or Tent may have the following types of signage and / or elements associated with the facility:
 - 1. **Sidewalk Signboard** – One sidewalk sandwich sign (A frame sign) may be sited within ten (10) feet of a truck or cart. The sign shall not to exceed six (6) SF., with a max. width of 24” and a max. height of 36”.
 - 2. **Wall Sign or Banner** – Class III Non-food Kiosks, Booths, and Tents selling fireworks, Christmas trees, soap, chimes, flowers, etc. may have one (1) wall sign or one temporary banner located on the front side of the structure (facing the street). If the booth is located on a corner lot then it may have two signs (facing each street). These signs shall not exceed 12 SF. in size.
- C. **Approval.** In order for a Class III Non-food Kiosk, Booth, or Tent to garner final approval of its signage, a dimensional drawing of all proposed structures and signage, including the verbiage, objects, dimensions, measurements, etc. shall be submitted to the Planning and Development Services Department for review.
- D. **Review of Deviations.** Any signage, emblem, or decorative element that fails to meet the standards conveyed above may be approved by the Director of Planning and Development Services if the deviation(s) from the standards:
 - 1. are minimal and not likely to be noticed when viewed as part of the overall proposal;
 - 2. promote a level of design or aesthetics that is equal to or exceeds that which would be present without the item;
 - 3. do not negatively impact the physical character of both the primary use and the secondary use; and
 - 4. continue to meet all aspects of the Purpose and Intent found in Section 4.07.02 of this code.



TEXT AMENDMENT #3 – THAT SECTION 5.05.09 MARINAS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED AS FOLLOWS:

5.05.09. Marinas and Boat Facilities.

A. Generally.

1. No new boat marina (or boating facility or boat ramp) may be constructed unless an existing boat ramp facility of similar capacity within the Essential Habitat Area (as defined in the Manatee Element of the Comprehensive Plan) is permanently closed. For purpose of this section, a boat shall be defined as any vessel propelled by motor, sails, or a human powered vessel (including kayaks or canoes).

2. Whereby item (1) above is satisfied, a marina ~~is~~ shall only be permissible in the CW zoning district, subject to the district standards and the supplemental standards set forth below.

B. A marina shall provide parking for boat trailers or vehicle-trailer combinations. Fifty (50) percent of the required off-street parking vehicles may be replaced with parking for vehicle-trailer combinations. In addition to the required parking set forth in section 6.04.07, parking may be provided for boat trailers.

C. A marina may provide wet or dry storage for boats; sale of fuel and oil for watercraft; sale of parts and supplies for watercraft; sale of prepared, packaged food and beverages for personal consumption; sale of personal safety equipment; sale of bait; and sale of fishing equipment.

D. Construction of a new marina, expansion of an existing marina, or renovation of an existing marina shall comply with the following standards:

1. All docks and structures erected over or in the water shall be confined to the area adjacent to the uplands forming a part of the marina.
2. Parking and dry-storage shall be placed on uplands.
3. Any permissible channels shall be of a minimum depth and width capable of providing access to the marina.
4. Design and construction of the marina, associated docks, piers, and/or boardwalks shall maintain natural water circulation and the free flow of water.
5. Any bulkhead shall not extend beyond the established mean high water line.
6. No piers, docks, or other facility shall be located so as to interfere with navigation.
7. Wetlands and grass beds shall be avoided.
8. Construction materials and processes shall minimize environmental impacts and shall be the best technology available.
9. Where fuel or other hazardous substances will be stored, handled, or sold, the marina shall provide facilities and procedures for the prevention, containment, recovery, and mitigation of spilled fuel or other hazardous substance. Facilities and procedures shall be designed to prevent substances from entering the water or soil, and shall include adequate means for prompt and effective cleanup of any spills that occur.
10. Fueling facilities shall be located as far as possible from the shoreline. Permanent docking is prohibited along the portion of the pier containing fuel pumps and fueling equipment.
11. Stacked dry storage shall only be permissible within an enclosed building.
12. Facilities for engine repair shall be within an enclosed building.

E. Any marina which provides mooring for vessels for living-aboard purposes shall comply with the following standards:

1. The vessels used for habitation shall have sewage holding facilities.
2. The marina shall provide pump-out, holding, and treatment facilities.
3. A dumpster shall be provided, in compliance with the design, location, and screening requirements set forth in section 5.01.10.
4. The marina shall have public restrooms with facilities for sewage disposal and bathing, meeting the requirements of the standard plumbing code.
- F. Proof of permits or exemptions from applicable state and federal regulatory agencies shall be provided to the city.

(Ord. No. 05-O-08, §§ 1, 2, 5-17-2005)

END OF EXHIBIT "A"



PERMIT NO: PZ22-0025 ORDINANCE NO. 22-O-10

City of Crystal River

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

Name of Petitioner(s): City of Crystal River, Department of Planning and Development Services
(Contact: Brian Herrmann, Director)

Address of Petitioner(s): 123 North West Highway 19
Crystal River, FL 34428

City _____ State _____ Zip Code _____
Phone # 352-795-4216, Ext. 308 Cell # _____

Email Address: bherrmann@crystalriverfl.org

State the LDC Code Section(s) that you wish to Amend: Sec. 1.07.00 Acronyms and Definition by redefining Substantial Improvement; Sec. 4.02.07 Design Standards for Roadside Vending, et Seq; and Sec. 5.05.09 Marinas by defining siting criteria.

Reason for Proposed Amendment: Clarification and usability of LDC.

State evidence of consistency of the Proposed Amendment with the Comprehensive Plan.
Consistency of Future Land Use Plan Goal 3. to maintain character of community; and Manatee Element Goal 1, Objective 1.2 to project Manatee habitat through regulation of Marina and Boat Facilities siting standards.

I Brian Herrmann, 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.

Brian D. Herrmann _____ 3/18/2022 _____
Signature Date

BRIAN D. HERRMANN
Print Name

State of Florida
County of Citrus

The foregoing instrument was acknowledged before me by () physical presence or () remote audio-visual means this 18 day of March, 2022, by Brian Herrmann, who is personally known to me or has produced _____ as identification and who did not take an oath.

Mary Helprin
Notary Public



Mary Helprin
Notary Public
State of Florida
Comm# HH102384
Expires 3/9/2025

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.



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	April 7, 2022
APPLICATION NO:	PZ22-0026 – Text Amendment to Land Development Code – Recreational Vehicle Park
PROPOSED LAND DEVELOPMENT CODE TEXT AMENDMENT:	Multiple text amendments to the City’s Land Development Code to establish <i>Recreational Vehicle Park</i> as an allowable use in the City subject to use and site design standards in an approved Planned Unit Development (PUD) district.
APPLICANT:	City of Crystal River
PROJECT MANAGER:	Jenette Collins, AICP, Urban Planner Planning and Community Development Services Department

BACKGROUND INFORMATION:

Staff is requesting a series of amendments to the text of the City of Crystal River’s Land Development Code (LDC) to establish use and design standards to allow for Recreational Vehicle (RV) Parks in a Planned Unit Development (PUD) zoning category.

Currently, the LDC provides no guidance or specific development standards for RV Parks. Furthermore, the RV Park use is not identified in the City’s LDC, section 2.03.01 *Table of Permitted Uses*. The City has previously considered a RV Park use through a PUD rezoning and master plan, having added conditions to provide adequate assurances for compliance with the LDC and the Comprehensive Plan. The proposed amendments provide desired development standards, criteria and requirements for review by the City when determining if a proposed RV Park is an appropriate land use for the proposed location. The applicant must propose a master plan of development for a RV Park which demonstrates adherence with LDC regulations and appropriate limitation of the Comprehensive Plan.

PROPOSED AMENDMENTS:

The following summarizes the Text Amendments proposed to the Land Development Code:

- #1 – Section 2.03.02 – Adds “Recreational Vehicle Park” to the Table of Permitted Uses
- #2 – Section 4.04.03 – Adds “Recreation Vehicle Park” to the Table of Uses and Design Requirements for PUDs.
- #3 – Section 4.04.04 – Adds clarification for density/intensity when determining compatibility requirements in a PUD district by providing consistency with the Comprehensive Plan.
- #4 – Section 4.04.05 – Adds new section for Recreational Vehicle Parks in a PUD District establishing use and site design standards.

A copy of the proposed ordinance is attached herewith for full reference. Please note that the underlined language is proposed language and ~~struck through~~ language is proposed to be deleted.

TEXT AMENDMENT #1 – That Section 2.03.00 *Land Uses Permitted in each Zoning District*, Table 2.03.02 Table of Permitted Uses (under the heading of Recreation, Education, Safety, Public

Assembly, Infrastructure), of Appendix A – Land Development Code of Ordinances, is hereby amended as follows: (the table has been abbreviated to conserve space – see draft ordinance for full table rendition).

	Zoning Districts													
P = Permitted S = Supplemental	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD
Recreation, Education, Safety, Public Assembly, Infrastructure														
<u>Recreational Vehicle Park (PUD Master Plan)</u>													<u>See Section 4.04.05</u>	

Reason for the change: The “Recreational Vehicle Park” use is currently not identified in the City’s LDC, section 2.03.01 *Table of Permitted Uses*. This codifies the specific use within the Land Development Code and identifies that it is only allowed in a PUD zoning district subject to the standards of (new) Section 4.04.05.



TEXT AMENDMENT #2 – That section 4.04.03 *Use and site design requirements in a PUD district*, of Appendix A – Land Development Code of the Crystal River, Florida, Code of Ordinances, is hereby amended as follows:

4.04.03. Use and site design requirements in a PUD district.

- A. An applicant may propose any uses from Table 4.04.03(A), subject to the requirements establishing a maximum land allocation for each type of use. An applicant may propose the desired setbacks for front, side, and rear yards, provided that setbacks for waterfront lots shall not be less than the minimum setback set forth in Table 4.04.03(A). An applicant may propose desired site design standards for other aspects of the proposed development.

Table 4.04.03(A). Uses and Site Design Requirements for PUDs.

Land Use	Maximum Land Allocation (% of PUD site)	Minimum Setback from the Waterfront (ft.)
Residential:		
•Single-family residential; or	95	25
•Multi-family residential		
Commercial:		
•Waterfront Commercial	75	25
•Highway Commercial	75	25
• <u>Recreational Vehicle Park* subject to Section 4.04.05.</u>	<u>70</u>	<u>25</u>
Civic:		

•Clubs, community centers, lodges, nonprofit and professional associations;	30	25
•Common areas, such as courtyards, plazas, squares, or open space;		
•Recreation, active outdoor, indoor, passive outdoor/open space;		
•Religious facilities; or		
•Theaters/auditoriums		

* A Recreational Vehicle Park shall only be allowed in a PUD District where the Future Land Use category is Highway Commercial or Waterfront Commercial, and shall not be in the CRA.

- B. Open spaces, plazas, and recreation areas provided within a PUD shall be evaluated based on the sufficiency of such areas to provide appropriate recreational opportunities, to protect sensitive environmental areas, to conserve areas of unique beauty or historical significance, to enhance neighborhood design and to encourage compatible and cooperative relationships between adjoining land uses.
- C. Off-street parking to serve uses within a PUD shall be provided as set forth in section 6.04.07.

D. No new PUD District shall be allowed in the Community Redevelopment Area (CRA).

(Ord. No. 05-O-08, §§ 1, 2, 5-17-2005; Ord. No. 14-O-02, § 4, 4-14-2014)

Reason for the change – The “Recreational Vehicle Park” use is added to the table of allowable PUD uses including parameters for land allocation consistent with standards for commercial uses. An RV Park is considered a commercial land use that provides for transient lodging, and therefore, a PUD allowing for such use shall be limited to the Future Land Use categories for HC – Highway Commercial, and WC, Commercial Waterfront. Item “D.” is added to assure consistency with the Future Land Use Element which contains a Policy that does not allow new PUDs in the designated Community Redevelopment Area.

This section, along with related sections of 4.04.00 *Standards for Planned Unit Development (PUD)*, of the LDC provides the foundation for establishing master plans of development for allowing flexibility in development, while retaining to the city the authority to establish limitations and regulations thereon for the benefit of the public health, welfare and safety.



TEXT AMENDMENT #3 – That section 4.04.04 Compatibility requirements in a PUD district, of Appendix A – Land Development Code of the Crystal River, Florida, Code of Ordinances, is hereby amended as follows:

4.04.04. Compatibility requirements in a PUD district.

The proposed PUD shall be compatible with existing adjacent uses and uses allowable in adjacent zoning districts. Compatibility shall be based on the following factors:

- A. The existing development pattern, considering the street system, lot size, dimension, layout, and blocks.
- B. The scale and dimensions of buildings, considering height, length and overall mass.

- C. Density and housing type for residential development. Density shall not exceed the maximum allowance for the designated future land use category as established in the Comprehensive Plan.
- D. Intensity of nonresidential uses, as measured by floor area ratio. Intensity shall not exceed the maximum allowance for the designated future land use category as established in the Comprehensive Plan.
- E. Extent, location, and design of off-street parking.
- F. Amount, location, design, and direction of outdoor lighting.
- G. The extent, type, and location of open space.
- H. The location of accessory structures such as dumpsters, recreational equipment, swimming pools, or other structures likely to generate negative impacts such as noise, lights, or odors.

(Ord. No. 05-O-08, §§ 1, 2, 5-17-2005)

Reason for the change - This amendment is for housekeeping; it clarifies density/intensity limitations when determining compatibility requirements in a PUD district and provides consistency with the *Future Land Use Element* of the Comprehensive Plan.



TEXT AMENDMENT #4: That a new section 4.04.05 *Recreational Vehicle Parks in a PUD district*, of Appendix A – Land Development Code of the Crystal River, Florida, Code of Ordinances, is hereby added as follows:

4.04.05. Recreational Vehicle Parks in a PUD district.

A. Purpose and Intent

- 1. Recreational Vehicle Parks shall be exclusively for commercial, recreational use by persons with recreational vehicle-type units designed as temporary living quarters for recreational, camping, or travel use. Mobile homes are not permitted. Recreational vehicles shall not be used as permanent dwellings. The intent of this section is to provide standards that result in the following:
 - a. The entire recreational vehicle park shall be designed and laid out in a detailed master plan.
 - b. The land on which it is developed shall be under a unified control and shall be planned and developed as a whole, single development operation or in a phased series of development operations for recreational vehicles and related uses and facilities within an approved PUD District.
 - c. The City Council may permit convenience establishments for the sale or rental of supplies or for the provision of services associated with the daily or frequent needs of campers within the Recreational Vehicle Park as identified in the PUD Master Plan.
 - d. These standards are not intended to be all inclusive. Alternate designs may be considered that meet the intent of well-organized Recreational Vehicle Parks.

B. Applicability

- 1. These standards shall apply to all new Recreational Vehicle Parks.

2. Review and compliance with the standards of this section shall be considered subject to the submittal requirements for PUD master plans identified in Chapter 10. Administrative and Decision-Making Procedures, of this LDC.
3. Recreational Vehicle 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. Parks should be located where proper sewer and water systems can be developed and approval obtained for such systems from the jurisdictional regulated utility.
4. Every Recreational Vehicle Park in the city shall be located, constructed, altered, expanded, and operated in compliance with this section.
5. Exemptions. The provisions of this section shall not apply to the continued operation of an existing Recreational Vehicle Park as approved by the City prior to the enactment of this Section.
6. Compliance. The development of the Recreational Vehicle Park shall be in conformance with the binding PUD master plan as finally approved and filed with the City. Any development, use, or density which fails to substantially conform shall constitute a violation of this ordinance as well as other applicable city ordinances as may pertain. The City Manager may approve minor alterations consistent with Section 10.05.02 Procedures for minor amendments, of this LDC.

C. Standards

1. The minimum area of land shall be of a size that allows for the accommodation of all standard requirements of this section.
2. Maximum Density and Layout
 - a. Recreational Vehicle Parks shall have a maximum density of eight (8) recreational vehicle spaces per gross acre. The number of recreational vehicle units does not confer any vested residential development rights whatsoever.
 - b. Park Models (also known as park trailers) are expressly limited to Recreational Vehicle Parks located east of US Highway 19 as per the Comprehensive Plan. Where allowed, park models must be in a designated area shown on the PUD master plan. The total park models allowed shall not exceed ten percent (10%) of the total recreational vehicle spaces located within the Recreational Vehicle Park. Park models approved for placement within a special flood hazard area shall be permanently anchored and elevated in accordance with FEMA requirements.
 - c. All recreational vehicle spaces shall have a concrete pad or constructed of an adequate base, graded and surfaced to facilitate drainage and to reduce dust, as approved by the City.
 - d. Individual recreational vehicle spaces shall have access from internal roadways and shall not have direct access from adjoining public rights-of-way.
 - e. Each recreational vehicle space shall be marked and numbered for identification.
 - f. Dimensional standards. Each recreational vehicle space shall be of a minimum width and depth to accommodate both recreational vehicle unit and the tow vehicle. Where dimensional standards are not specified on the approved PUD master plan, recreational vehicle spaces and other amenity areas shall be designed to meet the following minimum setback standards:

<u>Recreational Vehicle (RV) Park Use</u>	<u>Minimum Front Setback (from edge of any internal roadway line)</u>	<u>Minimum Side Line</u>	<u>Minimum Rear Line</u>	<u>*Waterfront/Jurisdictional Wetlands</u>
<u>For back-in RV space</u>	<u>10 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>25 feet</u>
<u>For pull-through RV space</u>	<u>10 feet</u>	<u>5-feet</u>	<u>--</u>	<u>25 feet</u>
<u>All other buildings/amenities</u>	<u>15 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>25 feet</u>

*Setbacks for RV units/other buildings shall not be less than the minimum setback above for waterfront/jurisdictional wetlands as set forth in Section 4.04.03 of this LDC.

- g. Temporary structures such as canvas awnings, screened enclosures, or platforms, which are normal camping equipment, may be erected but must be removed when the recreational vehicle space is vacated. No other structural additions shall be built or become a part of any recreational vehicle.
 - h. A storage shed or covered pavilion may be permitted within a recreational vehicle space subject to the minimum setbacks stated herein. Storage sheds shall not exceed 80 square feet.
 - i. Unless otherwise indicated on an approved PUD master plan, tent camping shall be limited to one camp site per designated recreational vehicle space and shall not be allowed in any other designated area.
 - j. Fires shall be made only in stoves and other equipment intended for such purposes and placed in safe and convenient locations, where they will not constitute fire hazards to vegetation, undergrowth, trees, and recreational vehicles. No open fires are allowed.
3. Landscape and buffering
- a. Recreational Vehicle Parks shall have a 30-foot buffer along any property line that is adjacent to any public street, and a 25-foot buffer along all other property boundaries. Buffers shall have a minimum planting of a Type-D Buffer as specified in the Buffer Requirements of this LDC.
 - b. Landscaping shall be consistent with the requirements of Section 4.05.00 Standards for buffers, landscaping, and tree protection, of this LDC. Fencing may be required as part of the buffering requirements where it is desirable to protect public safety, neighboring property, or aesthetics.
 - c. Recreational vehicle spaces and designated amenity and service areas shall not be located within buffers required along the property boundaries.
 - d. Buffering and landscaping shall be continually and properly maintained.
4. Internal roadways and circulation
- a. The primary entrance and exit for the Recreational Vehicle Park shall be from a collector or arterial classified roadway.

b. Internal roadways and parking aisles shall be paved and adequately designed to facilitate easy turning movements for recreational vehicle traffic. Parking spaces for ancillary uses associated with the Recreational Vehicle Park shall meet the minimum standards for parking space requirements of this LDC.

c. All internal roadways shall be privately owned and maintained.

d. There shall be a continuous path of travel throughout the Recreational Vehicle Park. No roadway shall dead-end. Cul-de-sacs are not permitted.

5. Signage

a. One identification sign shall be allowed at the Recreational Vehicle Park's entry and exit. Said sign shall comply with applicable City sign regulations.

b. Traffic direction shall be clearly visible at all internal roadways.

c. Other internal, directional and information signs for the convenience of the park are permitted.

6. Utilities and Refuse Disposal

a. Recreational Vehicle Parks shall be required to be connect to central water and sewer.

b. Electricity shall be provided to each recreational vehicle space (vehicle parking pad). All electrical utility lines in the park shall be underground.

c. All solid waste shall be contained and stored in a sanitary and nuisance free manner. Dumpster and/or trash receptacles shall be provided and located in a central location easily accessible to all recreational vehicle spaces.

7. Common Facilities and Recreation Areas

a. Open space for common areas, playgrounds and other recreational uses shall be provided at the rate of at least thirty percent (30%) of the gross area of the Recreational Vehicle Park. The recreation area may include space for common walkways in related interior landscape areas. A recreation area may be comprised of facilities for active recreation, such as swimming pools or beaches, shuffleboard courts, or play lots for children. These facilities shall be located and interconnected by defined walkways to be readily available from all recreational vehicle spaces and separate from vehicular traffic flow.

b. Restrooms and bath facility shall be located within 500 feet of any designated recreational vehicle space.

c. Bicycle racks shall be provided at one (1) space for every ten recreational vehicle spaces.

D. 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 Recreational Vehicle Park as provided by the approved PUD master plan.

E. The developer of a Recreational Vehicle Park which is in a fully, or partially designated special flood hazard area (SFHA) shall provide the City with a site plan delineating the SFHA and which shall include a statement attesting to the base flood elevation as has been established by FEMA and certified by a licensed professional engineer registered in the State of Florida.

Reason for the change - Although the PUD process allows for flexibility in designing a project, this new section provides desired development standards, criteria and requirements for review by the City when determining if a proposed RV Park is an appropriate land use for the proposed location. The language also codifies a recent amendment to the Coastal Management Element of the Comprehensive Plan, which prohibits the siting of park models on the west side of US Highway.

It is noted that where design standards are not specifically identified in this new section, other standards of the LDC and the Crystal River Code of Ordinances remain applicable.



CONSISTENCY WITH THE COMPREHENSIVE PLAN:

The proposed changes to the text of the City’s Land Development Code are consistent with specific **GOALS, OBJECTIVES, and POLICIES** found in the City of Crystal River Comprehensive Plan.

Coastal Management Element:

OBJECTIVE 2.4: Restrict overdevelopment within the City through required conformance with the Future Land Use Plan and implementation of flood damage prevention regulations.

POLICIES:

- A) Require that land development applications for proposed development not exceed density limitations and meet performance standards established by the City’s Comprehensive Plan and Land development Code.**
- E) Prohibit the siting of park models (park trailer recreational vehicles as defined by Chapter 320.01 Florida Statutes) on the west side of US Highway 19. (Park trailers may be allowed within an approved RV Park PUD located east of US Highway 19.**

Future Land Use Element:

OBJECTIVE 2.1 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.

POLICY:

- E) Land development regulations shall continue to be implemented which ensure the compatibility of the proposed use with adjacent uses; regulations shall include provisions designed to mitigate incompatibility, such as setbacks, landscaping buffers, building type and/or orientation, scale, parking lot landscaping, or driveway location.**

OBJECTIVE 2.6 The Crystal River Comprehensive Plan establishes a Future Land Use Map (FLUM) and land use categories to accommodate the projected population needs.

POLICY:

- B) The following land use categories are adopted into the FLUM to implement the City of Crystal River Comprehensive Plan:**

B-5: Waterfront commercial (WC). The purpose of the waterfront commercial category is to provide for water dependent businesses and water related uses. Uses include single-family residential, retail, water dependent uses, and water-related and tourist uses. Essential services and utilities are allowable, subject to supplemental development and design standards. Maximum impervious surface shall not exceed 50 percent outside the Community Redevelopment Area and 85 percent inside the Community Redevelopment Area

B-8: Highway commercial (HC). The purpose of this land use category is for 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.

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.**
 - A-3: No new PUD shall be allowed in the Community Redevelopment Area.**

The proposed text amendments are consistent with and support the goals, objectives, and policies of the Comprehensive Plan. The proposed text requires that a RV Park may only be considered via an approved detailed master plan of development in a PUD zoning district within the WC or HC Future Land Use categories of the Comprehensive Plan.

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 proposed text amendment provides criteria and establishes site development standards for RV Parks to be laid out in a detailed master plan within an approved PUD District. Staff finds that it is necessary to establish appropriate site design standards to ensure compatibility with adjacent land uses and protect the overall character of the City. The proposal serves to support the purpose and intent of the Land Development Code by fostering and preserving public health, safety, comfort, welfare, and aid in the harmonious, orderly, aesthetically pleasing and socially beneficial development of the city in accordance with the Comprehensive Plan.

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 a text amendment of the LDC be approved, approved with modifications, or denied.

- PZ22-0026 - Text Amendment to the City of Crystal River Land Development Code

CITY COUNCIL ACTION:

- PZ22-0026 - Text Amendment to the City of Crystal River Land Development Code

ATTACHMENT(S):

1. Staff PowerPoint Presentation
2. Application and Proposed Ordinance



PZ22-0026

LDC TEXT AMENDMENT – RV PARK STANDARDS

CITY OF CRYSTAL RIVER

RECREATIONAL VEHICLE PARK STANDARDS

1. **AMENDS Section 2.03.01** – Adds “Recreational Vehicle Park” to Table of Permitted Uses
2. **AMENDS Section 4.04.03** – Adds “Recreational Vehicle Park” to Table of Uses and Design Requirements for PUDs.
3. **AMENDS Section 4.04.04** – Adds clarification for density/intensity in a PUD District for consistency with the Comprehensive Plan
4. **NEW Section 4.04.05** – Recreational Vehicle Parks in a PUD District – establishes use and site design standards.

1. AMENDS Section 2.03.01 – Adds “Recreational Vehicle Park” to Table of Permitted Uses

	Zoning Districts													
P = Permitted S = Supplemental	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD
Recreation, Education, Safety, Public Assembly, Infrastructure														
<u>Recreational Vehicle Park (PUD Master Plan)</u>													<u>See Section 4.04.05</u>	

2. AMENDS Section 4.04.03 – Adds “Recreational Vehicle Park” to Table of Uses and Design Requirements for PUDs.

Table 4.04.03(A). Uses and Site Design Requirements for PUDs.

Land Use	Maximum Land Allocation (% of PUD site)	Minimum Setback from the Waterfront (ft.)
Residential:		
•Single-family residential; or	95	25
•Multi-family residential		
Commercial:		
•Waterfront Commercial	75	25
•Highway Commercial	75	25
• <u>Recreational Vehicle Park* subject to Section 4.04.05.</u>	<u>70</u>	<u>25</u>

*A Recreational Vehicle Park shall only be allowed in a PUD District where the Future Land Use category is Highway Commercial or Waterfront Commercial, and shall not be in the CRA.

D. No new PUD District shall be allowed in the Community Redevelopment Area (CRA).

3. AMENDS Section 4.04.04 – Adds clarification for density/intensity in a PUD District for consistency with the Comprehensive Plan.

- C. Density and housing type for residential development. Density shall not exceed the maximum allowance for the designated future land use category as established in the Comprehensive Plan.
- D. Intensity of nonresidential uses, as measured by floor area ratio. Intensity shall not exceed the maximum allowance for the designated future land use category as established in the Comprehensive Plan.

4. NEW Section 4.04.05 –

Recreational Vehicle Parks in a PUD District

establishes criteria and standards as follows...

- Defines RV Park – commercial recreational use
- Requires detailed master plan – under a unified control
- Subject to submittal requirements for PUD – Ch. 10 of LDC
- Provides exemption for continued operation of a previously approved RV Park
- Maximum Density = 8 RV spaces per gross acre
- Park Models – must designate on the master plan
 - limited to east of US Hwy 19 per Comprehensive Plan
 - total number not to exceed 10% of total RV spaces
 - Park models approved in special flood hazard area must meet FEMA requirements for elevating and permanent anchoring per C.R. Flood Ordinance.

4. NEW Section 4.04.05 – *Recreational Vehicle Parks in a PUD District*

- RV spaces shall have concrete pad or constructed of adequate base
- RV spaces shall have access from internal roadways
- Dimensional standards must be identified in plan but shall meet the following setbacks within the RV space:

<u>Recreational Vehicle (RV) Park Use</u>	<u>Minimum Front Setback (from edge of any internal roadway line)</u>	<u>Minimum Side Line</u>	<u>Minimum Rear Line</u>	<u>*Waterfront/ Jurisdictional Wetlands</u>
<u>For back-in RV space</u>	<u>10 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>25 feet</u>
<u>For pull-through RV space</u>	<u>10 feet</u>	<u>5-feet</u>	<u>=</u>	<u>25 feet</u>
<u>All other buildings/ amenities</u>	<u>15 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>25 feet</u>



*Setbacks for RV units/other buildings shall not be less than the minimum setback above for waterfront/jurisdictional wetlands as set forth in Section 4.04.03 of this LDC.

4. **NEW** Section 4.04.05 – *Recreational Vehicle Parks in a PUD District*

- Allows for temporary structures (e.g., canvas awnings, screen enclosures), but must be removed when RV space is vacated.
- May allow for storage shed or covered pavilion. Sheds not to exceed 80 s.f.
- Tent camping (camp sites) must be designated on master plan.
- Landscape and Buffering
 - 30-foot minimum along any property line adjacent to any public street
 - 25-foot minimum along all other property lines
 - Buffer shall have minimum planning of a Type-D buffer per LDC.

4. NEW Section 4.04.05 – *Recreational Vehicle Parks in a PUD District*

- Internal Roadways and circulation
 - Primary entrance/exit must be from collector or arterial road
 - Must be paved
 - Must be privately owned and maintained
 - Must provide continuous path of travel; no dead-ends; no cul-de-sacs.
- Signage - one ID sign at entry per sign regulations of LDC
 - Identify travel direction for internal roadways
 - Allows internal directional and information signs.
- Utilities and Refuse Disposal
 - Must connect to central water and sewer
 - Electrical lines must be underground
 - Solid waste must be contained – central location to all RV spaces



4. **NEW** Section 4.04.05 – *Recreational Vehicle Parks in a PUD District*

- Common Facilities and Recreation Areas
 - Must provide at least 30% of gross area of the RV Park.
 - Restrooms and bath facilities within 500 feet of any RV space.
 - Bicycle racks required at one space for every ten vehicle spaces.
- Developer responsible for obtaining all permits
- Site permit requires certified flood information (designation and BFE) on plan when RV Park is proposed in a special flood hazard area.



QUESTIONS?

PZ22-0026

**LDC TEXT AMENDMENT – RV PARK STANDARDS
CITY OF CRYSTAL RIVER**

ORDINANCE NO. 22-O-11

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING ORDINANCE NUMBER 05-O-08, APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, AS AMENDED; AMENDING SECTION 2.03.00 LAND USES PERMITTED IN EACH ZONING DISTRICT, TABLE 2. 03.02 TABLE OF PERMITTED USES, BY ADDING RECREATIONAL VEHICLE PARK USE ; AMENDING SECTION 4.04.03 USE AND SITE DESIGN REQUIREMENTS IN A PUD DISTRICT, BY ADDING RECREATIONAL VEHICLE PARK; AMENDING SECTION 4.04.04 COMPATIBILITY REQUIREMENTS IN A PUD DISTRICT; ADDING SECTION 4.04.05 RECREATIONAL VEHICLE PARK IN A PUD DISTRICT, TO ESTABLISH REQUIREMENTS AND DESIGN STANDARDS FOR RECREATIONAL VEHICLE PARKS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND SCRIVENER’S ERRORS; 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 various Sections 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. AMENDMENTS TO VARIOUS SECTIONS OF THE LAND DEVELOPMENT CODE.

The City Council of the City of Crystal River, Florida, hereby adopts this Ordinance of the proposed amendments for inclusion in the Land Development Code, as shown in **Exhibit "A"**, attached hereto, and incorporated 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 _____, 2022.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

**APPROVED FOR CORRECTNESS
AND FORM:**

VOTE OF COUNCIL:

Meek: _____

Brown: _____

Guy: _____

Fitzpatrick: _____

Holmes: _____

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

EXHIBIT "A"

NOTE: Underlined language is proposed language and ~~Struck Through~~ language is proposed to be deleted.

TEXT AMENDMENT #1 – THAT SECTION 2.03.00 LAND USES PERMITTED IN EACH ZONING DISTRICT, TABLE 2.03.02 TABLE OF PERMITTED USES (UNDER THE HEADING OF *RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY, INFRASTRUCTURE*), OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED AS FOLLOWS:

P = Permitted S = Supplemental	Zoning Districts													
	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD
<i>Recreation, Education, Safety, Public Assembly, Infrastructure</i>														
Clubs, community centers, lodges, nonprofit and professional associations						S	P	P	P				P	
Emergency services						S	P	P	P	P			P	
Golf courses (excluding miniature golf and driving tees)			S	S	S	S							P	
Golf courses (including miniature golf and driving tees)									P				P	
Government offices and/or maintenance facilities							P	P	P	P			P	
Libraries							P	P	P				P	
Public parking lots								P	P					
Recreation, activity based (picnicking, jogging, cycling, arboretums, hiking, playgrounds, ball fields, outdoor ball courts, stables, outdoor swimming pools, and water-related or water-							P						P	

	Zoning Districts													
P = Permitted S = Supplemental	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD
dependent uses such as boat ramps, fishing docks and piers, and all similar outdoor recreation uses														
Recreation centers, indoor (arcades, billiards/pool parlors, bowling alleys)							P	P	P					
Recreation, resources based (includes docks, boardwalks, water-dependent uses, and camping pursuant to a DEP management plan)							P				P	P		
Recreation, outdoor arenas, go-kart tracks or other similar outdoor amusements									P					
Recreation, passive outdoor/open space	P	P	P	P	P	P	P	P	P	P	P	P		
Recreational Vehicle Park (PUD Master Plan)													See Section 4.04.05	
Recycling collection center										P				
Religious uses and facilities				S	S	S	P	P	P	P			P	
Schools, commercial or trade including personal instruction studios such as dance, exercise, instrument, martial arts or voice training							P	P	P				P	
Schools, academic							P	P	P				P	
Telecommunications tower									S		S	S	See section 4.04.00	See section 4.06.01

	Zoning Districts													
P = Permitted S = Supplemental	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD
Theaters and auditoriums							P	P	P			P		and 4.06.03

TEXT AMENDMENT #2 – THAT SECTION 4.04.03 USE AND SITE DESIGN REQUIREMENTS IN A PUD DISTRICT, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED AS FOLLOWS:

4.04.03. Use and site design requirements in a PUD district.

- A. An applicant may propose any uses from Table 4.04.03(A), subject to the requirements establishing a maximum land allocation for each type of use. An applicant may propose the desired setbacks for front, side, and rear yards, provided that setbacks for waterfront lots shall not be less than the minimum setback set forth in Table 4.04.03(A). An applicant may propose desired site design standards for other aspects of the proposed development.

Table 4.04.03(A). Uses and Site Design Requirements for PUDs.

Land Use	Maximum Land Allocation (% of PUD site)	Minimum Setback from the Waterfront (ft.)
Residential:		
•Single-family residential; or	95	25
•Multi-family residential		
Commercial:		
•Waterfront Commercial	75	25
•Highway Commercial	75	25
• <u>Recreational Vehicle Park*</u> <u>subject to Section 4.04.05.</u>	<u>70</u>	<u>25</u>
Civic:		
•Clubs, community centers, lodges, nonprofit and professional associations;	30	25
•Common areas, such as courtyards, plazas, squares, or open space;		
•Recreation, active outdoor, indoor, passive outdoor/open space;		
•Religious facilities; or		
•Theaters/auditoriums		

* A Recreational Vehicle Park shall only be allowed in a PUD District where the Future Land Use category is Highway Commercial or Waterfront Commercial, and shall not be in the CRA.

- B. Open spaces, plazas, and recreation areas provided within a PUD shall be evaluated based on the sufficiency of such areas to provide appropriate recreational opportunities, to protect sensitive environmental areas, to conserve areas of unique beauty or historical significance, to enhance neighborhood design and to encourage compatible and cooperative relationships between adjoining land uses.

C. Off-street parking to serve uses within a PUD shall be provided as set forth in section 6.04.07.

D. No new PUD District shall be allowed in the Community Redevelopment Area (CRA).

(Ord. No. 05-O-08, §§ 1, 2, 5-17-2005; Ord. No. 14-O-02, § 4, 4-14-2014)

TEXT AMENDMENT #3 – THAT SECTION 4.04.04 COMPATIBILITY REQUIREMENTS IN A PUD DISTRICT, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED AS FOLLOWS:

4.04.04. Compatibility requirements in a PUD district.

The proposed PUD shall be compatible with existing adjacent uses and uses allowable in adjacent zoning districts. Compatibility shall be based on the following factors:

- A. The existing development pattern, considering the street system, lot size, dimension, layout, and blocks.
- B. The scale and dimensions of buildings, considering height, length and overall mass.
- C. Density and housing type for residential development. Density shall not exceed the maximum allowance for the designated future land use category as established in the Comprehensive Plan.
- D. Intensity of nonresidential uses, as measured by floor area ratio. Intensity shall not exceed the maximum allowance for the designated future land use category as established in the Comprehensive Plan.
- E. Extent, location, and design of off-street parking.
- F. Amount, location, design, and direction of outdoor lighting.
- G. The extent, type, and location of open space.
- H. The location of accessory structures such as dumpsters, recreational equipment, swimming pools, or other structures likely to generate negative impacts such as noise, lights, or odors.

(Ord. No. 05-O-08, §§ 1, 2, 5-17-2005)

TEXT AMENDMENT #4 – THAT A NEW SECTION 4.04.05 RECREATIONAL VEHICLE PARKS IN A PUD DISTRICT, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY ADDED AS FOLLOWS:

4.04.05. Recreational Vehicle Parks in a PUD district.

A. Purpose and Intent

1. Recreational Vehicle Parks shall be exclusively for commercial, recreational use by persons with recreational vehicle-type units designed as temporary living quarters for recreational, camping, or travel use. Mobile homes are not permitted. Recreational vehicles shall not be used as permanent dwellings. The intent of this section is to provide standards that result in the following:
 - a. The entire recreational vehicle park shall be designed and laid out in a detailed master plan.
 - b. The land on which it is developed shall be under a unified control and shall be planned and developed as a whole, single development operation or in a phased series of development operations for recreational vehicles and related uses and facilities within an approved PUD District.

- c. The City Council may permit convenience establishments for the sale or rental of supplies or for the provision of services associated with the daily or frequent needs of campers within the Recreational Vehicle Park as identified in the PUD Master Plan.
- d. These standards are not intended to be all inclusive. Alternate designs may be considered that meet the intent of well-organized Recreational Vehicle Parks.

B. Applicability

1. These standards shall apply to all new Recreational Vehicle Parks.
2. Review and compliance with the standards of this section shall be considered subject to the submittal requirements for PUD master plans identified in Chapter 10. Administrative and Decision-Making Procedures, of this LDC.
3. Recreational Vehicle 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. Parks should be located where proper sewer and water systems can be developed and approval obtained for such systems from the jurisdictional regulated utility.
4. Every Recreational Vehicle Park in the city shall be located, constructed, altered, expanded, and operated in compliance with this section.
5. Exemptions. The provisions of this section shall not apply to the continued operation of an existing Recreational Vehicle Park as approved by the City prior to the enactment of this Section.
6. Compliance. The development of the Recreational Vehicle Park shall be in conformance with the binding PUD master plan as finally approved and filed with the City. Any development, use, or density which fails to substantially conform shall constitute a violation of this ordinance as well as other applicable city ordinances as may pertain. The City Manager may approve minor alterations consistent with Section 10.05.02 Procedures for minor amendments, of this LDC.

C. Standards

1. The minimum area of land shall be of a size that allows for the accommodation of all standard requirements of this section.
2. Maximum Density and Layout
 - a. Recreational Vehicle Parks shall have a maximum density of eight (8) recreational vehicle spaces per gross acre. The number of recreational vehicle units does not confer any vested residential development rights whatsoever.
 - b. Park Models (also known as park trailers) are expressly limited to Recreational Vehicle Parks located east of US Highway 19 as per the Comprehensive Plan. Where allowed, park models must be in a designated area shown on the PUD master plan. The total park models allowed shall not exceed ten percent (10%) of the total recreational vehicle spaces located within the Recreational Vehicle Park. Park models approved for placement within a special flood hazard area shall be permanently anchored and elevated in accordance with FEMA requirements.
 - c. All recreational vehicle spaces shall have a concrete pad or constructed of an adequate base, graded and surfaced to facilitate drainage and to reduce dust, as approved by the City.
 - d. Individual recreational vehicle spaces shall have access from internal roadways and shall not have direct access from adjoining public rights-of-way.
 - e. Each recreational vehicle space shall be marked and numbered for identification.
 - f. Dimensional standards. Each recreational vehicle space shall be of a minimum width and depth to accommodate both recreational vehicle unit and the tow vehicle. Where dimensional standards are

not specified on the approved PUD master plan, recreational vehicle spaces and other amenity areas shall be designed to meet the following minimum setback standards:

<u>Recreational Vehicle (RV) Park Use</u>	<u>Minimum Front Setback (from edge of any internal roadway line)</u>	<u>Minimum Side Line</u>	<u>Minimum Rear Line</u>	<u>*Waterfront/Jurisdictional Wetlands</u>
<u>For back-in RV space</u>	<u>10 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>25 feet</u>
<u>For pull-through RV space</u>	<u>10 feet</u>	<u>5-feet</u>	<u>--</u>	<u>25 feet</u>
<u>All other buildings/amenities</u>	<u>15 feet</u>	<u>5 feet</u>	<u>5 feet</u>	<u>25 feet</u>

*Setbacks for RV units/other buildings shall not be less than the minimum setback above for waterfront/jurisdictional wetlands as set forth in Section 4.04.03 of this LDC.

- g. Temporary structures such as canvas awnings, screened enclosures, or platforms, which are normal camping equipment, may be erected but must be removed when the recreational vehicle space is vacated. No other structural additions shall be built or become a part of any recreational vehicle.
- h. A storage shed or covered pavilion may be permitted within a recreational vehicle space subject to the minimum setbacks stated herein. Storage sheds shall not exceed 80 square feet.
- i. Unless otherwise indicated on an approved PUD master plan, tent camping shall be limited to one camp site per designated recreational vehicle space and shall not be allowed in any other designated area.
- j. Fires shall be made only in stoves and other equipment intended for such purposes and placed in safe and convenient locations, where they will not constitute fire hazards to vegetation, undergrowth, trees, and recreational vehicles. No open fires are allowed.

3. Landscape and buffering

- a. Recreational Vehicle Parks shall have a 30-foot buffer along any property line that is adjacent to any public street, and a 25-foot buffer along all other property boundaries. Buffers shall have a minimum planting of a Type-D Buffer as specified in the Buffer Requirements of this LDC.
- b. Landscaping shall be consistent with the requirements of Section 4.05.00 Standards for buffers, landscaping, and tree protection, of this LDC. Fencing may be required as part of the buffering requirements where it is desirable to protect public safety, neighboring property, or aesthetics.
- c. Recreational vehicle spaces and designated amenity and service areas shall not be located within buffers required along the property boundaries.
- d. Buffering and landscaping shall be continually and properly maintained.



4. Internal roadways and circulation

- a. The primary entrance and exit for the Recreational Vehicle Park shall be from a collector or arterial classified roadway.
- b. Internal roadways and parking aisles shall be paved and adequately designed to facilitate easy turning movements for recreational vehicle traffic. Parking spaces for ancillary uses associated with the Recreational Vehicle Park shall meet the minimum standards for parking space requirements of this LDC.
- c. All internal roadways shall be privately owned and maintained.
- d. There shall be a continuous path of travel throughout the Recreational Vehicle Park. No roadway shall dead-end. Cul-de-sacs are not permitted.

5. Signage

- a. One identification sign shall be allowed at the Recreational Vehicle Park's entry and exit. Said sign shall comply with applicable City sign regulations.
- b. Traffic direction shall be clearly visible at all internal roadways.
- c. Other internal, directional and information signs for the convenience of the park are permitted.

6. Utilities and Refuse Disposal

- a. Recreational Vehicle Parks shall be required to be connect to central water and sewer.
- b. Electricity shall be provided to each recreational vehicle space (vehicle parking pad). All electrical utility lines in the park shall be underground.
- c. All solid waste shall be contained and stored in a sanitary and nuisance free manner. Dumpster and/or trash receptacles shall be provided and located in a central location easily accessible to all recreational vehicle spaces.

7. Common Facilities and Recreation Areas

- a. Open space for common areas, playgrounds and other recreational uses shall be provided at the rate of at least thirty percent (30%) of the gross area of the Recreational Vehicle Park. The recreation area may include space for common walkways in related interior landscape areas. A recreation area may be comprised of facilities for active recreation, such as swimming pools or beaches, shuffleboard courts, or play lots for children. These facilities shall be located and

interconnected by defined walkways to be readily available from all recreational vehicle spaces and separate from vehicular traffic flow.

- b. Restrooms and bath facility shall be located within 500 feet of any designated recreational vehicle space.
 - c. Bicycle racks shall be provided at one (1) space for every ten recreational vehicle spaces.
- D. 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 Recreational Vehicle Park as provided by the approved PUD master plan.
- E. The developer of a Recreational Vehicle Park which is in a fully, or partially designated special flood hazard area (SFHA) shall provide the City with a site plan delineating the SFHA and which shall include a statement attesting to the base flood elevation as has been established by FEMA and certified by a licensed professional engineer registered in the State of Florida.

END OF EXHIBIT "A"



PERMIT NO: PZ22-0026 ORDINANCE NO. 22-O-11

City of Crystal River

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

Name of Petitioner(s): City of Crystal River, Department of Planning and Development Services
(Contact Person: Jenette Collins, AICP, Urban Planner)

Address of Petitioner(s): 123 North West Highway 19
Crystal River, Florida 34428
City State Zip Code

Phone # 352-795-4216, Ext. 340 Cell # _____
Email Address: jcollins@crystalriverfl.org

State the LDC Code Section(s) that you wish to Amend: 2.03.00, 4.04.03, 4.04.04, and (new) 4.04.05

Reason for Proposed Amendment: Add Recreation Vehicle Park use to the Table of Uses; Establish requirements and design standards for Recreational Vehicle Parks via a Planned Unit Development

State evidence of consistency of the Proposed Amendment with the Comprehensive Plan.
Consistent with PUD allowances as specified in Goal 3, Objective 3.1 of the Future Land Use Element, Future Land Use categories for Highway Commercial (CH) and Waterfront Commercial (WC).

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

Jenette Collins
Signature

3/9/22
Date

Jenette Collins
Print Name

State of Florida
County of Citrus

The foregoing instrument was acknowledged before me by () physical presence or () remote audio-visual means this 9th, day of March, 2022, by Jenette Collins, who is personally known to me or has produced personally known as identification and who did not take an oath.

Terry L. Holt
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.

Select Year:

The 2021 Florida Statutes

[Title XXIII](#)
MOTOR VEHICLES

[Chapter 320](#)
MOTOR VEHICLE LICENSES

[View Entire Chapter](#)

320.01 Definitions, general.—As used in the Florida Statutes, except as otherwise provided, the term:

(1) “Motor vehicle” means:

(a) An automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power, but the term does not include traction engines, road rollers, motorized scooters, micromobility devices, personal delivery devices and mobile carriers as defined in s. [316.003](#), special mobile equipment as defined in s. [316.003](#), vehicles that run only upon a track, bicycles, electric bicycles, swamp buggies, or mopeds.

(b) A recreational vehicle-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Recreational vehicle-type units, when traveling on the public roadways of this state, must comply with the length and width provisions of s. [316.515](#), as that section may hereafter be amended. As defined below, the basic entities are:

1. The “travel trailer,” which is a vehicular portable unit, mounted on wheels, of such a size or weight as not to require special highway movement permits when drawn by a motorized vehicle. It is primarily designed and constructed to provide temporary living quarters for recreational, camping, or travel use. It has a body width of no more than 8½ feet and an overall body length of no more than 40 feet when factory-equipped for the road.
2. The “camping trailer,” which is a vehicular portable unit mounted on wheels and constructed with collapsible partial sidewalls which fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.
3. The “truck camper,” which is a truck equipped with a portable unit designed to be loaded onto, or affixed to, the bed or chassis of the truck and constructed to provide temporary living quarters for recreational, camping, or travel use.
4. The “motor home,” which is a vehicular unit which does not exceed the length, height, and width limitations provided in s. [316.515](#), is a self-propelled motor vehicle, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.
5. The “private motor coach,” which is a vehicular unit which does not exceed the length, width, and height limitations provided in s. [316.515\(9\)](#), is built on a self-propelled bus type chassis having no fewer than three load-bearing axles, and is primarily designed to provide temporary living quarters for recreational, camping, or travel use.
6. The “van conversion,” which is a vehicular unit which does not exceed the length and width limitations provided in s. [316.515](#), is built on a self-propelled motor vehicle chassis, and is designed for recreation, camping, and travel use.
7. The “park trailer,” which is a transportable unit which has a body width not exceeding 14 feet and which is built on a single chassis and is designed to provide seasonal or temporary living quarters when connected to utilities necessary for operation of installed fixtures and appliances. The total area of the unit in a setup mode, when measured from the exterior surface of the exterior stud walls at the level of maximum dimensions, not including any bay window, does not exceed 400 square feet when constructed to ANSI A-119.5 standards, and 500 square feet when constructed to United States Department of Housing and Urban Development Standards. The

length of a park trailer means the distance from the exterior of the front of the body (nearest to the drawbar and coupling mechanism) to the exterior of the rear of the body (at the opposite end of the body), including any protrusions.

8. The “fifth-wheel trailer,” which is a vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require a special highway movement permit, of gross trailer area not to exceed 400 square feet in the setup mode, and designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle’s rear axle.

(2)(a) “Mobile home” means a structure, transportable in one or more sections, which is 8 body feet or more in width and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. For tax purposes, the length of a mobile home is the distance from the exterior of the wall nearest to the drawbar and coupling mechanism to the exterior of the wall at the opposite end of the home where such walls enclose living or other interior space. Such distance includes expandable rooms, but excludes bay windows, porches, drawbars, couplings, hitches, wall and roof extensions, or other attachments that do not enclose interior space. In the event that the mobile home owner has no proof of the length of the drawbar, coupling, or hitch, then the tax collector may in his or her discretion either inspect the home to determine the actual length or may assume 4 feet to be the length of the drawbar, coupling, or hitch.

(b) “Manufactured home” means a mobile home fabricated on or after June 15, 1976, in an offsite manufacturing facility for installation or assembly at the building site, with each section bearing a seal certifying that it is built in compliance with the federal Manufactured Home Construction and Safety Standard Act.

(3) “Owner” means any person, firm, corporation, or association controlling any motor vehicle or mobile home by right of purchase, gift, lease, or otherwise.

(4) “Trailer” means any vehicle without motive power designed to be coupled to or drawn by a motor vehicle and constructed so that no part of its weight or that of its load rests upon the towing vehicle.

(5) “Semitrailer” means any vehicle without motive power designed to be coupled to or drawn by a motor vehicle and constructed so that some part of its weight and that of its load rests upon or is carried by another vehicle.

(6) “Net weight” means the actual scale weight in pounds with complete catalog equipment.

(7) “Gross weight” means the net weight of a motor vehicle in pounds plus the weight of the load carried by it.

(8) “Cwt” means the weight per hundred pounds, or major fraction thereof, of a motor vehicle.

(9) “Truck” means any motor vehicle with a net vehicle weight of 5,000 pounds or less and which is designed or used principally for the carriage of goods and includes a motor vehicle to which has been added a cabinet box, a platform, a rack, or other equipment for the purpose of carrying goods other than the personal effects of the passengers.

(10) “Heavy truck” means any motor vehicle with a net vehicle weight of more than 5,000 pounds, which is registered on the basis of gross vehicle weight in accordance with s. [320.08\(4\)](#), and which is designed or used for the carriage of goods or designed or equipped with a connecting device for the purpose of drawing a trailer that is attached or coupled thereto by means of such connecting device and includes any such motor vehicle to which has been added a cabinet box, a platform, a rack, or other equipment for the purpose of carrying goods other than the personal effects of the passengers.

(11) “Truck tractor” means a motor vehicle which has four or more wheels and is designed and equipped with a fifth wheel for the primary purpose of drawing a semitrailer that is attached or coupled thereto by means of such fifth wheel and which has no provision for carrying loads independently.

(12) “Gross vehicle weight” means:

(a) For heavy trucks with a net weight of more than 5,000 pounds, but less than 8,000 pounds, the gross weight of the heavy truck. The gross vehicle weight is calculated by adding to the net weight of the heavy truck the weight of the load carried by it, which is the maximum gross weight as declared by the owner or person applying for registration.

(b) For heavy trucks with a net weight of 8,000 pounds or more, the gross weight of the heavy truck, including the gross weight of any trailer coupled thereto. The gross vehicle weight is calculated by adding to the gross weight of the heavy truck the gross weight of the trailer, which is the maximum gross weight as declared by the owner or person applying for registration.

(c) The gross weight of a truck tractor and semitrailer combination is calculated by adding to the net weight of the truck tractor the gross weight of the semitrailer, which is the maximum gross weight as declared by the owner or person applying for registration; such vehicles are together by means of a fifth-wheel arrangement whereby part of the weight of the semitrailer and load rests upon the truck tractor.

(13) "Passenger," or any abbreviation thereof, does not include a driver.

(14) "Private use" means the use of any vehicle which is not properly classified as a for-hire vehicle.

(15)(a) "For-hire vehicle" means any motor vehicle, when used for transporting persons or goods for compensation; let or rented to another for consideration; offered for rent or hire as a means of transportation for compensation; advertised in a newspaper or generally held out as being for rent or hire; used in connection with a travel bureau; or offered or used to provide transportation for persons solicited through personal contact or advertised on a "share-expense" basis. When goods or passengers are transported for compensation in a motor vehicle outside a municipal corporation of this state, or when goods are transported in a motor vehicle not owned by the person owning the goods, such transportation is "for hire." The carriage of goods and other personal property in a motor vehicle by a corporation or association for its stockholders, shareholders, and members, cooperative or otherwise, is transportation "for hire."

(b) The following are not included in the term "for-hire vehicle": a motor vehicle used for transporting school children to and from school under contract with school officials; a hearse or ambulance when operated by a licensed embalmer or mortician or his or her agent or employee in this state; a motor vehicle used in the transportation of agricultural or horticultural products or in transporting agricultural or horticultural supplies direct to growers or the consumers of such supplies or to associations of such growers or consumers; a motor vehicle temporarily used by a farmer for the transportation of agricultural or horticultural products from any farm or grove to a packinghouse or to a point of shipment by a transportation company; or a motor vehicle not exceeding 1½ tons under contract with the Government of the United States to carry United States mail, provided such vehicle is not used for commercial purposes.

(16) "Road" means the entire width between the boundary lines of every way or place of whatever nature when any part thereof is open to the use of the public for purposes of vehicular traffic.

(17) "Brake horsepower" means the actual unit of torque developed per unit of time at the output shaft of an engine, as measured by a dynamometer.

(18) "Department" means the Department of Highway Safety and Motor Vehicles.

(19)(a) "Registration period" means a period of 12 months or 24 months during which a motor vehicle or mobile home registration is valid.

(b) "Extended registration period" means a period of 24 months during which a motor vehicle or mobile home registration is valid.

(20) "Marine boat trailer dealer" means any person engaged in:

(a) The business of buying, selling, manufacturing, or dealing in trailers specifically designed to be drawn by another vehicle and used for the transportation on land of vessels, as defined in s. [327.02](#); or

(b) The offering or displaying of such trailers for sale.

(21) "Renewal period" means the period during which renewal of a motor vehicle registration or mobile home registration is required, as provided in s. [320.055](#).

(22) "Golf cart" means a motor vehicle that is designed and manufactured for operation on a golf course for sporting or recreational purposes and that is not capable of exceeding speeds of 20 miles per hour.

(23) "International Registration Plan" means a registration reciprocity agreement among states of the United States and provinces of Canada providing for payment of license fees on the basis of fleet miles operated in various jurisdictions.

(24) “Apportionable vehicle” means any vehicle, except recreational vehicles, vehicles displaying restricted plates, city pickup and delivery vehicles, buses used in transportation of chartered parties, and government-owned vehicles, which is used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles and which is used for the transportation of persons for hire or is designed, used, or maintained primarily for the transportation of property and:

- (a) Is a power unit having a gross vehicle weight in excess of 26,000 pounds;
- (b) Is a power unit having three or more axles, regardless of weight; or
- (c) Is used in combination, when the weight of such combination exceeds 26,000 pounds gross vehicle weight.

Vehicles, or combinations thereof, having a gross vehicle weight of 26,000 pounds or less and two-axle vehicles may be proportionally registered.

(25) “Commercial motor vehicle” means any vehicle which is not owned or operated by a governmental entity, which uses special fuel or motor fuel on the public highways, and which has a gross vehicle weight of 26,001 pounds or more, or has three or more axles regardless of weight, or is used in combination when the weight of such combination exceeds 26,001 pounds gross vehicle weight. A vehicle that occasionally transports personal property to and from a closed-course motorsport facility, as defined in s. [549.09\(1\)\(a\)](#), is not a commercial motor vehicle if the use is not for profit and corporate sponsorship is not involved. As used in this subsection, the term “corporate sponsorship” means a payment, donation, gratuity, in-kind service, or other benefit provided to or derived by a person in relation to the underlying activity, other than the display of product or corporate names, logos, or other graphic information on the property being transported.

(26) “Motorcycle” means any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground. The term includes an autocycle, as defined in s. [316.003](#), but excludes a tractor, a moped, or any vehicle in which the operator is enclosed by a cabin unless it meets the requirements set forth by the National Highway Traffic Safety Administration for a motorcycle.

(27) “Moped” means any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground, and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.

(28) “Interstate” means vehicle movement between or through two or more states.

(29) “Intrastate” means vehicle movement from one point within a state to another point within the same state.

(30) “Person” means and includes natural persons, corporations, copartnerships, firms, companies, agencies, or associations, singular or plural.

(31) “Registrant” means a person in whose name or names a vehicle is properly registered.

(32) “Motor carrier” means any person owning, controlling, operating, or managing any motor vehicle used to transport persons or property over any public highway.

(33) “Motorized disability access vehicle” means a vehicle designed primarily for handicapped individuals with normal upper body abilities and designed to be fueled by gasoline, travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground, and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.

(34) “Resident” means a person who has his or her principal place of domicile in this state for a period of more than 6 consecutive months, who has registered to vote in this state, who has made a statement of domicile pursuant to s. [222.17](#), or who has filed for homestead tax exemption on property in this state.

(35) “Nonresident” means a person who is not a resident.

(36) “Electric vehicle” means a motor vehicle that is powered by an electric motor that draws current from rechargeable storage batteries, fuel cells, or other sources of electrical current.

(37) “Disabled motor vehicle” means any motor vehicle as defined in subsection (1) which is not operable under its own motive power, excluding a nondisabled trailer or semitrailer, or any motor vehicle that is unsafe for operation upon the highways of this state.

(38) “Replacement motor vehicle” means any motor vehicle as defined in subsection (1) under tow by a wrecker to the location of a disabled motor vehicle for the purpose of replacing the disabled motor vehicle, thereby permitting the transfer of the disabled motor vehicle’s operator, passengers, and load to an operable motor vehicle.

(39) “Wrecker” means any motor vehicle that is used to tow, carry, or otherwise transport motor vehicles and that is equipped for that purpose with a boom, winch, car carrier, or other similar equipment.

(40) “Tow” means to pull or draw any motor vehicle with a power unit by means of a direct attachment, drawbar, or other connection or to carry a motor vehicle on a power unit designed to transport such vehicle from one location to another.

(41) “Low-speed vehicle” means any four-wheeled vehicle whose top speed is greater than 20 miles per hour but not greater than 25 miles per hour, including, but not limited to, neighborhood electric vehicles. Low-speed vehicles must comply with the safety standards in 49 C.F.R. s. 571.500 and s. [316.2122](#).

(42) “Utility vehicle” means a motor vehicle designed and manufactured for general maintenance, security, and landscaping purposes, but the term does not include any vehicle designed or used primarily for the transportation of persons or property on a street or highway, or a golf cart, or an all-terrain vehicle as defined in s. [316.2074](#).

(43) For purposes of this chapter, the term “agricultural products” means any food product; any agricultural, horticultural, or livestock product; any raw material used in plant food formulation; and any plant food used to produce food and fiber.

(44) “Mini truck” means any four-wheeled, reduced-dimension truck that does not have a National Highway Traffic Safety Administration truck classification, with a top speed of 55 miles per hour, and which is equipped with headlamps, stop lamps, turn signal lamps, taillamps, reflex reflectors, parking brakes, rearview mirrors, windshields, and seat belts.

(45) “Swamp buggy” means a motorized off-road vehicle that is designed or modified to travel over swampy or varied terrain and that may use large tires or tracks operated from an elevated platform. The term does not include any vehicle defined in chapter 261 or otherwise defined or classified in this chapter.

History.—ss. 1, 6, ch. 7275, 1917; s. 1, ch. 7737, 1918; RGS 1006, 1011; ss. 2, 5, ch. 8410, 1921; s. 2, ch. 9156, 1923; s. 1, ch. 9157, 1923; ss. 1, 3, ch. 10182, 1925; CGL 1280, 1285, 1677; s. 3, ch. 15625, 1931; s. 3, ch. 16085, 1933; s. 1, ch. 20743, 1941; s. 1, ch. 20911, 1941; s. 1, ch. 26923, 1951; s. 1, ch. 59-351; s. 1, ch. 65-61; s. 1, ch. 65-446; ss. 23, 24, 35, ch. 69-106; s. 1, ch. 70-215; s. 1, ch. 70-391; s. 93, ch. 71-377; s. 1, ch. 72-339; s. 1, ch. 73-284; s. 2, ch. 74-243; s. 3, ch. 75-66; s. 2, ch. 76-135; s. 4, ch. 76-286; s. 1, ch. 77-180; s. 1, ch. 77-357; s. 1, ch. 78-221; s. 125, ch. 79-400; s. 12, ch. 81-151; s. 22, ch. 82-134; s. 3, ch. 83-188; s. 23, ch. 83-215; s. 1, ch. 83-318; s. 1, ch. 84-182; s. 7, ch. 84-260; s. 5, ch. 85-155; s. 43, ch. 85-180; s. 10, ch. 85-309; s. 4, ch. 85-343; s. 11, ch. 86-243; s. 11, ch. 87-161; s. 20, ch. 87-198; s. 5, ch. 87-225; s. 1, ch. 88-147; s. 66, ch. 89-282; s. 2, ch. 89-320; s. 1, ch. 90-163; s. 4, ch. 90-270; s. 5, ch. 92-148; s. 39, ch. 94-306; s. 910, ch. 95-148; s. 10, ch. 95-247; s. 10, ch. 95-333; s. 29, ch. 96-413; s. 3, ch. 97-58; s. 2, ch. 99-163; s. 15, ch. 99-248; s. 39, ch. 2001-196; s. 1, ch. 2007-242; s. 16, ch. 2008-176; s. 2, ch. 2008-179; s. 6, ch. 2009-183; s. 20, ch. 2012-174; s. 27, ch. 2012-181; s. 27, ch. 2013-160; s. 72, ch. 2016-239; s. 4, ch. 2017-150; s. 5, ch. 2018-130; s. 5, ch. 2019-109; s. 11, ch. 2020-69.