

Planning Commission Agenda
June 2nd, 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) Chairman Comments
- 6) Adoption of Agenda
- 7) Approval of Minutes: **March 15, 2022, and April 7, 2022**
- 8) Citizen Input: 3 minutes
- 9) Public Hearings:
 - a) **1. Conduct a Public Hearing for APPLICATION NO. PZ22-0045 brought by PORT PARADISE HOTEL LLC** – Amendment to change 4.0 Acres MOL from CW – Waterfront Commercial to MDR – Medium Density Residential on the FLUM. Section 28 Township 18S, Range 17 E; specifically, a part of Parcel ID 17E18S28 0070 000C0 0010 (Alt Key 3205793) which address is known as 1508 SE Kings Bay Drive, Crystal River, FL.
 - 2. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0044 brought by PORT PARADISE HOTEL LLC** – Amendment to the PUD Master Plan (6.96 Acres MOL) for Port Paradise Hotel by modifying the conditions of approval, and to change an allowed use from Hotel-Villas to Condominium Units. Section 28 Township 18S, Range 17 E; specifically, Parcel ID 17E18S28 0070 000C0 0010 (Alt Key 3205793) and 17E18S28 13330 (Alt Key 1090695) which address is known as 1508 SE Kings Bay Drive, Crystal River, FL.
- 10) Unfinished Business
- 11) New Business
- 12) Citizen Input: 5 minutes
- 13) Staff Comments
 - a) Brian Herrmann to present Draft Sign Ordinance.
- 14) Commissioner’s Comments

NOTICE TO PUBLIC

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

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

15) Chairman's Comments

16) 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.

**Planning Commission Minutes
Special Meeting
March 15, 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 5:30.

2) Roll Call

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

Commissioners absent: None.

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: None.

6) Motion to adopt agenda was made by Commissioner Smith, seconded by Chairman Grannan. **Motion carried 6-0.**

7) Special Meeting – Civic Master Plan of the City of Crystal River

a) Presentation of the Draft “Civic Master Plan for the City of Crystal River,” and to receive comment. This item will be presented to the City Council for its consideration to approve the Civic Master Plan by Resolution at a public meeting to be held on April 11, 2022, at 5:30 p.m.

Staff Presentation: Planning Director Brian Herrmann opened his presentation with a preamble to the Civic Masterplan, summarizing the processes that ultimately led to the creation of the document. In preparation for adoption of the Civic Masterplan as a resolution, Brian Herrmann then presented a slideshow highlighting the key elements of the document to the Commission.

8) Citizen Input: None.

9) Staff Comments: None.

10) Commissioner’s Comments: Commissioner Thompson voiced his concern that the plan may limit opportunities for industrial zones and redesigning US Highway 19.

11) Chairman’s Comments: None.

12) Adjournment: A motion to adjourn was made by Commissioner Thompson, seconded by Commissioner Martin. Motion carried 6-0. Meeting adjourned at 7:20pm.

ATTEST:

Recording Secretary Zach Cciera

Chairman Daniel Grannan

DRAFT

Planning Commission Minutes
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 by Chairman Grannan at 5:30pm.
- 2) Roll Call
Commissioners present: Daniel Grannan, Tonia Herring, Larry Schenavar, Terry Thompson.
Commissioners absent: Randy Martin, Doug Smith, Billy Gause.
Staff present: Planning and Community Development Director Brian Herrmann, Urban Planner Jenette Collins, Zoning Coordinator Zach Ciciera, Robert Batsel.
- 3) Moment of Silence was led by Chairman Grannan.
- 4) Pledge of Allegiance was led by Chairman Grannan.
- 5) Administration to Oath of Office for Planning Commissioner Larry Schenavar (appointed by City Council on March 28, 2022) was sworn in by Robert Batsel.
- 6) Chairman Comments: None.
- 7) Motion to adopt the agenda was made by Chairman Grannan; seconded by Commissioner Herring.
Motion carried 4-0.
- 8) Motion to approve minutes of the Planning Commission meeting held March 3, 2022 was made by Commissioner Thompson; seconded by Commissioner Herring. **Motion carried 4-0.**
- 9) Citizen Input: None.
- 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.
Staff Presentation: Urban Planner Jenette Collins presented to the commission, stated zoning district NBR (Neighborhood Business Residential) allows for a single family dwelling unit as well as small neighborhood business (transitional zoning), including a bed and breakfast inn. Mrs. Collins also addressed two letters from the public that were submitted regarding this application.
Robert Batsel stated there is no conflict of interest.
Commissioner Comments: Commissioner Herring expressed concern with residential properties in the future applying to rezone to NBR.

Chairman Grannan also expressed concern with the allowed commercial uses associated with NBR zoning.

Commissioner Schenavar questioned the availability of demolishing the existing single-family residence to construct a commercial building under 2,000 square feet.

Applicant Comments: Dr. Paresh Desai stated the property will not be converted to a bed and breakfast inn. The building will be converted to an office extension for the adjacent hotel.

Public Input: None.

Commission Discussion: *A motion was made by Commissioner Thompson to recommend Council approval of 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. Motion carried 3-1 with Chairman Grannan in opposition.*

- 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 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.

Chair opened the quasi-judicial hearing.

Conflicts of Interest: None.

Ex-Parte Communications: None by Commissioners.

Staff Presentation: Planning Director Brian Herrmann presented both applications simultaneously to the commission, stating that although LTD partners supplied a site plan of proposed development, it is not binding, and the application is only for a rezoning and future land use change.

Commissioner Comments: Commissioner Thompson questioned which transect zone this could be applicable to.

Applicant Presentation: None.

Public Comment: Ben Torricelli, 670 N Country Club Drive, expressed concern with increase in traffic in residential neighborhood, as well as increase in stormwater runoff regarding the new maximum ISR% via new development.

Commission Discussion: *A motion was made by Commissioner Thompson to recommend Council denial of 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. **Motion carried 4-0.***

- 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.

Staff Presentation: Planning Director Brian Herrmann presented the LDC text amendment to substantial improvement. Mr. Herrmann stated the proposed amendment to modify standards for Marinas and Boat Facilities will not be discussed during this meeting.

Commission Discussion: *A motion was made by Commissioner Thompson to recommend Council approval of Application No. PZ22-0025 Text Amendment's to the Land Development Code brought by the City of Crystal River – redefine Substantial Improvement. **Motion carried 4-0.***

Staff Presentation: Planning Director Brian Herrmann presented the LDC text amendment to update development standards for Roadside Vending.

Commissioner Discussion: *A motion was made by Commissioner Thompson to recommend Council approval of Application No. PZ22-0025 Text Amendment's to the Land Development Code brought by the City of Crystal River – update the development standards for Roadside Vending. **Motion carried 4-0.***

- 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.

Staff Presentation: Urban Planner Jenette Collins presented to the commission.

Commissioner Discussion: Commissioner Herring questioned the allowed density per RV park as well as tree protection regarding lot clearing.

*A motion was made by Commissioner Thompson to recommend Council approval of 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. **Motion carried 4-0.***

11) Unfinished Business: None.

12) New Business: None.

13) Citizen Input: None.

14) Staff Comments: None.

15) Commissioner's Comments: None.

16) Chairman's Comments: None.

17) Adjournment: A motion to adjourn was made by Chairman Grannan, seconded by Commissioner Thompson. Motion carried 4-0. Meeting adjourned at 7:26pm.

ATTEST:

Recording Secretary Zach Ciciera

Chairman Daniel Grannan

DRAFT



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Development Services Department

MEETING DATE:	June 2, 2022	
APPLICATION NOS. PZ22-0045 FLUM AMENDMENT and PZ22-0044 PUD AMENDMENT – PORT PARADISE HOTEL, LLC		
PROPOSED AMENDMENTS:	FUTURE LAND USE MAP (FLUM) AMENDMENT	Amendment to change 4.0 Acres MOL from CW – Waterfront Commercial to MDR – Medium Density Residential on the FLUM.
	PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT	Amendment to the PUD Master Plan (6.96 Acres MOL) for Port Paradise Hotel by modifying the conditions of approval, and to change an allowed use from Hotel-Villas to Condominium Units.
SUBJECT PROPERTY:	Section 28 Township 18S, Range 17 E; specifically, Parcel ID 17E18S28 0070 000C0 0010 (Alt Key 3205793) and 17E18S28 13330 (Alt Key 1090695) as identified in the records of the Citrus County Property Appraiser, and which address is known as 1508 SE Kings Bay Drive, Crystal River, FL. A complete legal description is on file with the City of Crystal River, Planning and Community Development Services Department.	
PROPERTY OWNER:	Port Paradise Hotel, LLC	
LAST OCCUPANT:	The Port Hotel and Marina and the Waterfront Social restaurant exist on site.	
EXISTING LAND USE:	Existing Land Use (6.96 acres MOL) is CW on the Future Land Use Map. Proposed Land Use Amendment is for 4.0 Acres from CW to MDR.	
EXISTING ZONING:	Existing Zoning is PUD on the Official Zoning Map.	
FLOOD ZONE:	According to the Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone CAZ with a Base Flood Elevation (BFE) of 13 feet, as found on FIRM Panel Number 12017C0189E. (Effective date: January 15, 2021)	
SURROUNDING AREA:	North – P/SP – Public/Semi-Public and MDR on the FLUM; and PI – Public Institutional and R-W – Residential Waterfront on the Zoning Map. (US Fish and Wildlife Service, Crystal River National Wildlife Refuge office and visitor center)	
	South – MDR on the FLUM; and R-2 on the Zoning Map (Paradise Point Villas multi-family and single-family residence)	
	East – MDR on the FLUM; and R-2 on the Zoning Map (Paradise Point Villas)	
	West – Kings Bay on the Crystal River (sovereign submerged lands and navigable waters of the State of Florida)	
PREPARED BY:	Jenette Collins, AICP, Urban Planner, Planning and Development Services Department	

BACKGROUND INFORMATION:

This is a two-part request to modify the PUD for the Port Paradise Hotel, a master planned development comprising 6.96-acres. The applicant desires to replace the previous approved “hotel-villas” use with a “32-unit condominium” use. The condominium use is considered a multi-family

residential use, and therefore necessitates a small-scale comprehensive plan amendment to the FLUM from CW to MDR. The approved uses are controlled by the PUD.

As part of this PUD amendment, the applicant additionally requests to remove the referenced phasing schedule found on the master plan, along with the conditional requirement for a Developer’s Agreement which is not found necessary for the development of the project.

Located on SE Paradise Point Road (at the southern terminus of SE Kings Bay Drive), the resort-type development of the property dates to the 1960’s according to the Property Appraiser’s tax roll records. The property currently has a restaurant and a hotel with marina and related amenities.

The 2017 PUD (Ordinance 17-O-17) was approved by the City Council on January 8, 2018, to allow for the re-development of site for a restaurant, hotel and a separate hotel-villas building (35 units) with related amenities. The PUD was further amended in 2019 (Ordinance 19-O-17) to allow an addition foot for maximum permitted building height when a 2-foot freeboard (pertaining to base flood elevation) is applied. Following the PUD approval, the project commenced with the demolition (Permit PD20-0009) of the pool, pool building and other incidental buildings. On October 4, 2021, an *Administrative Waiver* was approved by the City for the proposed hotel to allow an increase in height for 45% of the roof area of the new building by 4 feet, 8 inches in height, given the 2021 Federal Emergency Management (FEMA) changes that place the proposed structures within the FIRM’s LiMWA (Limit of Moderate Wave Action) boundary (requires that first elevated floor is now measured from the base of the lowest structural member of the building as opposed to the first finished floor). The Ordinances and Administrative Waiver are included in the Applicant’s submittal (see backup).

ANALYSIS FOR FLUM AMENDMENT: The FLUM amendment is requested to change 4.0 acres of the subject property from CW to MDR to allow for the condominium (multi-family) housing. The following analysis is provided.

Density/Intensity – The Comprehensive Plan’s FLUM designation for the entire 6.9 acres is presently CW which allows for the planned commercial resort-type uses, but does not provide for condominium (multi-family) housing. The request to amend 4.0 acres of the property from CW to MDR will allow for multi-family housing having a maximum density of 8 dwelling units (d/u) per acre. Both the CW and MDR Future Land Use categories allow for the PUD zoning district. Subsequently, the request to replace the 35-unit villa-hotel use with a 32-unit condominium (4 acres X 8 d/u per acre) on the PUD master plan is consistent with the requested FLUM amendment as allowed by the Comprehensive Plan.

The following table provides a comparison of the two FLUM land use categories for the request to amend 4 acres from CW to MDR:

Comprehensive Plan FLUM Category:	From CW, Commercial Waterfront	To MDR, Medium Density Residential
Category Description:	Water dependent business and commercial uses	Single- and multi-family residential (residential density from 3.12 to 8 units per acre)

Source: Crystal River Comprehensive Plan, Future Land Use Element (Ord. No. 21-O-06)

It is noted that the balance of the property (2.96 acres) will retain the FLUM CW designation for the commercial uses of hotel and restaurant.

The proposed amendment from CW to MDR on the FLUM is found consistent with the surrounding land use across SE Paradise Circle which is MDR on the FLUM and R-2 (8 d/u acre) on the Zoning Map, and is developed as multi-family villas.

ANALYSIS FOR PUD AMENDMENT: The applicant makes the request to modify the PUD Master Plan by changing an allowed use from Hotel-Villas to a Condominium (multi-family) building, and by amending the conditions of approval to identify the changed use, and to remove the referenced phasing schedule found on the master plan, along with the conditional requirement for a Developer's Agreement. Except as provided within the conditions of approval for the PUD, development standards shall take place in accordance with the provisions of the Crystal River Land Development Code (LDC) for PUD and shall be consistent with the Comprehensive Plan. It is noted that the 2017 PUD approval provides flexibility in terms of the development areas as depicted on the PUD Master Plan so that it may be revised as part of the site plan review process and that such approval shall not constitute a substantial change. Staff will review the site plan at time of permitting to determine compliance with the LDC except as otherwise controlled by the approved PUD. No other changes are proposed except what follows:

1st Modification Request – to allow for condominium building

A. That item number 2. of Subsection C. of the Planned Unit Development Conditions is hereby amended as shown below with strikethroughs and underlines:

C. Planned Unit Development Conditions. The following conditions apply to the approval of this ordinance.

2. The maximum building height for the proposed hotel building and the proposed hotel villas condominium building (~~not to exceed 32 dwelling units~~) shall be limited to a building height of 56'-0", with a maximum of 8'-0" in additional height for the parapet, for a total maximum height of 64'-0". The maximum building height for all other buildings shown on the PUD shall be 50'-0"¹.

¹*If the minimum elevation of the lowest floor is at the base flood elevation (BFE) plus two (2) feet freeboard, the maximum permitted building height may be extended by one foot.*

Staff finds that proposed modification is compatible with the surrounding land uses and is consistent with the proposed FLUM amendment being heard simultaneous to this request subject to approval by the City Council.

2nd Modification Request – to remove the requirement for a Developer's Agreement

B. That item number 3. a. of Subsection C. of the Planned Unit Development Conditions as shown below in strikethrough is hereby deleted:

C. Planned Unit Development Conditions. The following conditions apply to the approval of this ordinance.

3. Prior to approval of the first site plan, the following conditions must be complied with:

a. ~~The Developer shall enter into a Developer's Agreement compliant with LDC Chapter 14 which identifies the responsibilities of the Developer for any development timing, infrastructure analysis, and maintenance and operation responsibilities.~~

It is noted that the 2017 PUD requires a Developer's Agreement. The Developer's Agreement has not occurred to date. After discussion with staff, as part of this application the applicant has rescinded the request for Developer's Agreement. Staff has no objection since the Crystal River LDC provides standards for infrastructure requirements that are applied at time of development permit. No timing issues are evident. The LDC Chapter 14 remains available in such case as where the applicant desires to make such a request as may be found necessary to address required improvements as to certain development permissions.

3rd Modification request – to remove phasing schedule

C. That the following Planned Unit Development Condition is hereby added:

The "Development Phasing Schedule" as shown on the PUD Master Plan for Port Paradise Hotel is deleted. A determination for expiration of development rights for the PUD Master Plan shall be in accordance with those procedures set forth in Section 10.00.04 of the Crystal River Land Development Code, except that the term to obtain a development permit for planned site improvements shall be for five (5) years.

This request is found reasonable given recent events (e.g., construction impacts of COVID-19 such as material and manpower shortages) that have affected the ability for construction projects to proceed at an expected time. The phasing schedule shown on the plan is outdated and no longer practical. Instead, staff recommends that the default language of the Land Development Code be applied with a five-year expiration instead of one-year as stated in the LDC.

INFRASTRUCTURE: The applicant has provided an analysis of impacts (see applicant's application submittal in backup) of the amended land use. The request proposes to decrease the density/intensity by changing the 35-unit villa-hotel use to a 32-unit condominium. As such, impacts to the serving infrastructure are likely to be decreased.

Transportation (Ingress/Egress) – Primary access is not changed as a result of the PUD amendment and remains from SE Paradise Point Road, functionally classified as a public, local collector road.

Water – Redevelopment of the project will be required to connect to City of Crystal River public potable water supply system. Adequate capacity exists.

Sewer – Redevelopment of the project will be required to connect to City of Crystal River sanitary sewer system. Adequate capacity exists.

Stormwater Management – Stormwater management requirements are established by the Southwest Florida Water Management District (SWFWMD) for a commercial project. SWFWMD will determine if changes to the project's impervious surface warrant amending the State of Florida's permit for stormwater management. This requires that the rate of post-development runoff conditions shall not exceed pre-development runoff conditions.

CONSISTENCY WITH THE COMPREHENSIVE PLAN: The City's Comprehensive Plan establishes the FLUM designations and map. The request to amend the FLUM on 4.0 acres from CW to MDR and the amendment to the Master Plan of development for the PUD is found consistent with the City's Future Land Use Element of the Comprehensive Plan. A review of the PUD proposed uses as conceptualized on the Master Plan are found to be consistent with the density and intensity of the Future Land Use Element for each respective CW and MDR category. The following objective and policies of the Future Land Use Element are relevant:

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.

The PUD with Master Plan was previously vetted in an advertised public hearing before the City Council as demonstrated in Ordinance 17-O-17, and further amended by Ordinance 19-O-17. This proposed amendment to the FLUM and modification to the PUD decreases the density/intensity of the project, is found compatible with the surrounding land uses, and is deemed consistent with the intent of the Comprehensive Plan for the PUD concept.

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

STAFF FINDINGS: The Port Paradise Hotel PUD and associated master plan was previously vetted and approved in an advertised public hearing before the City Council. Staff finds that this proposed amendment to the FLUM and modification to PUD decreases the density/intensity of the project, is

found compatible with the surrounding land uses, and is deemed consistent with the intent of the Comprehensive Plan for the PUD concept.

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES:

Please see Staff's PowerPoint presentation.


PLANNING COMMISSION ACTION: As conveyed in Subsection (B.) of 8.02.03 of the Crystal River Zoning Ordinance, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding applications for amendment of its comprehensive plan and amend the official zoning map to PUD together with PUD master plan.

Pursuant to Subsection (C.) (#4) of 10.03.04. *Procedures for action by the Planning Commission*, the Planning Commission shall recommend to the City Council that the application(s) be approved, approved with conditions (PUD changes), or denied. The recommendation shall be in writing and shall include findings to support the recommendation(s).

- 1) PZ22-0045 FLUM Map Amendment
- 2) PZ22-0044 PUD Amendment (Zoning)

ATTACHMENTS:

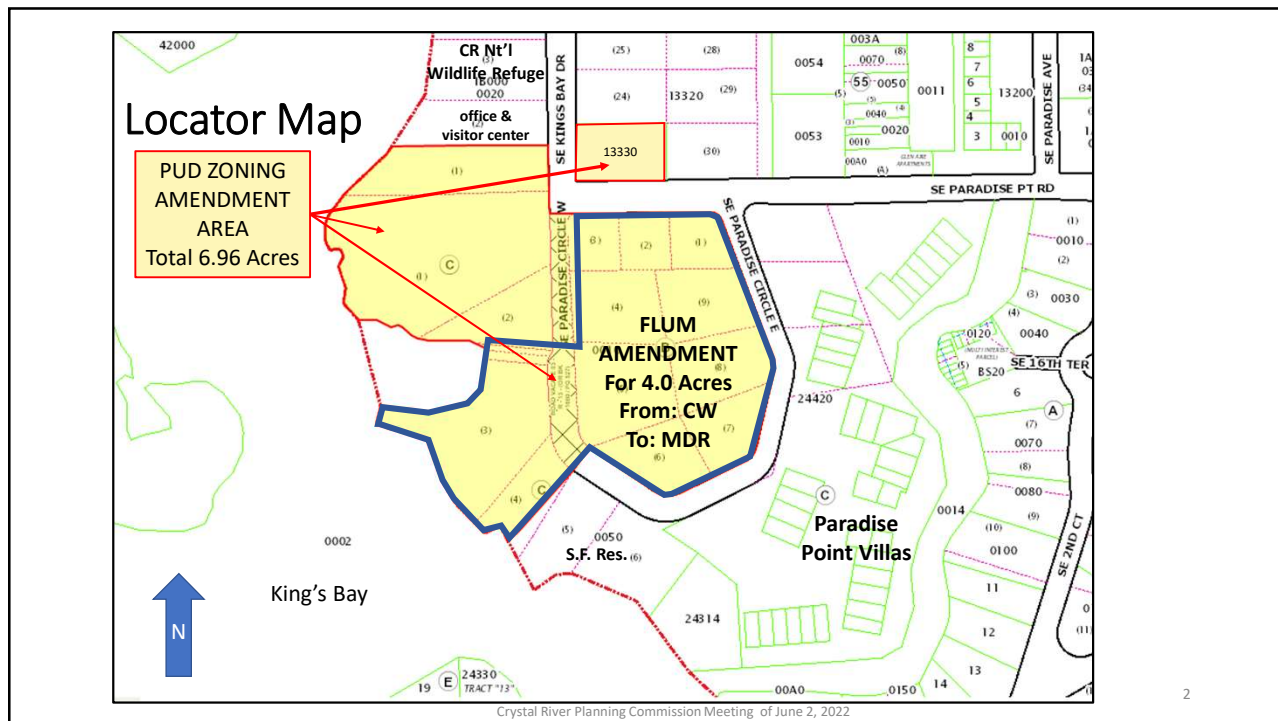
1. Staff PowerPoint Presentation
2. Notice/Locator Map of subject property
3. Applicant's Submittal with supporting documents



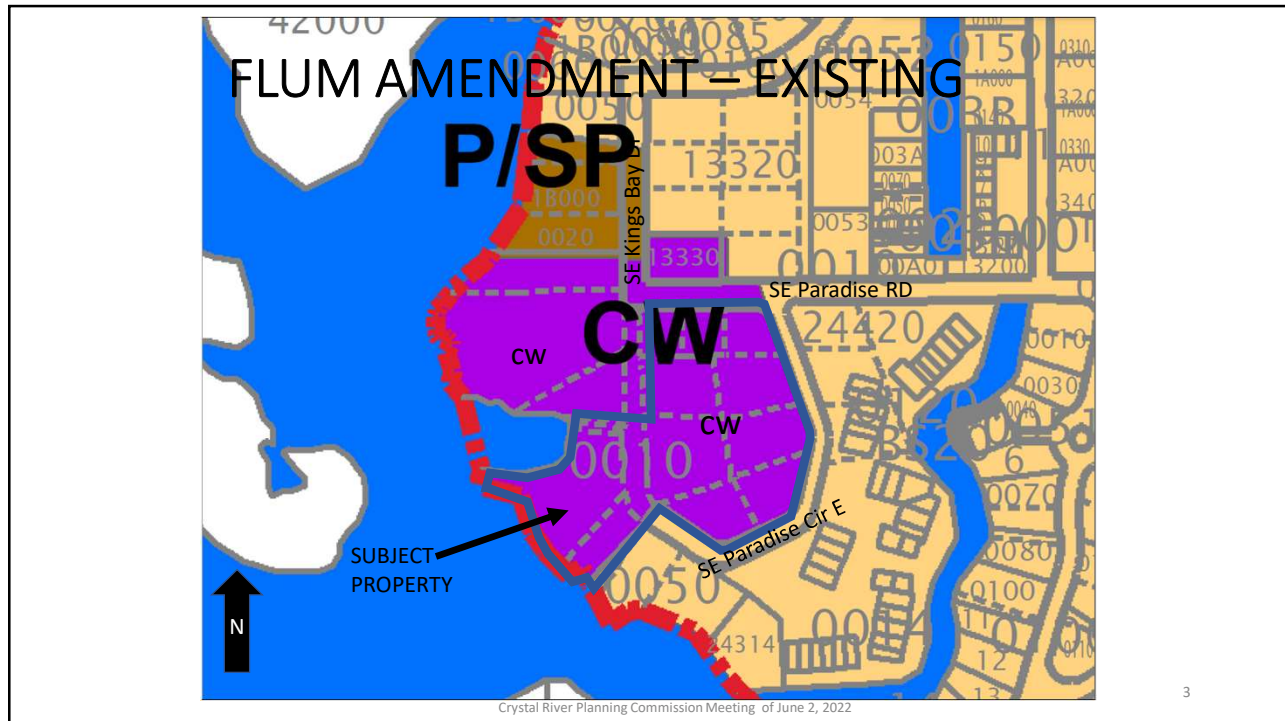
PZ22-0045 FLUM AMENDMENT
PZ22-0044 PUD AMENDMENT
PORT PARADISE HOTEL, LLC

Crystal River Planning Commission Meeting of June 2, 2022

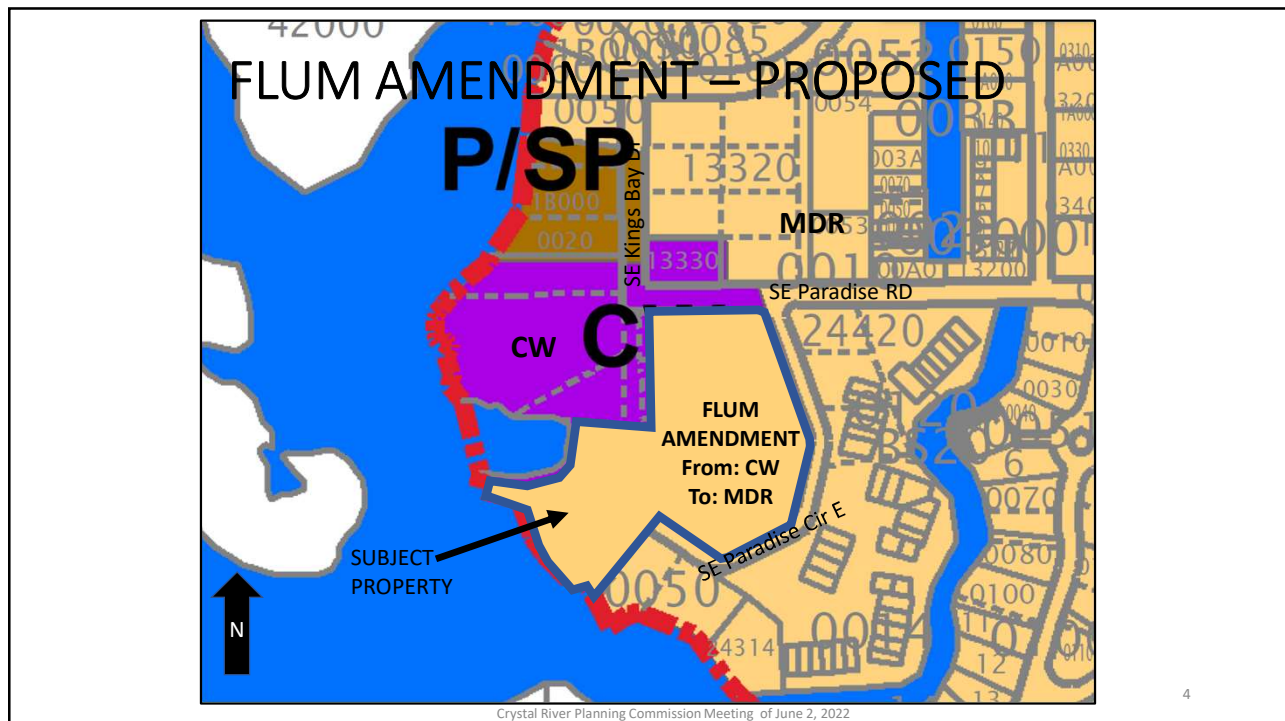
1



2



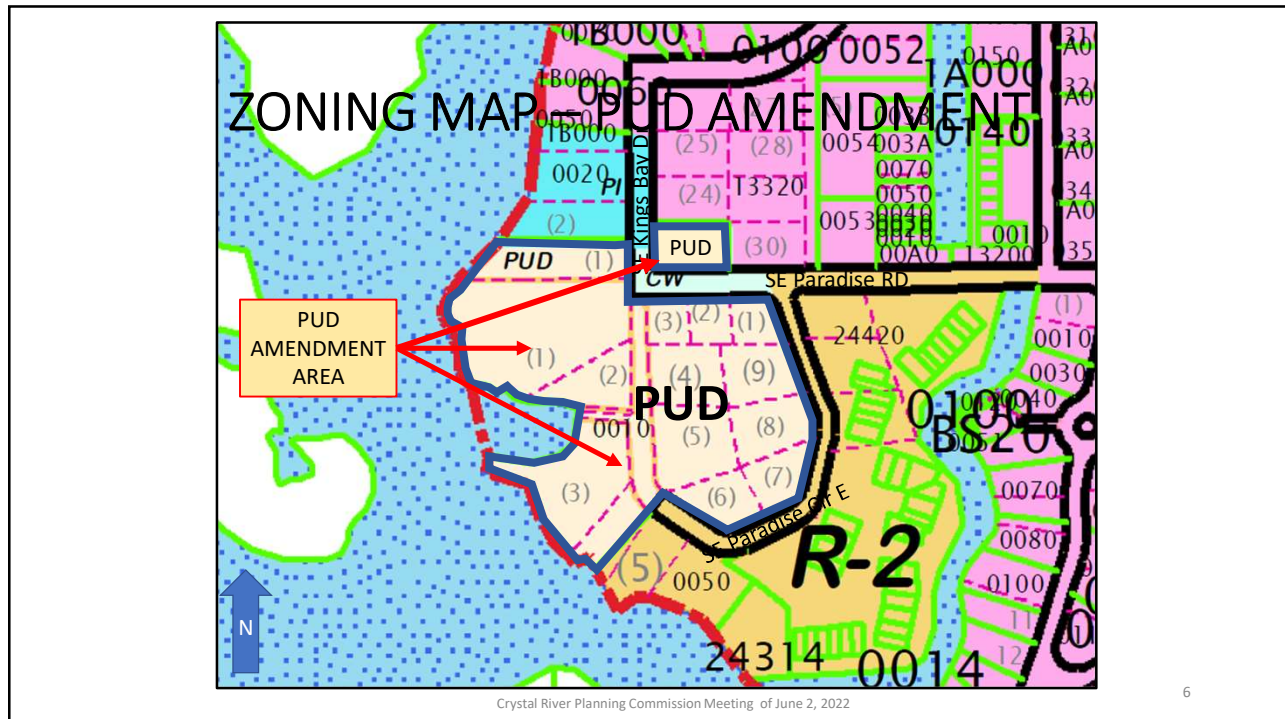
3



4



5



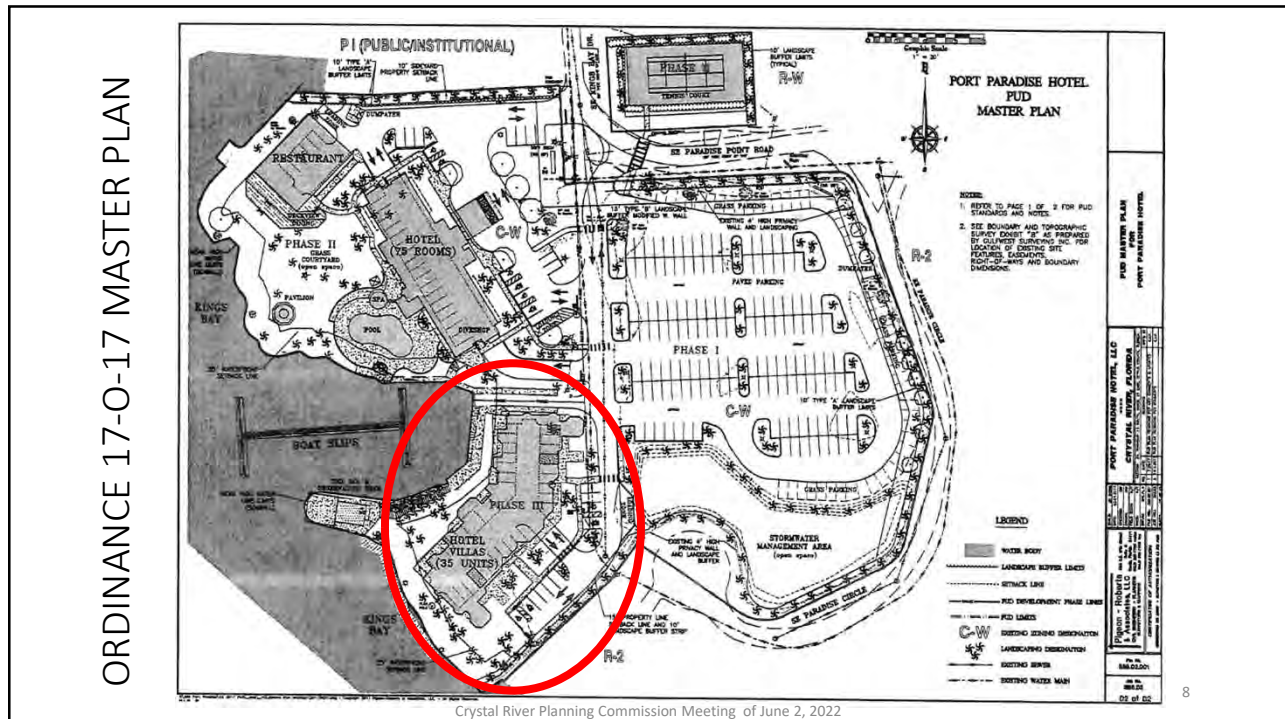
6

PUD AMENDMENT REQUESTS:

- Replace the previous approved 35-unit “hotel-villas” use with a “32-unit condominium” use.
- Remove the conditional requirement for a Developer’s Agreement.
- Remove the phasing schedule.

Crystal River Planning Commission Meeting of June 2, 2022

7



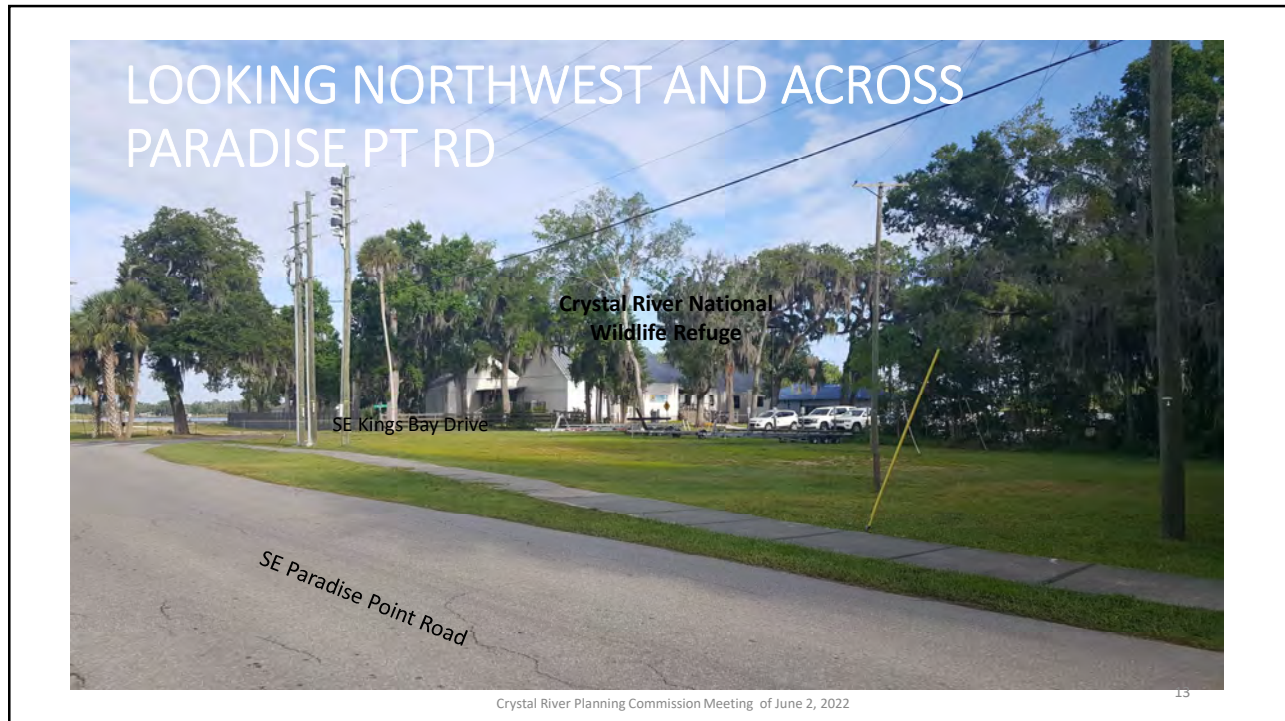
8



11



12



13



14

LOOKING SOUTHWEST AT END OF PARADISE PT CIRCLE



Crystal River Planning Commission Meeting of June 2, 2022

15

15


LOOKING WEST FROM SUBJECT PROPERTY



Crystal River Planning Commission Meeting of June 2, 2022

16

16



QUESTIONS?

PZ22-0045 FLUM AMENDMENT
PZ22-0044 PUD AMENDMENT
PORT PARADISE HOTEL, LLC

Crystal River Planning Commission Meeting of June 2, 2022

17



City of Crystal River

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

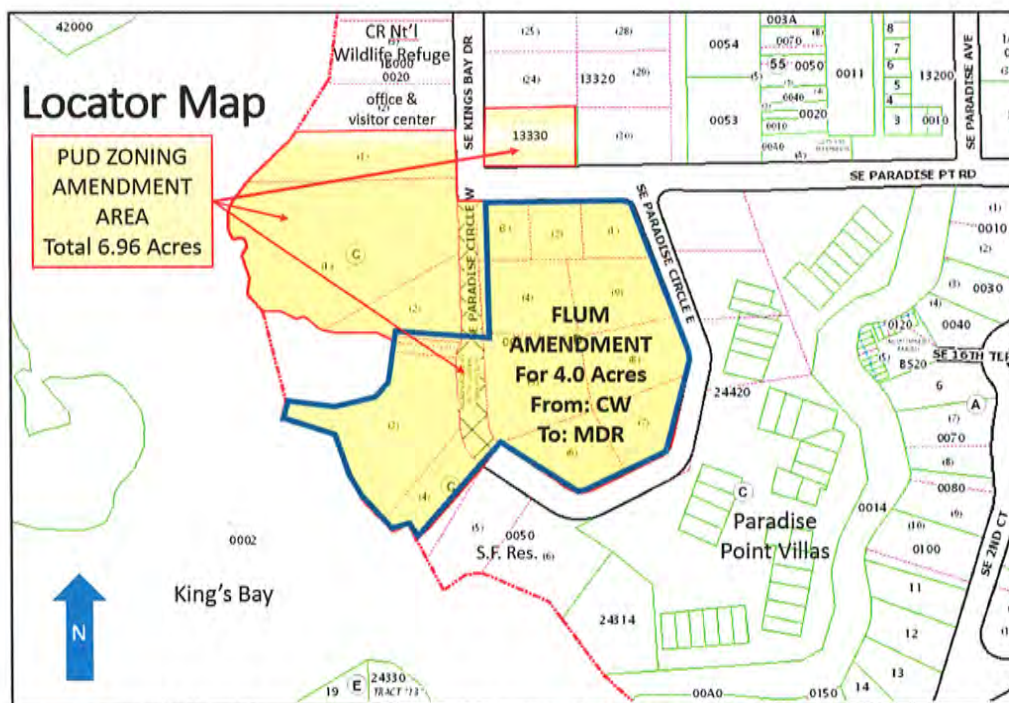
RE: Application Nos. PZ22-0045/PZ22-0044

May 16, 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 **Port Paradise Hotel, LLC** 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 4.0 acres (MOL) to redesignate the Future Land Use from Waterfront Commercial (CW) to Medium Density Residential (MDR) category; and by amending the Official Zoning Map by modifying a Planned Unit Development (PUD) Master Plan being 6.96 acres (MOL) and known as "Port Paradise Hotel," by amending conditions, and to change an allowed use from Hotel-Villas to Condominium Units. The subject property is located at 1508 SE Kings Bay Drive, Crystal River, Florida 34429, lying in Section 27, Township 18S, Range 17E, specifically, Parcel ID 17E18S28 0070 000C0 0010 (Alt Key 3205793) and 17E18S28 13330 (Alt Key 1090695) as identified in the records of the Citrus County Property Appraiser. A complete legal description is on file with the City of Crystal River, Planning and Community Development Services Department.



Subject Property: 1508 SE Kings Bay Drive, 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 Zoning Map Amendment, please be advised that Public Hearings will be held on:

Planning Commission: Thursday, June 2, 2022, at 5:30 p.m.

City Council: Monday, August 8, 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: File PZ22-0045/PZ22-0044

ORDINANCE NO. 22-O-16

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, PROVIDING FOR A SMALL-SCALE AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY RECLASSIFYING PROPERTY (4.0 ACRES MOL) KNOWN AS PART OF PARCEL ID: 17E18S28 0070 000C0 0010 (ALT KEY 3205793) IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY PORT PARADISE HOTEL, LLC, FROM WATERFRONT COMMERCIAL (CW) 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 4.0 acres (MOL) owned by Port Paradise Hotel, LLC by redesignating the Future Land Use from Waterfront Commercial (CW) 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. PZ22-0045 PORT PARADISE HOTEL, LLC

The Future Land Use Map of the Comprehensive Plan of the City of Crystal River is hereby amended to change the Future Land Use Designation from Waterfront Commercial (CW) 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 28, Township 18 South, Range 17 East, specifically a Part of Parcel ID 17E18S28 0070 000C0 0010 (ALT KEY 3205793), as follows:

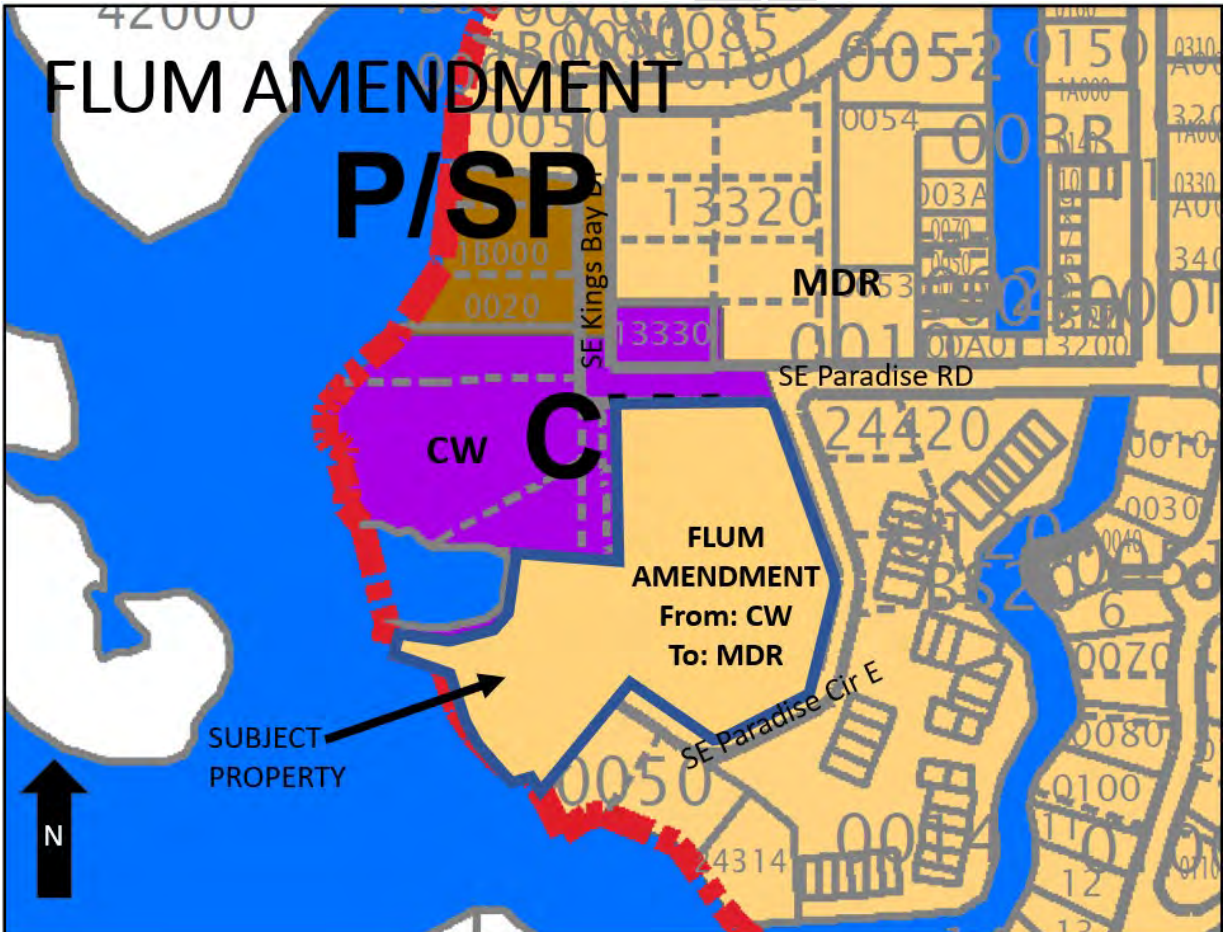
A portion of Parcels 3 and 4 AND all of Parcels 1, 2 and 5, recorded in Official Records Book 2464, Page 1493 AND a portion of 40 foot vacated road, recorded in Official Records Book 1600, Pages 527 through 529, Public Records of Citrus County, Florida. Being further described as follows:

Begin at the most Easterly corner of Lot 1, Block 8, BAY VIEW SUBDIVISION, Plat Book 2, Page 37, Public Records of Citrus County, Florida, said point also being on the Westerly right-of-way line of SE PARADISE CIR. (BAY VIEW DR. a 40 foot wide road per said Plat); thence N 17°22'11" W along said Westerly right-of-way line, 82.20 feet to the point of curvature, said curve concaved Southwesterly having a radius of 20 feet and a central angle of 73°15' 41 " ; thence Northwesterly along said Westerly right-of-way line and the arc of said curve 25.57 feet to the point of tangency, (bearing and distance between said points being N 53°52'22" W, 23.87 feet), said point of tangency also being the intersection with the South right-of-way line of SE PARADISE POINT RD.; thence N 89°30'04" W along said South right-of-way line, 222.80 feet; thence departing said South right-of-way line S 00°36'03" E, 231.15 feet; thence N 89°09'35" W, 97.08 feet; thence N 86°08'35" W, 37.85 feet; thence S 89°54' 47" W, 30.35 feet to a concrete seawall; thence along the waterward face of said seawall the following courses and distances; S 07°42'20" W, 57.24 feet; S 44°17'54" W, 30.44 feet; S 73°15' 45" W 34.42 feet; S 75°52'56" W, 22.30 feet; N 87°24'24" W, 10.85 feet; N 80°44'56" , 69. 77 feet; S 06°43' 48" W, 32.84 feet; S 74°50'16" E, 51.40 feet; S 64°22'23" E, 29.55 feet; S 17°00'19" E, 68.31 feet; S 32°01'06" E, 39.22 feet; S 41°33'32" E, 44.74 feet; S 43°58'18" E, 24.55 feet; S 78°53'05" E, 5. 72 feet; N 56°35'12" E, 21.07 feet; S 30°37'28" E, 1 .40 feet to a point on the Southeasterly line of Parcel 2 as described in Official Records Book 2464, Page 1493, Public Records of Citrus County, Florida; thence departing said concrete seawall N 48°53'15" E along said Southeasterly line of Parcel 2, 158. 75 feet to the most Easterly corner of Lot 4, Block C of said BAY VIEW SUBDIVISION; thence N 44°20'32" E, 33.69 feet to a Northwesterly projection of the Northeasterly right-of-way line of the aforementioned SE PARADISE CIR.; thence S 57°29'46" E along said projection and the Northeasterly right-of-way line of SE PARADISE CIR., 123.68 feet to the point of curvature, said curve concaved Northerly having a radius of 46.90 feet and a central angle of 59°10'22"; thence Easterly along said right-of-way line and the arc of said curve 48.44 feet to the point of tangency, (bearing and distance between said points being S 83°04' 47" E, 46.31 feet); thence along the Northwesterly right-of-way line of said SE PARADISE CIR., 116.07 feet to the point of curvature, said curve concaved Northwesterly having a radius of 40.00 feet and a central angle of 50°42'08"; thence Northeasterly along said right-of-way line and the arc of said curve 35.40 feet to the point of tangency, (bearing and distance between said points being N 40°29'07" E, 34.25 feet) to the aforementioned Westerly right-of-way line of SE PARADISE CIR.; thence N 15°10'25" E along said Westerly right-of-way line, 125.30 feet to the point of curvature, said curve concaved Westerly having a radius of 40.00 feet and a central

angle of 32°51 '50"; thence Northerly along said right-of-way line and the arc of said curve 22.94 feet to the point of tangency, (bearing and distance between said points being N 01°12' 46" W, 22.631 feet); thence continue along Westerly right-of-way line N 17°22'11" W, 152.03 feet to the POINT OF BEGINNING.

Containing 4.0 acres more or less.

LOCATOR MAP



End of Exhibit "A"

ORDINANCE 22-O-17

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA, BY MODIFYING A PLANNED UNIT DEVELOPMENT (“PUD”) MASTER PLAN KNOWN AS “PORT PARADISE HOTEL, LLC” (6.96 ACRES MOL), PARCEL ID: 17E18S28 0070 000C0 0010 (ALT KEY 3205793) AND 17E18S28 13330 (ALT KEY 1090695) IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, BY AMENDING CONDITIONS; BY CHANGING AN ALLOWED USE FROM HOTEL-VILLAS TO CONDOMINIUM UNITS; PROVIDING FOR CODIFICATION; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; PROVIDING FOR CONFLICTS OF LAW; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

WHEREAS, on January 8, 2018, the City of Crystal River City Council amended the official zoning map of the City of Crystal River by adopting Ordinance 17-O-17 to establish a Planned Unit Development (PUD) having a Master Plan known as “Port Paradise Hotel,” further amended by Ordinance 19-O-17; and

WHEREAS, Port Paradise Hotel, LLC desires to amend certain conditions of the PUD to change the allowed use from hotel-villas to condominium units, and to delete the PUD text referencing “phasing” along with the requirement for a Development Agreement (DA) as described in the PUD Modification Application (No. PZ22-0044) submitted to the City of Crystal River on April 26, 2022; and

WHEREAS, the City of Crystal River Planning Commission held a public hearing on <DATE> to consider an amendment to modify the PUD adopted by Ordinance 17-O-17, as further amended, of the City of Crystal River, thereby amending the Master Plan of Development, and

WHEREAS, the City of Crystal River Planning Commission voted <x-x > to recommend <approval/denial> to the City Council of the request to modify the PUD concerning that certain real property specifically described the attached **Exhibit A**; and

WHEREAS, the City Council of the City of Crystal River, Florida, after publication of a notice of its consideration of this ordinance, held a first reading and Introduction of this Ordinance and a second reading and public hearing as required by law; and

WHEREAS, this Ordinance, upon adoption by the City Council of the City of Crystal River, effectively modifies the PUD known as “Port Paradise Hotel” by amending Ordinance 17-O-17, as further amended; and

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

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

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

SECTION 1. PURPOSE.

The purpose of this Ordinance is to modify the PUD Master Plan known as “Port Paradise Hotel” by changing an allowed use from Hotel-Villas to a Condominium (multi-family) building, and by amending Planned Unit Conditions of approval as set forth in SECTION 3 below, for property fully described in Exhibit “A” attached hereto and incorporated herein by reference, for the reasons set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY

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

The City Council of the City of Crystal River, Florida, hereby adopts and incorporates into this Ordinance the amendments shown in SECTION 3.

SECTION 3. PLANNED UNIT DEVELOPMENT CONDITIONS AMENDMENT

APPLICATION NO. PZ22-0044 PORT PARADISE HOTEL, LLC

A. That item number 2. of Subsection C. of the Planned Unit Development Conditions is hereby amended as shown below with strikethroughs and underlines:

C. Planned Unit Development Conditions. The following conditions apply to the approval of this ordinance.

2. The maximum building height for the proposed hotel building and the proposed ~~hotel-villas~~ condominium building (not to exceed 32 dwelling units) shall be limited to a building height of 56’-0”, with a maximum of 8’-0” in additional height for the parapet, for a total maximum height of 64’0”. The maximum building height for all other buildings shown on the PUD shall be 50’-0”¹.

¹If the minimum elevation of the lowest floor is at the base flood elevation (BFE)

plus two (2) feet freeboard, the maximum permitted building height may be extended by one foot.

B. That item number 3.a. of Subsection C. of the Planned Unit Development Conditions as shown below in strikethrough is hereby deleted:

C. Planned Unit Development Conditions. The following conditions apply to the approval of this ordinance.

3. Prior to approval of the first site plan, the following conditions must be complied with:

a. ~~The Developer shall enter into a Developer's Agreement compliant with LDC Chapter 14 which identifies the responsibilities of the Developer for any development timing, infrastructure analysis, and maintenance and operation responsibilities.~~

C. That the following Planned Unit Development Condition is hereby added:

The "Development Phasing Schedule" as shown on the PUD Master Plan for Port Paradise Hotel is deleted. A determination for expiration of development rights for the PUD Master Plan shall be in accordance with those procedures set forth in Section 10.00.04 of the Crystal River Land Development Code, except that the term to obtain a development permit for planned site improvements shall be for five (5) years.

SECTION 4. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Crystal River, Florida, Official Zoning Map. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City of Crystal River, Florida, is given broad and liberal authority to appropriately codify the Exhibits into the provisions of the City of Crystal River Official Zoning Map in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the provisions of this Section. The Exhibits to this Ordinance are hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

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

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

SECTION 6. REPEAL OF CONFLICTING ORDINANCES

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

SECTION 7. SEVERABILITY

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

SECTION 8. EFFECTIVE DATE

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

THIS ORDINANCE was introduced and placed on first reading on the _____ day of _____, 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
Port Paradise Hotel PUD
Land Description

For property lying in Section 28, Township 18 South, Range 17 East, as follows:

PARCEL 1:

Lot 3, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida; together with a tract of land North of said Lot 3, in Block C described as follows: Beginning at the NE corner of Lot 3, Block C, run N3° 10'W 20 feet more or less along the West boundary of Bay View to a point where the West boundary of Bay View Drive intersects the Center line of an original 10 foot alley as shown on said Plat; thence run N80°40' W along the center line of said alley to the waters of Crystal Bay, thence meander the waters of Crystal Bay in a Southeasterly direction to a point where the North line of said Lot 3, intersects the waters of Crystal Bay, thence run S 80°40' E along the North boundary of said Lot 3 to the Point of Beginning.

AND

PARCEL 2:

Lot 4, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida; LESS AND EXCEPT that part of Lot 4, in Block C, lying South and East of the following described line: Beginning at the most Easterly corner of said Lot 4 and run thence S46°44'W to the waters of Crystal Bay.

AND

PARCEL 3:

Lots 1 and 2, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida.

AND

PARCEL 4:

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, in Block B, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida.

AND

PARCEL 5:

A Tract of land South of Lot 2, in Block C, BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida, described as follows: Beginning at the Southeast corner of said Lot 2, run thence S3 ° 10'E along the West boundary of Bay View Drive 5 feet, more or less, to a point where the West boundary of Bay View Drive

intersects the center line of an original 10 foot alley, as shown on the plat, thence run N80°40'W along the center line of said alley to the waters of Crystal Bay, thence meander the waters of Crystal Bay in a Northwesterly direction to a point where the South line of said Lot 2 intersects the waters of Crystal Bay, thence run S80°40'E along the South boundary of said Lot 2 to the Point of Beginning.

AND

PARCEL 6:

Beginning at a point 200 feet East and 25 feet North of the Southwest corner of the SW 1/4 of the NE 1/4 of Section 28, Township 18 South, Range 17 East, thence North 95 feet, thence East 150 feet, thence South 95 feet, thence West 150 feet to the Point of Beginning. Said lot also known as Lot 23, PARKER'S HAVEN UNRECORDED.

AND

PARCEL 7:

Beginning at the Southwest corner of the NE 1/4 of Section 28, Township 18 South, Range 17 East, run thence East 150 feet, thence North 75 feet, thence West to the waters edge of Blinds Pass of Kings Bay; thence following along the meanderings of the waters edge Southwardly to a point directly West and opposite the Point of Beginning; thence run East to the Point of Beginning. This tract is also described as part of Lot 1, PARKER'S HAVEN UNRECORDED.

AND

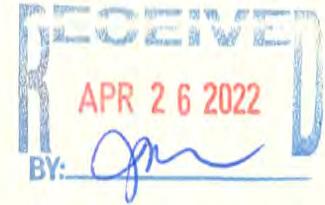
PARCEL 8:

A portion of Lot 2, PARKER'S HAVEN UNRECORDED, described as follows: Commence at the SW corner of the SW 1/4 of the NE 1/4 of Section 28, Township 18 South, Range 17 East, thence East along the South line of said SW 1/4 of the NE 1/4 a distance of 150 feet to a point on the West right-of-way of a County Road, thence North along said right-of-way line a distance of 75 feet to the Southeast corner of lands described in Deed recorded in Official Records Book 63, Page 176; thence West along the South line of said lands a distance of 192.98 feet to the Point of Beginning, thence continue West along said South line a distance of 86.52 feet, more or less, to the waters of Crystal Bay, thence Northeasterly along said waters to a point that bears N85°08'20"W from the Point of Beginning, thence S. 85°08'20"E 79.52 feet more or less to the Point of Beginning.

END OF EXHIBIT A

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

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



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

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

April 26, 2022

Hand Delivery

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

Re: Port Paradise Hotel (1) GFLUM/LDC Map Amendment 4.0 Acres
(2) PUD Modification – Alternate Key #3205793

Dear Jenette:

On behalf of our client, Port Paradise Hotel, LLC, the owner of the noted parcel, I enclose two (2) City applications to modify (1) the GFLUM/LDC zoning maps on 4.0 acres from CW to MDR and (2) the noted PUD text, land uses and master plan amendments. The PUD application filed on November 22, 2021 is being withdrawn and this filing will supersede such. The PUD history is as follows:

1. Ordinance No. 17-O-17 (Exhibit "G-1");
2. Ordinance No. 19-O-17 (Exhibit "G-2");
3. Administrative waiver dated October 4, 2021 (Exhibit "G-3").

Existing PUD approvals identify a traditional hotel and restaurant use and a "hotel/villa" site for 35 units.

The proposed map applications (MDR) and PUD modification go to an amended land use from "hotel-villas" to "condominiums" units. The site plan does not change – specifically no change as to the building size, height, location and setbacks. The number of units is reduced from 35 hotel-villas to 32 condominium units. The PUD text referencing "phasing" is deleted along with the required Development Agreement (DA). The latter is not necessary as there are no concurrency issues which mandate a need for a DA on concurrency issues. These changes are essentially "housecleaning" of the PUD conditions.

For a concurrency review, the stated amended use is marginally less intense than a commercial hotel-villas. Number of units is marginally reduced. The application text speaks to traditional land use impacts of the PUD's existing use versus the proposed use. From a land use

perspective – the proposed modification from hotel (a commercial use) to residential is a less intense use as to use and units.

The City's land use forms completed and executed are enclosed with referenced exhibits supporting the request. Please review the application for completeness. A filing fee of \$500.00 is already on file from client's prior filing. An additional fee of \$250.00 is included. Thank you.

Very truly yours,

LAW OFFICE OF CLARK A. STILLWELL, LLC



Clark A. Stillwell, Esq.

CAS/cv
Enclosure
cc: Client



City of Crystal River

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

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

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

Check One: Small Scale [X] # Acres 4.0 AltKey: 3205793
Large Scale # Acres Parcel #:

Name of Petitioner(s): Port Paradise Hotel, LLC

Address of Petitioner(s): 1610 SE Paradise Circle

City Crystal River State Florida Zip Code 34429

Phone # 352-726-6767 Fax # 352-726-8283 Cell #

Email Address: caslaw@tampabay.rr.com

Legal Description attached: Yes [X] No Survey attached: Yes [X] No

Street address of property (if applicable): 1508 SE Kings Bay Drive, Crystal River, FL

Existing Land Use: WC Proposed Land Use: MDR

Reason for Request: Concurrent with PUD application - amend GFLUM to MDR to allow condominiums in lieu of Hotel-Villas.

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

- [X] Deed or Proof of Ownership Exhibit "A"
[X] Notarized signature of the current property owner(s) and the Agent's signature, if applicable.
[X] Survey or aerial of property from Property Appraiser website, printed on paper that is no less than 11" x 17". (Provide a complete legal description of area under consideration.)
[X] Paid application fee Paid in prior filing Included in prior filing

I Paresh Desai, being first duly sworn, affirm and say that I am the:

(check one)

owner, or

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

[Signature]
Signature

507 NW 9th Avenue
Address

352-634-0980
Phone Number

Crystal River, FL 34428
City, State, Zip Code

State of Florida

County of Citrus

The foregoing instrument was acknowledged before me this 7, day of April, 2022, by Paresh Desai, who is personally known to me or has produced — as identification and who did/did not take an oath.

Shannon Bryant
Notary Public

Commission No.: 96925883

Commission Expires: 10/25/2023





RECEIVED
APR 26 2022
BY:

**REZONING APPLICATION
FOR PUD MODIFICATION**

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

Applicant Information:

Name: Port Paradise Hotel, LLC
Address: 1610 SE Paradise Circle, Crystal River, Florida 34429
Phone #: 352-726-6767 Fax #: 352-726-8283 Cell #: _____
Email Address: caslaw@tampabay.rr.com

Property Description:

Parcel Account #: 17E18S280070000C00010 Alt. Key # 3205793
Street Address (or street & avenue location): 1508 SE Kings Bay Drive, Crystal River, FL

Legal Description: See Exhibits "A" - total site, "B-1" - survey and
"B-2" - 4.0 acres

(or attachment)

Property Acreage: 4.0 Sq. ft.: _____
Present F.L.U.M. Designation: CW - Proposed MDR
Present Zoning Designation: PUD
Requested PUD Modification: MDR - 4.0 acres/balance no change
Reason for the Request: See application text, Exhibit "F".

Explain Consistency with the Future Land Use Plan: See application text - Exhibit "F".

Additional Contact Information (other than Owner or Agent)

Name: Law Office of Clark A. Stillwell
Address: PO Box 250, Inverness, Florida 34451
Phone #: 352-726-6767 Fax #: 352-726-8283 Cell #: _____
Email Address: caslaw@tampabay.rr.com

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

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)
Ex. "C"	A. The application shall include a map of the area that can be found on the Citrus County Property Appraiser website (www.citruspa.org)
Ex. "D-2"	1. The current zoning district designations for the subject property and all adjacent properties. The zoning map can be found at www.crystalriverfl.org
Ex. "D-1"	2. The land use categories from the Future Land Use Map that can be found at www.crystalriverfl.org
Ex. "F"	B. For PUD Master Plan Amendment (refer to Section 10.01.03, LDC)
Ex. "F"	1. A description of the proposed modification to existing conditions of approval.
Ex. "F"	2. For a PUD master plan, a detailed, written list and explanation of how the proposed PUD differs from any provision of the LDC applicable to required development standards.
N/A	3. For PUD master plans where development is proposed in phases, the plans shall include phase lines and supporting information.

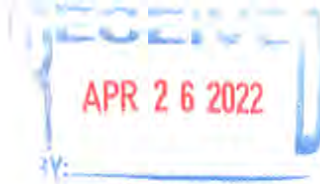


Exhibit List
Rezoning PUD Modification
Alternate Key No.: 3205793 (6.96 acres) (MOL)
Section 28, Township 18, Range 17

Exhibit "A" – PA printout – Deed

Exhibit "B" – Legal Descriptions

 "B-1" – Survey - PUD (large size already on file)

 "B-2" – Map Amendment (4.0 Acres)

Exhibit "C" – Aerials

 "C-1" Citrus County GIS Aerial(s)

 "C-2" – Property Appraiser Map

Exhibit "D" – Maps

 "D-1" - Crystal River GFLUM Map

 "D-2" - Crystal River LDC Atlas Map

Exhibit "E" – Abutter Map

Exhibit "F" – Application Text

Exhibit "G" - PUD Site Plan

Exhibit "H" – PUD History

 "H-1" – Ordinance 17-O-17

 "H-2" – Ordinance 19-O-17

 "H-3" – Administrative Waiver 10/4/21

Altkey: 3205793
PORT PARADISE HOTEL LLC

Exhibit "A" Parcel ID: 17E18S280070 000C0 0010
1508 SE KINGS BAY DR , CRYSTAL RIVER

Citrus County Property Appraiser, Cregg E. Dalton

PC Code 3900 - MOTEL
Bldg Counts Res 0 / MH 0 / Comm 5
Nbhd 0119 - HWY 19 CRYSTAL RIVER AREA
Tax District 000R - CITY OF CRYSTAL RIVER
Subdivision 000089 - BAYVIEW
Short Legal BAY VIEW SUB PB 2 PG 37 PCL 4: LOTS 1, 2, 3, 4, 5, 6, 7,8
& 9 BLK B ----&---- PARCEL 3: LOTS 1 & 2 BLK C ----&----
PARCEL 5: TRACT OF LAND S OF LOT 2 BLK C DESCR:
BEG AT SE
Est. Parcel Sqft 303,077
Est. Parcel Acres 6.96
Map SC-TW-RG 28-18S-17E

Mailing Address

Name PORT PARADISE HOTEL LLC
Mailing Address 1610 SE PARADISE CIR
CRYSTAL RIVER FL 34429

All Owners

Name	Owner Type
PORT PARADISE HOTEL LLC	O - Owner

Value History and Tax Amount

Year	Land Value	Impr Value	Just Value	Non-Sch. Assessed	Non-Sch. Exemptions	Non-Sch. Taxable	HX Savings	Tax Estimate	Tax Link
2021	\$2,098,370	\$512,530	\$2,610,900	\$2,610,900	\$0	\$2,610,900	\$0	\$52,910.92	Link
2020	\$2,666,480	\$512,530	\$3,179,010	\$3,179,010	\$0	\$3,179,010	\$0	\$59,281.86	Link

Buyer Beware!

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

Sales

Sale Date	Sale Price	Book/Page	Instr Type	V/I
02/01/2012	\$2,100,000	2464/1493	14-SALE / MORE THAN 1 PARCEL	I

DISCLAIMER

Sales do not generally appear in database until approximately 8 to 10 weeks after the recording date.

If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

Permit Summary

Permit Date	Permit Number	Description	Amount	Occupancy Date
09/17/2021	PB21-0165	SEAWALL REPAIR		
11/17/2020	PE20-0046	ELECTRICAL WORK THROUGHT OUT BUILDING	\$10,000	
10/22/2020	PD20-0009	DEMO BLDING C, D, POOL & POOL BLDING & ETC	\$60,000	
09/15/2020	PR20-0048	RE-ROOF PARTIAL W/MODIFIED BITUMEN ROOFING	\$2,400	
09/10/2020	PB20-0186	REPAIR TO FIRE DAMAGE BUILDING	\$13,000	
07/10/2019	PB19-0100	REPLACE DRYWALL, INSULATE & FRAME	\$10,000	
05/08/2019	PE19-0027	CERTIFY ELECTRIC FOR RE-CONNECT OF PORTION OF BUILDING THAT WAS NOT	\$100	
05/03/2019	PE19-0025	REPAIR ELECTRICAL DAMAGES BY FIRE, REPLACE PANEL CONDUIT & WIRE	\$4,000	
04/01/2015	PB150020	INSTALL 10X12 PORTABLE SHED RESET EXISTING SHED	\$3,200	
11/20/2011	DM110011	PORT HOTEL&MARINA-PARTIAL DEMO	\$0	
03/10/2010	DM10003	DEMOLISH 2 BLDGS BY DIVE SHOP C&D	\$5,000	
10/01/2008	BP080170	12X152 DOCK W/HAND RAIL	\$32,000	
07/08/2005	BP050230	REFURBISHING OF DOCK	\$60,000	
07/05/2005	BP050227	SURROUNDING WALL (PRIVACY FENCE & WALL)	\$7,000	
08/24/2004	BP2004212	PAVING LOT & RETENTION	\$0	
04/06/2004	DM2004-6	DEMO	\$5,000	
12/15/2003	DM03-8	DEMOLITION OF BLDGS E & F	\$0	
12/01/2003	DM03-5	DEMOLITION OF CABANA ROOMS, PARA	\$100	
01/01/2003	SW03-9	SEAWALL	\$100	
11/01/2002	2002-203	ENCLOSED WALKWAY	\$500	
11/01/2002	2002-197	OPEN DECK	\$100	
11/01/2002	EL2002-30	ADD 200 AMP & 4 220 CIRCUITS	\$100	
12/28/2001	200100494	REWIRE KITCHEN	\$10,000	
12/28/2001	200100495	CLEAN UP EXIST W WING	\$5,000	
12/28/2001	200100497	INSTALL 4 INFARRED HEATER	\$3,200	
12/12/2001	200100475	PORT HOTEL ADD-GAS LINES	\$100	
11/01/2001	01-340	ALE HOUSE RESTAURANT	\$100	03/20/2002
08/01/2001	200100292	REBUILD BERM	\$5,000	
10/01/2000	00340	TIKI HUT REMODEL	\$9,000	
12/01/1999	99403	REPLACE WINDOWS	\$500	
08/01/1984	3627	REMODEL	\$95,500	
10/01/1983	3256	3 REMODEL	\$28,700	12/01/1983
01/01/1983	3152	3 REMODEL	\$37,800	12/01/1983

Land & Agricultural

Line	Land Use	Type	Units	Frontage	Depth	Ag Flag	Classified Value	Just Value	Zoning
1	1502-COMMERCIAL	F-FRONT FOOT	723.00	723.0	670				PUD
2	1502-COMMERCIAL	F-FRONT FOOT	439.00	439.0	670				PUD

Miscellaneous Improvements

Building #	Line	Description	Year Built	L	W	Units	Area	Value
0	2	SEA WALL REINFORCED CONCRETE-[2-LINEAL]	1960			1	1,200	
0	3	BOAT DOCK AVERAGE WOOD-[1-SF]	1975	6	330	1	1,980	
0	4	PAVING ASPHALT-[1-SF]	1985			1	24,340	
0	5	PAVING CONCRETE-[1-SF]	1985			1	1,560	
0	6	CHAIN LINK FENCE-[1-SF]	1997	4	240	1	960	
0	8	RETAINING WALL WOOD 4'-[2-LINEAL]	1985			1	90	
0	9	OPEN PORCH FIN WOOD/ALUM WITH CONC SLAB-[1-SF]	2003	10	64	1	640	
0	10	DECKING WOOD-[1-SF]	2003	20	10	1	200	
0	11	OBF 4 BOARD-[2-LINEAL]	2003			1	40	
0	13	SEA WALL REINFORCED CONCRETE-[2-LINEAL]	1987			1	100	
0	14	PAVING CONCRETE-[1-SF]	1982			1	600	
0	15	PAVING ASPHALT-[1-SF]	1972			1	11,000	
0	16	PAVING ASPHALT-[1-SF]	2006			1	43,814	
0	17	MASONRY WALL/FENCE CBS-[1-SF]	2006			1	1,015	
0	18	PARK LOT LIGHT INCANDESCENT-[3-UNIT]	2006			9	1	
0	19	CURBING-[2-LINEAL]	2006			1	1,666	
0	20	BOAT DOCK AVERAGE WOOD-[1-SF]	2008	12	150	1	1,800	
1	21	UTILY BLDG FIN WD/ALM W WOOD FLR-[1-SF]	2017	10	12	1	120	
2	1	OPEN PORCH FIN WOOD/ALUM WITH CONC SLAB-[1-SF]	2000	28	35	1	980	
2	2	DECKING WOOD-[1-SF]	2000	21	30	1	630	
3	12	DECKING WOOD-[1-SF]	2003	30	30	1	900	

Total Misc Value

This instrument prepared by:
Name: **Bill Hudson**
Land Title of Citrus County, Inc.
Address: **3899 S. Suncoast Blvd, Ste 100**
Homosassa, FL. 34448

Return to: **Land Title of Citrus County, Inc.**
FILE NO. LT-31078
Address: **3899 S. Suncoast Blvd, Ste 100**
Homosassa, FL. 34448

Property Appraisers Parcel Identification Number(s):
3205793

Grantee(s) S.S #'s:



2012007901 3 PGS

OFFICIAL RECORDS
CITRUS COUNTY
BETTY STRIFLER
CLERK OF THE CIRCUIT COURT
RECORDING FEE: \$27.00
DOCUMENTARY TAX: \$14,700.00
2012007901 BK: 2464 PG: 1493
02/22/2012 01:03 PM 3 PGS
DPENNINGTO, DC Receipt #007806

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED made the 17 day of February, 2012 by *Amee, Inc., a Florida Corporation* whose street address is, 1610 SE Paradise Circle, Crystal River FL 34429 hereinafter called the grantor, to *Port Paradise Hotel, LLC, a Florida limited liability company* whose street address is 606 Rivera Dunes #404, Palmetto, FL 34421 hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH, that the grantor, for and in consideration of the sum \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in **CITRUS County, State of FL**, is:

FOR LEGAL DESCRIPTION SEE SCHEDULE "A" ATTACHED HERETO AND MADE A PART HEREOF.

Together, with all the tenements, hereditaments and appurtenances thereto belonging or in otherwise appertaining. **To Have and to Hold**, the same in fee simple forever.

And the grantor hereby covenants with the grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31ST, 2011. **FURTHER SUBJECT TO** restrictions, reservations, covenants and easements of record, if any, however this reference shall not operate to reimpose same.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Julia G. Hudson
Signature

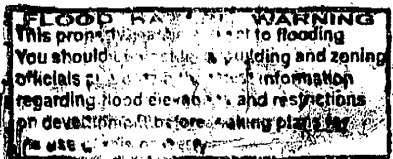
Julia G. Hudson
Printed Signature

Beverly E. Sutton
Signature

Beverly E. Sutton
Printed Signature

Amee, Inc., a Florida Corporation

BY: [Signature]
Paresh G. Desai, President



STATE OF FLORIDA
COUNTY OF CITRUS

The foregoing instrument was acknowledged before me this 17 day of February, 2012 by *Amee, Inc., a Florida Corporation*, who is personally known to me or who produced FLORIDA DRIVERS Lic. as identification and who did/did not take an oath.

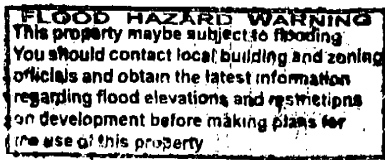
Julia G. Hudson
Notary Public

My Commission Expires:

[seal]



JULIA G. HUDSON
Notary Public, State Of Florida
My Comm. Exp. June 10, 2014
Comm. No. DD 994383



SCHEDULE A
"Description of Property"

PARCEL 1:

Lot 3, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida; together with a tract of land North of said Lot 3, in Block C described as follows: Beginning at the NE corner of Lot 3, Block C, run N3°10'W 20 feet more or less along the West boundary of Bay View to a point where the West boundary of Bay View Drive intersects the Center line of an original 10 foot alley as shown on said Plat; thence run N80°40' W along the center line of said alley to the waters of Crystal Bay, thence meander the waters of Crystal Bay in a Southeasterly direction to a point where the North line of said Lot 3, intersects the waters of Crystal Bay, thence run S 80°40' E along the North boundary of said Lot 3 to the Point of Beginning.

AND

PARCEL 2:

Lot 4, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida; LESS AND EXCEPT that part of Lot 4, in Block C, lying South and East of the following described line: Beginning at the most Easterly corner of said Lot 4 and run thence S46°44'W to the waters of Crystal Bay.

AND

PARCEL 3:

Lots 1 and 2, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida.

AND

PARCEL 4:

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, in Block B, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida.

AND

PARCEL 5:

A Tract of land South of Lot 2, in Block C, BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida, described as follows: Beginning at the Southeast corner of said Lot 2, run thence S3°10'E along the West boundary of Bay View Drive 5 feet, more or less, to a point where the West boundary of Bay View Drive intersects the center line of an original 10 foot alley, as shown on the plat, thence run N80°40'W along the center line of said alley to the waters of Crystal Bay, thence meander the waters of Crystal Bay in a Northwesterly direction to a point where the South line of said Lot 2 intersects the waters of Crystal Bay, thence run S80°40'E along the South boundary of said Lot 2 to the Point of Beginning.

AND

PARCEL 6:

Beginning at a point 200 feet East and 25 feet North of the Southwest corner of the SW 1/4 of the NE 1/4 of Section 28, Township 18 South, Range 17 East, thence North 95 feet, thence East 150 feet, thence South 95 feet, thence West 150 feet to the Point of Beginning. Said lot also known as Lot 23, PARKER'S HAVEN UNRECORDED.

AND

PARCEL 7:

Beginning at the Southwest corner of the NE 1/4 of Section 28, Township 18 South, Range 17 East, run thence East 150 feet, thence North 75 feet, thence West to the waters edge of Blinds Pass of Kings Bay; thence following along the meanderings of the waters edge Southwardly to a point directly West and opposite the Point of Beginning; thence run East to the Point of Beginning. This tract is also described as part of Lot 1, PARKER'S HAVEN UNRECORDED.

AND

PARCEL 8:

A portion of Lot 2, PARKER'S HAVEN UNRECORDED, described as follows: Commence at the SW corner of the SW 1/4 of the NE 1/4 of Section 28, Township 18 South, Range 17 East, thence East along the South line of said SW 1/4 of the NE 1/4 a distance of 150 feet to a point on the West right-of-way of a County Road, thence North along said right-of-way line a distance of 75 feet to the Southeast corner of lands described in Deed recorded in Official Records Book 63, Page 176; thence West along the South line of said lands a distance of 192.98 feet to the Point of Beginning, thence continue West along said South line a distance of 86.52 feet, more or less, to the waters of Crystal Bay, thence Northeasterly along said waters to a point that bears N85°08'20"W from the Point of Beginning, thence S. 85°08'20"E 79.52 feet more or less to the Point of Beginning.

LEGAL DESCRIPTION:

PARCEL A

A portion of Parcels 3 and 4 AND all of Parcels 1, 2 and 5, recorded in Official Records Book 2464, Page 1493 AND a portion of 40 foot vacated road, recorded in Official Records Book 1600, Pages 527 through 529, Public Records of Citrus County, Florida. Being further described as follows:

Begin at the most Easterly corner of Lot 1, Block B, BAY VIEW SUBDIVISION, Plat Book 2, Page 37, Public Records of Citrus County, Florida, said point also being on the Westerly right-of-way line of SE PARADISE CIR. (BAY VIEW DR. a 40 foot wide road per said Plat); thence N 17°22'11" W along said Westerly right-of-way line, 82.20 feet to the point of curvature, said curve concaved Southwesterly having a radius of 20 feet and a central angle of 73°15'41"; thence Northwesterly along said Westerly right-of-way line and the arc of said curve 25.57 feet to the point of tangency, (bearing and distance between said points being N 53°52'22" W, 23.87 feet), said point of tangency also being the intersection with the South right-of-way line of SE PARADISE POINT RD.; thence N 89°30'04" W along said South right-of-way line, 222.80 feet; thence departing said South right-of-way line S 00°36'03" E, 231.15 feet; thence N 89°09'35" W, 97.08 feet; thence N 86°08'35" W, 37.85 feet; thence S 89°54'47" W, 30.35 feet to a concrete seawall; thence along the waterward face of said seawall the following courses and distances; S 07°42'20" W, 57.24 feet; S 44°17'54" W, 30.44 feet; S 73°15'45" W 34.42 feet; S 75°52'56" W, 22.30 feet; N 87°24'24" W, 10.85 feet; N 80°44'56" , 69.77 feet; S 06°43'48" W, 32.84 feet; S 74°50'16" E, 51.40 feet; S 64°22'23" E, 29.55 feet; S 17°00'19" E, 68.31 feet; S 32°01'06" E, 39.22 feet; S 41°33'32" E, 44.74 feet; S 43°58'18" E, 24.55 feet; S 78°53'05" E, 5.72 feet; N 56°35'12" E, 21.07 feet; S 30°37'28" E, 1.40 feet to a point on the Southeasterly line of Parcel 2 as described in Official Records Book 2464, Page 1493, Public Records of Citrus County, Florida; thence departing said concrete seawall N 48°53'15" E along said Southeasterly line of Parcel 2, 158.75 feet to the most Easterly corner of Lot 4, Block C of said BAY VIEW SUBDIVISION; thence N 44°20'32" E, 33.69 feet to a Northwesterly projection of the Northeasterly right-of-way line of the aforementioned SE PARADISE CIR.; thence S 57°29'46" E along said projection and the Northeasterly right-of-way line of SE PARADISE CIR., 123.68 feet to the point of curvature, said curve concaved Northerly having a radius of 46.90 feet and a central angle of 59°10'22"; thence Easterly along said right-of-way line and the arc of said curve 48.44 feet to the point of tangency, (bearing and distance between said points being S 83°04'47" E, 46.31 feet); thence along the Northwesterly right-of-way line of said SE PARADISE CIR., 116.07 feet to the point of curvature, said curve concaved Northwesterly having a radius of 40.00 feet and a central angle of 50°42'08"; thence Northeasterly along said right-of-way line and the arc of said curve 35.40 feet to the point of tangency, (bearing and distance between said points being N 40°29'07" E, 34.25 feet) to the aforementioned Westerly right-of-way line of SE PARADISE CIR.; thence N 15°10'25" E along said Westerly right-of-way line, 125.30 feet to the point of curvature, said curve concaved Westerly having a radius of 40.00 feet and a central angle of 32°51'50"; thence Northerly along said right-of-way line and the arc of said curve 22.94 feet to the point of tangency, (bearing and distance between said points being N 01°12'46" W, 22.631 feet); thence continue along Westerly right-of-way line N 17°22'11" W, 152.03 feet to the POINT OF BEGINNING. Containing 4.0 acres more or less.

SURVEYORS NOTES:

1. The bearings shown hereon are assumed with the bearing of S 89°30'04" W along the South right-of-way line of SE PARADISE ROAD.
2. No instrument of record reflecting easements, rights of way and/or ownership were furnished to the surveyor except as shown hereon. No title opinion is expressed or implied.
3. The land bound by this sketch may be subject to other recorded or unrecorded easements, right of ways, conveyances, restrictions and reservations other than shown hereon.
4. This is not a boundary survey.
5. The boundary between sovereign (state) lands and private ownership for the property shown hereon is the mean high water line which has not been located or shown by this sketch.

Wallace L. Higgins, P.S.M. for GulfWest Surveying, Inc.
 Florida Surveyor and Mapper registration no. 5832
 Florida licensed business number 7314
 This Survey Map and Report or the copies thereof
 are not valid without the original signature and seal
 of a Florida licensed surveyor and mapper.

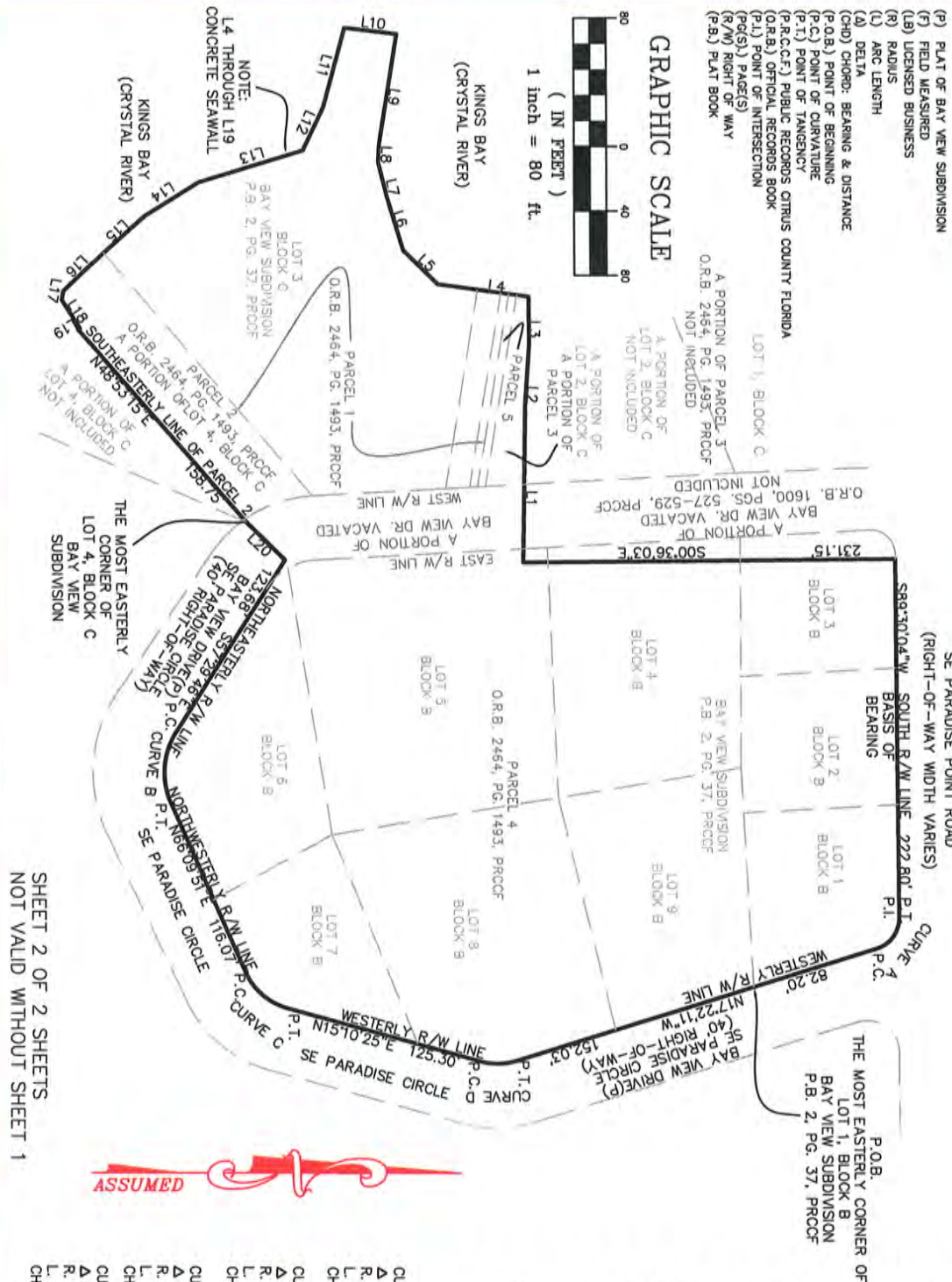
SHEET 1 OF 2 SHEETS
 NOT VALID WITHOUT SHEET 2

<p>DESCRIPTION AND SKETCH</p>	 <p>GulfWest Surveying, Inc. Professional Surveyors and Mappers 9469 W. Green Bay Lane Crystal River, Florida 34428 Ph: 352.563.1252 Fax: 352.563.1253</p>
<p>Citrus County, Florida</p>	
<p>Project No.: 17095 Field Book: N/A DRAWN BY: CEB Scale: N/A Field Date: N/A Sheet 1 Of 2</p>	

LEGEND:

- (P) PLAT OF BAY VIEW SUBDIVISION
- (F) FIELD MEASURED
- (LB) LICENSED BUSINESS
- (R) RADIUS
- (L) ARC LENGTH
- (A) DELTA
- (CHD) CHORD: BEARING & DISTANCE
- (P.O.B.) POINT OF BEGINNING
- (P.C.) POINT OF CURVATURE
- (P.T.) POINT OF TANGENCY
- (P.R.C.C.F.) PUBLIC RECORDS CITRUS COUNTY FLORIDA
- (O.R.B.) OFFICIAL RECORDS BOOK
- (P.I.) POINT OF INTERSECTION
- (P.G.S.) PAGES
- (R/W) RIGHT OF WAY
- (P.S.) PLAT BOOK

GRAPHIC SCALE



SHEET 2 OF 2 SHEETS
NOT VALID WITHOUT SHEET 1



LINE	LENGTH	BEARING
L1	97.08'	N89°09'35"W
L2	37.85'	N86°08'35"W
L3	30.35'	S89°54'47"W
L4	57.24'	S07°42'20"W
L5	30.44'	S44°17'54"W
L6	34.42'	S73°15'45"W
L7	22.30'	S75°52'56"W
L8	10.85'	N87°24'24"W
L9	89.77'	N80°44'56"W
L10	32.84'	S06°43'48"W
L11	51.40'	S74°50'16"E
L12	29.55'	S64°22'23"E
L13	68.31'	S17°00'19"E
L14	39.22'	S32°01'06"E
L15	44.74'	S41°33'32"E
L16	24.55'	S43°58'18"E
L17	5.72'	S76°53'05"E
L18	21.07'	N56°35'12"E
L19	1.40'	S30°37'28"E
L20	33.69'	N44°20'32"E

CURVE DATA (A):
 $\Delta = 73°15'41"$
 $R = 20.00'$
 $L = 25.57'$
 $CHD. = N 53°52'22" W 23.87'$

CURVE DATA (B):
 $\Delta = 59°10'22"$
 $R = 46.90'$
 $L = 48.44'$
 $CHD. = S 83°04'47" E 46.31'$

CURVE DATA (C):
 $\Delta = 50°42'08"$
 $R = 25.00'$ (P) & (F)
 $L = 35.40'$
 $CHD. = N 40°29'07" E 34.25'$

CURVE DATA (D):
 $\Delta = 32°51'50"$
 $R = 40.00'$
 $L = 22.94'$
 $CHD. = N 01°12'46" W 22.63'$

DESCRIPTION AND SKETCH

Citrus County, Florida
 Project No.: 17095 Field Book: N/A DRAWN BY: CEB
 Scale: 1" = 80' Field Date: N/A Sheet 2 Of 2



GulfWest Surveying, Inc.
 Professional Surveyors and Mappers
 9469 W. Green Bay Lane
 Crystal River, Florida 34428
 Ph: 352.563.1252 Fax: 352.563.1253

LEGAL DESCRIPTION:

PARCEL A

A portion of Parcels 3 and 4 AND all of Parcels 1, 2 and 5, recorded in Official Records Book 2464, Page 1493 AND a portion of 40 foot vacated road, recorded in Official Records Book 1600, Pages 527 through 529, Public Records of Citrus County, Florida. Being further described as follows:

Begin at the most Easterly corner of Lot 1, Block B, BAY VIEW SUBDIVISION, Plat Book 2, Page 37, Public Records of Citrus County, Florida, said point also being on the Westerly right-of-way line of SE PARADISE CIR. (BAY VIEW DR. a 40 foot wide road per said Plat); thence N 17°22'11" W along said Westerly right-of-way line, 82.20 feet to the point of curvature, said curve concaved Southwesterly having a radius of 20 feet and a central angle of 73°15'41"; thence Northwesterly along said Westerly right-of-way line and the arc of said curve 25.57 feet to the point of tangency, (bearing and distance between said points being N 53°52'22" W, 23.87 feet), said point of tangency also being the intersection with the South right-of-way line of SE PARADISE POINT RD.; thence N 89°30'04" W along said South right-of-way line, 222.80 feet; thence departing said South right-of-way line S 00°36'03" E, 231.15 feet; thence N 89°09'35" W, 97.08 feet; thence N 86°08'35" W, 37.85 feet; thence S 89°54'47" W, 30.35 feet to a concrete seawall; thence along the waterward face of said seawall the following courses and distances; S 07°42'20" W, 57.24 feet; S 44°17'54" W, 30.44 feet; S 73°15'45" W 34.42 feet; S 75°52'56" W, 22.30 feet; N 87°24'24" W, 10.85 feet; N 80°44'56" , 69.77 feet; S 06°43'48" W, 32.84 feet; S 74°50'16" E, 51.40 feet; S 64°22'23" E, 29.55 feet; S 17°00'19" E, 68.31 feet; S 32°01'06" E, 39.22 feet; S 41°33'32" E, 44.74 feet; S 43°58'18" E, 24.55 feet; S 78°53'05" E, 5.72 feet; N 56°35'12" E, 21.07 feet; S 30°37'28" E, 1.40 feet to a point on the Southeasterly line of Parcel 2 as described in Official Records Book 2464, Page 1493, Public Records of Citrus County, Florida; thence departing said concrete seawall N 48°53'15" E along said Southeasterly line of Parcel 2, 158.75 feet to the most Easterly corner of Lot 4, Block C of said BAY VIEW SUBDIVISION; thence N 44°20'32" E, 33.69 feet to a Northwesterly projection of the Northeasterly right-of-way line of the aforementioned SE PARADISE CIR.; thence S 57°29'46" E along said projection and the Northeasterly right-of-way line of SE PARADISE CIR., 123.68 feet to the point of curvature, said curve concaved Northerly having a radius of 46.90 feet and a central angle of 59°10'22"; thence Easterly along said right-of-way line and the arc of said curve 48.44 feet to the point of tangency, (bearing and distance between said points being S 83°04'47" E, 46.31 feet); thence along the Northwesterly right-of-way line of said SE PARADISE CIR., 116.07 feet to the point of curvature, said curve concaved Northwesterly having a radius of 40.00 feet and a central angle of 50°42'08"; thence Northeasterly along said right-of-way line and the arc of said curve 35.40 feet to the point of tangency, (bearing and distance between said points being N 40°29'07" E, 34.25 feet) to the aforementioned Westerly right-of-way line of SE PARADISE CIR.; thence N 15°10'25" E along said Westerly right-of-way line, 125.30 feet to the point of curvature, said curve concaved Westerly having a radius of 40.00 feet and a central angle of 32°51'50"; thence Northerly along said right-of-way line and the arc of said curve 22.94 feet to the point of tangency, (bearing and distance between said points being N 01°12'46" W, 22.631 feet); thence continue along Westerly right-of-way line N 17°22'11" W, 152.03 feet to the POINT OF BEGINNING. Containing 4.0 acres more or less.

SURVEYORS NOTES:

- 1.The bearings shown hereon are assumed with the bearing of S 89°30'04" W along the South right-of-way line of SE PARADISE ROAD.
- 2.No instrument of record reflecting easements, rights of way and/or ownership were furnished to the surveyor except as shown hereon. No title opinion is expressed or implied.
- 3.The land bound by this sketch may be subject to other recorded or unrecorded easements, right of ways, conveyances, restrictions and reservations other than shown hereon.
- 4.This is not a boundary survey.

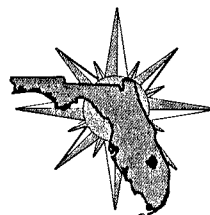
Wallace L. Higgins 3-31-22

Wallace L. Higgins, P.S.M. for GulfWest Surveying, Inc.
Florida Surveyor and Mapper registration no. 5832
Florida licensed business number 7314

This Survey Map and Report or the copies thereof are not valid without the original signature and seal of a Florida licensed surveyor and mapper.

SHEET 1 OF 2 SHEETS
NOT VALID WITHOUT SHEET 2

DESCRIPTION AND SKETCH



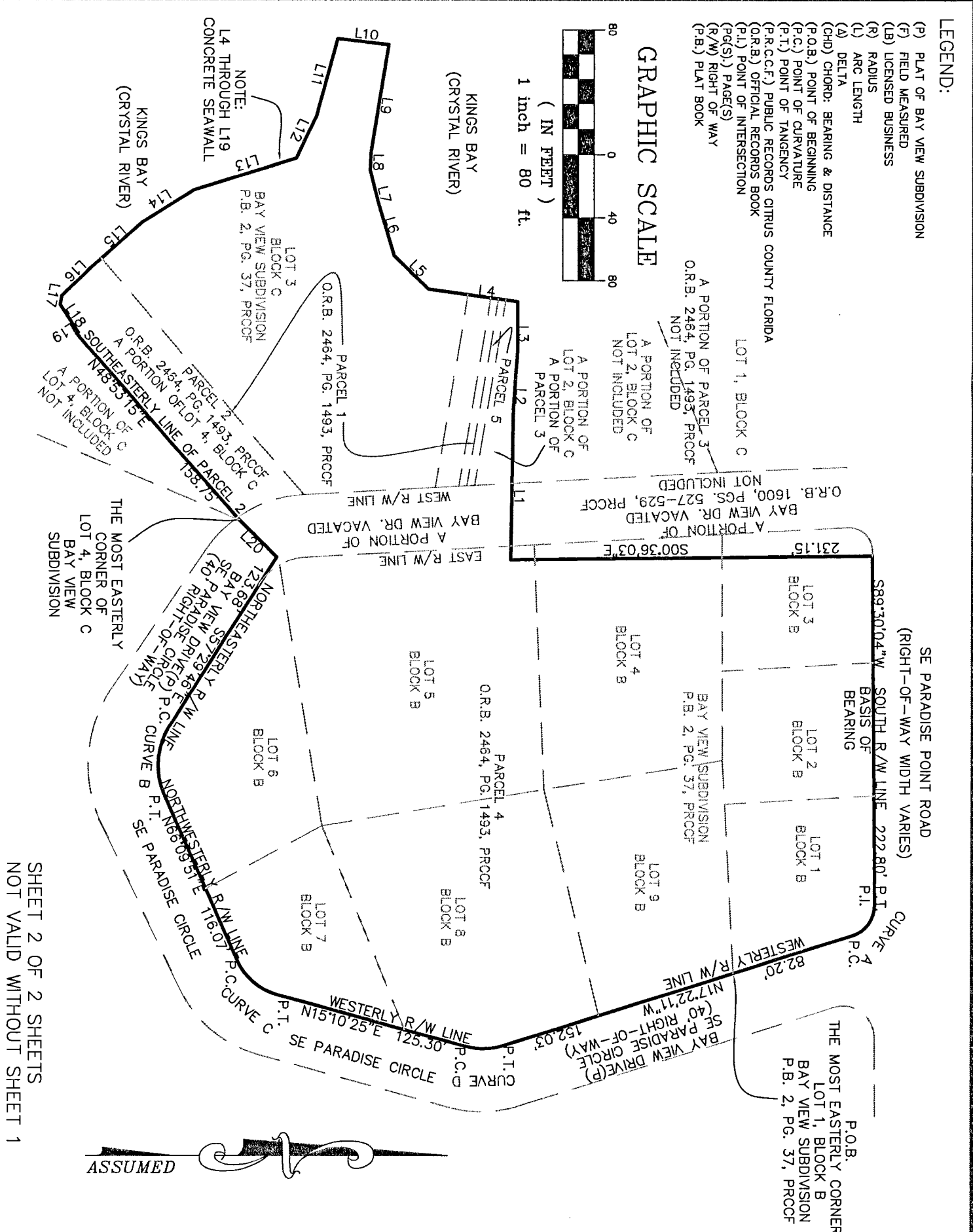
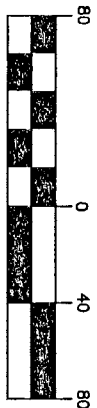
GulfWest Surveying, Inc.
Professional Surveyors and Mappers
9469 W. Green Bay Lane
Crystal River, Florida 34428
Ph: 352.563.1252 Fax: 352.563.1253

Citrus County, Florida	
Project No.: 17095	Field Book: N/A
Scale: N/A	Field Date: N/A
DRAWN BY: CEB	
Sheet 1 Of 2	

LEGEND:

- (P) PLAT OF BAY VIEW SUBDIVISION
- (F) FIELD MEASURED
- (LB) LICENSED BUSINESS
- (R) RADIUS
- (L) ARC LENGTH
- (A) DELTA
- (CHD) CHORD: BEARING & DISTANCE
- (P.O.B.) POINT OF BEGINNING
- (P.C.) POINT OF CURVATURE
- (P.T.) POINT OF TANGENCY
- (P.R.C.F.) PUBLIC RECORDS CITRUS COUNTY FLORIDA
- (O.R.B.) OFFICIAL RECORDS BOOK
- (P.I.) POINT OF INTERSECTION
- (Pg(S)) PAGE(S)
- (R/W) RIGHT OF WAY
- (P.B.) PLAT BOOK

GRAPHIC SCALE



LINE TABLE

LINE	LENGTH	BEARING
L1	97.08'	N89°09'35"W
L2	37.85'	N86°08'35"W
L3	30.35'	S89°54'47"W
L4	57.24'	S07°42'20"W
L5	30.44'	S44°17'54"W
L6	34.42'	S73°15'45"W
L7	22.30'	S75°52'56"W
L8	10.85'	N87°24'24"W
L9	69.77'	N80°44'56"W
L10	32.84'	S06°43'48"W
L11	51.40'	S74°50'16"E
L12	29.55'	S64°22'23"E
L13	68.31'	S17°00'19"E
L14	39.22'	S32°01'06"E
L15	44.74'	S41°33'32"E
L16	24.55'	S43°58'18"E
L17	5.72'	S78°53'05"E
L18	21.07'	N56°35'12"E
L19	1.40'	S30°37'28"E
L20	33.69'	N44°20'32"E

CURVE DATA (A):

Δ = 73°15'41"
 R. = 20.00'
 L. = 25.57'
 CHD. = N 53°52'22" W 23.87'

CURVE DATA (B):

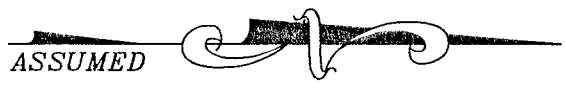
Δ = 59°10'22"
 R. = 46.90'
 L. = 48.44'
 CHD. = S 83°04'47" E 46.31'

CURVE DATA (C):

Δ = 50°42'08"
 R. = 25.00' (P) & (F)
 L. = 35.40'
 CHD. = N 40°29'07" E 34.25'

CURVE DATA (D):

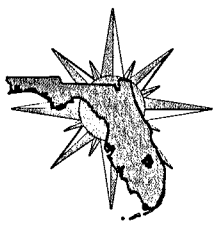
Δ = 32°51'50"
 R. = 40.00'
 L. = 22.94'
 CHD. = N 01°12'46" W 22.63'



SHEET 2 OF 2 SHEETS
 NOT VALID WITHOUT SHEET 1

DESCRIPTION AND SKETCH

Citrus County, Florida	
Project No.: 17095	Field Book: N/A
Scale: 1" = 80'	Field Date: N/A
DRAWN BY: CEB	
Sheet 2 Of 2	



GulfWest Surveying, Inc.
 Professional Surveyors and Mappers
 9469 W. Green Bay Lane
 Crystal River, Florida 34428
 Ph: 352.563.1252 Fax: 352.563.1253



Port Paradise Hotel, LLC

Geographic Information Systems

Cynthia Skeehorn
Director

Prepared By : Web User

Date: 3/22/2022

Source: Enterprise Geodatabase

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



This information is the property of Citrus County, Florida. It is provided for informational purposes only. It is not intended to be used for any other purpose. Citrus County is not responsible for any errors or omissions in this information. Citrus County is not responsible for any damages, including consequential damages, arising from the use of this information. Citrus County is not responsible for any actions taken based on this information. Citrus County is not responsible for any actions taken based on this information.

Exhibit "D-1"
CR FLUE

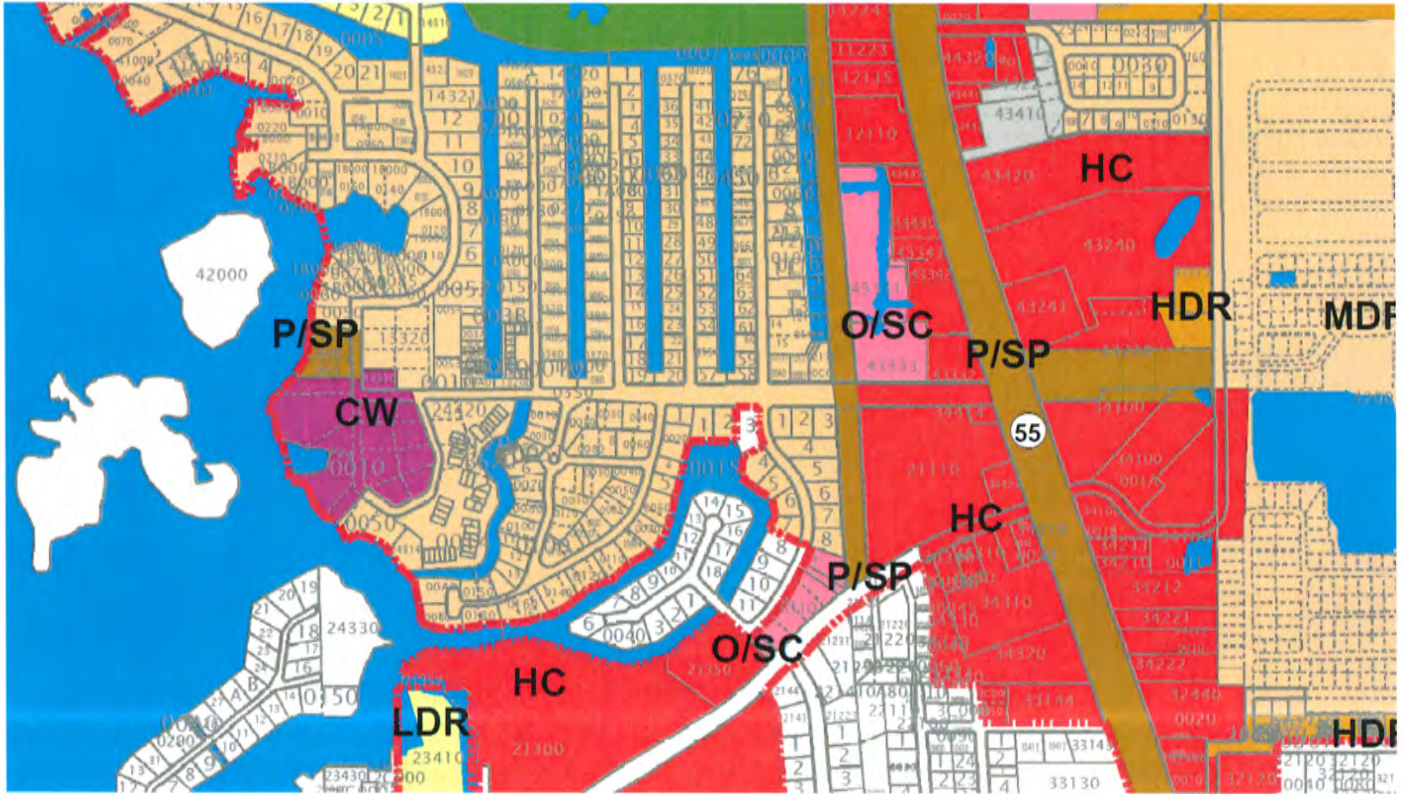
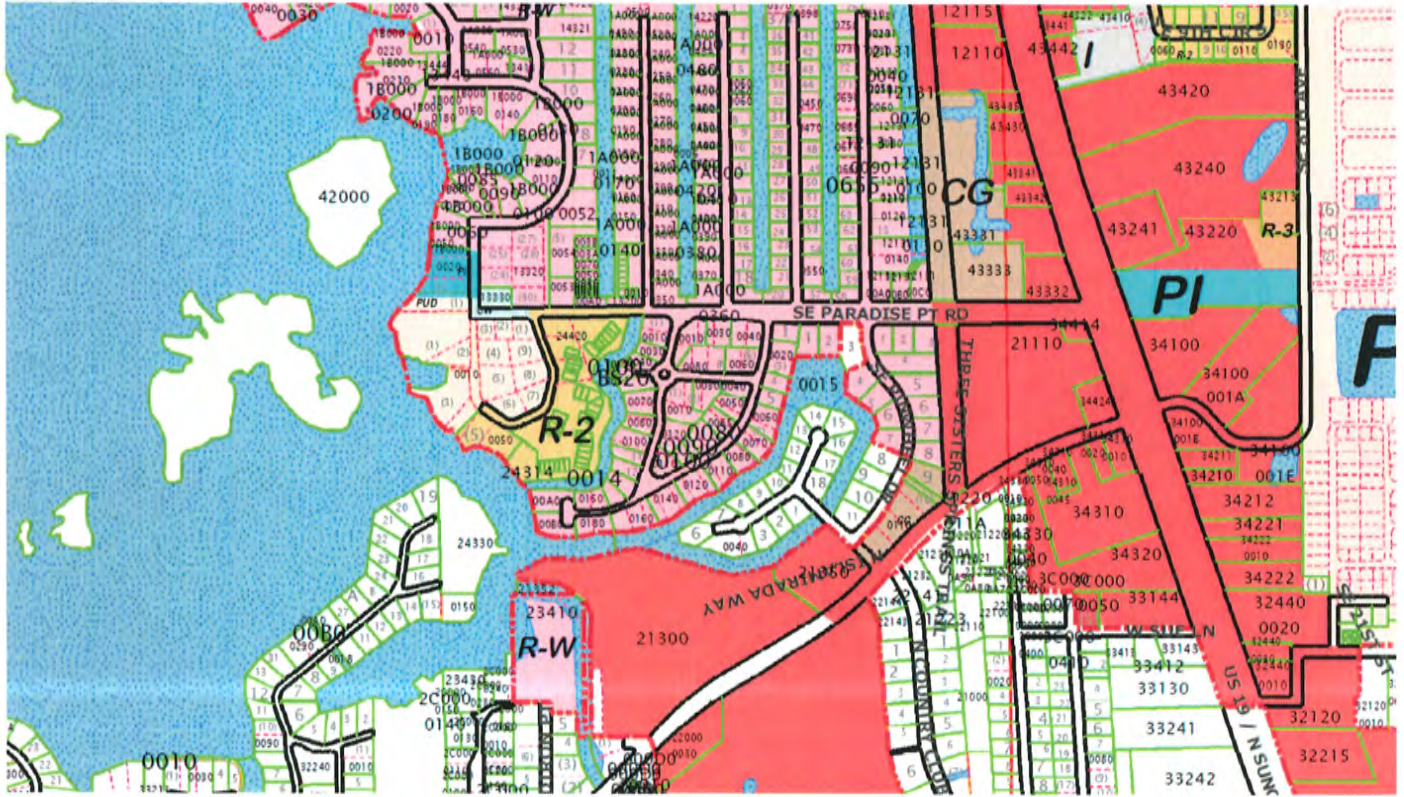
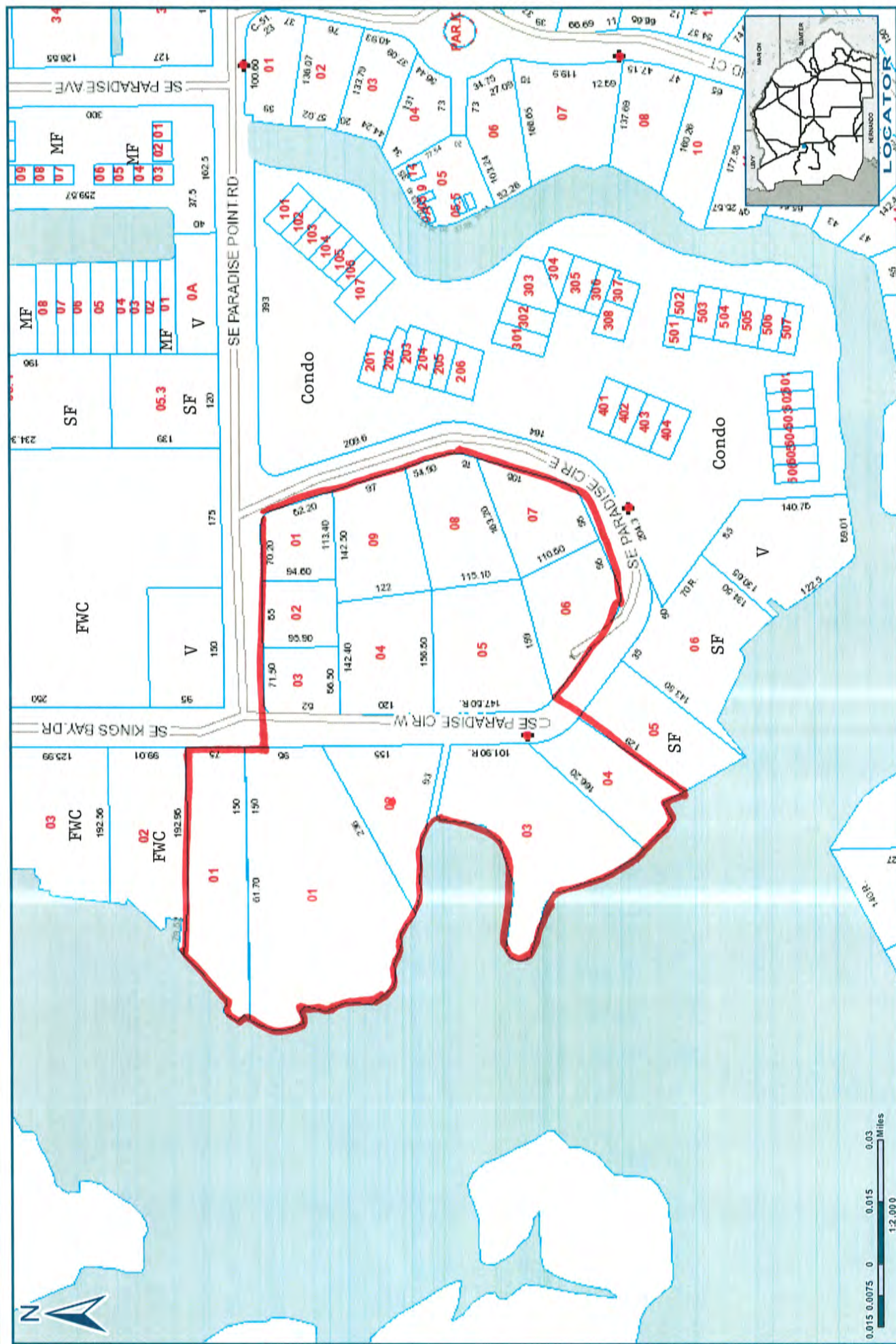


Exhibit "D-2" CR Zoning Map





Geographic Information Systems

Cynthia Stehorn
Director

Prepared By: Web User
Date: 3/22/2022
Source: Enterprise Geodatabase
Copyright © 2014 Citrus County B.O.C.C.

This information is the property of Citrus County, Florida. It is provided for informational purposes only. The user shall not be held responsible for any errors or omissions. Citrus County, Florida, is not responsible for any damages or losses resulting from the use of this information. Citrus County, Florida, is not responsible for any damages or losses resulting from the use of this information.

Port Paradise Hotel, LLC

- Legend:**
- V - Vacant
 - SF - Single Family
 - MF - Multifamily

Exhibit “F” – Application Text
Port Paradise Hotel, LLC
Rezoning PUD Modification AK 3205793

- I. Request/Site Plan: The subject parcel is 6.96 acres. The long-term historical use has been a hotel and restaurant since the 1950’s. The current PUD (year 2019) is attached as Exhibit “G-2”. Such authorizes hotel, restaurant and a 35 unit “Hotel-Villas”. This type of commercial use allows both short-term traditional hotel stays and necessary amenities in room for longer term stays. All of which are “transitory” in nature. The proposed MDR use is multi-family type residential use which precludes any short-term rentals i.e. overnight and represents a more permanent type residential use. From an intensity perspective, such is a “downzoning” of the proposed land use for the site. The below matrix identifies changes in traditional land use impacts. Weekend traffic impacts are materially less for multi-family use.

The site plan is not modified as to the building footprint, ISR, height, setbacks and buffers environmental impacts are identical. The density is reduced to 32 condominium units per MDR district.

- II. Concurrency: The site is serviced by City utilities. Site meets regional and City stormwater regulations. Solid waste currency exists.
- III. Compatibility: Given the less intense use, any compatibility issues (if any) are lessened. Site is abutted by similar condominium uses to the east and south. There are limited abutting single family uses. Impacts of a high intercity tourism use are lessened by the proposed residential use. Building style, setback and size do not change. See Exhibit “E”, abutter land use map.
- IV. Plan Consistency: The primary test is land use map (GFLUM); the change to MDR will make condominium multi-family consistent with map. Parcel size is 4.0 acres. Beyond consistency with GFLUM, the proposed MDR meets the City Future Land Use Element (FLUE), Goals 1 and 2, Obj. 2.1(E)(G) and (I) and 2.6 B-6.1 (Location criteria). Also goal 3 is implemented via Obj. 3.1(A) and (C). Further use is consistent with intent of the City’s PUD district text – providing for mixed uses. The Plan’s FLUE Element, Pages 20-21 identifying additional residential density needed by the City through 2030 – 47 acres (MOL) by 2025 and 14 acres (MOL) by 2030. See FLUE Appendix 1 table. Currently, citywide 17% of City residential acreage is MDR. The proposed limited density of 32 units of MDR is consistent with the intent of Coastal Element Obj. 2.3, Policy A(3). Further, given no concurrency issues, Goal 6 and Obj. 6.1 of the Coastal element are met.

Impacts of Amended Land Use:

	Hotel/Villas	Condominium
I. Traffic – Trip Rate	Weekend ADT 13.43/unit	5.86/unit ¹
II. Sewer/water	200 gpd/unit	200 gpd/unit ²
III. Parking	1 space per unit	1 space per unit ³
IV. Signage	Per Ordinance/site plan	Per Code smaller ⁴

V. Conclusion: Offsite impacts are lessened from tourism related use to residential. Condominium use and density is consistent with MDR and PUD district text. See City LDC, Sect. 4.04.01(A)(3) and Sect. 14.04(D). Proposed change in use is consistent with predominantly residential area surrounding the existing Port Hotel and restaurant.

¹ Source – ITE – Trip Generation Manuel.

² Source – F.A.C., Rule 64E – FDOH.

³ Source – City of Crystal River LDC.

⁴ Source – City of Crystal River LDC.

ORDINANCE 17-O-17

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA, CHANGING THE ZONING ON PROPERTIES OWNED BY PORT PARADISE HOTEL LLC (6.959 ACRES MOL), PARCEL #17E18S280070 000C0 0010 AND 17E18S28 13330 IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER FROM WATERFRONT COMMERCIAL (CW) TO PLANNED UNIT DEVELOPMENT (PUD) AS DESCRIBED IN SECTION 3; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed rezoning was advertised as required by the Florida Statutes, the City of Crystal River Land Development Code, and notice posted on the affected property; and

WHEREAS, the City of Crystal River Planning Commission held a public hearing on November 16, 2017 to consider a request that the zoning classification be changed on a parcel of land identified as Parcel ID 17E18S280070 000C0 0010 and 17E18S28 13330 in the Official Records of the Citrus County Property Appraiser, Crystal River, Florida, as described in Section 3; and

WHEREAS, the City of Crystal River Planning Commission voted to recommend to the City Council that the request to amend the official zoning map be approved; 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, for the parcel of land identified as Parcel ID 17E18S280070 000C0 0010 in the Official Records of the Citrus County Property Appraiser from Waterfront Commercial (CW) to Planned Unit Development (PUD) (See Attached *Exhibit A*) 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

The official zoning map of the City of Crystal River, is hereby amended to change the zoning designation identified on the property described in "*Exhibit B*" (See Attached) from Waterfront Commercial (CW) to Planned Unit Development (PUD).

It is the intention of the City Council of the City of Crystal River, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the codified version of the City of Crystal River, Florida, Official Zoning Map. The actual text of the Sections to this Ordinance need not be codified. The Code codifier of the City of Crystal River, Florida, is given broad and liberal authority to appropriately codify the Exhibits into the provisions of the City of Crystal River Official Zoning Map in a format that can be readily published and distributed in a useable and manageable format. The City Manager, in conjunction with the City Clerk and the City Attorney, are hereby granted the authority to take any and all necessary and appropriate actions to accomplish the provisions of this Section. The Exhibits to this Ordinance are hereby incorporated herein by the references thereto as if fully set forth herein verbatim.

SECTION 5. PLANNED UNIT DEVELOPMENT AGREEMENT GENERAL PROVISIONS

- A. Development Concept. The project shall be developed as a Planned Unit Development substantially in accordance with this Ordinance.

- B. Planned Unit Development Plan. The project includes a PUD Master Plan pursuant to Land Development Code Section 10.01.03 prepared by Pigeon – Roberts & Associates, LLC dated October 27, 2017 and is incorporated into this Ordinance as "*Exhibit C*" (See attached). The PUD Master Plan is conceptual in nature and may be affected or modified. The development areas depicted on the PUD Master Plan may be revised as part of the site plan review process and approval shall not constitute a substantial change.
- C. Planned Unit Development Conditions. The following conditions apply to the approval of this ordinance:
1. The total Impervious Surface Ratio (ISR) shall be limited to a maximum of 0.50 (50%) per the City of Crystal River, Florida Comprehensive Plan.
 2. The maximum building height for the proposed hotel building and the proposed hotel villas building shall be limited to a building height of 56'-0", with a maximum of 8'-0" in additional height for the parapet, for a total maximum height of 64'-0". The maximum building height for all other buildings shown on the PUD shall be 50'-0".
 3. Prior to approval of the first site plan, the following conditions must be complied with:
 - a. The Developer shall enter into a Developer's Agreement compliant with LDC Chapter 14 which identifies the responsibilities of the Developer for any development timing, infrastructure analysis, and maintenance and operation responsibilities.
 - b. The Developer shall retain the services of a registered professional engineer to analyze the City's offsite utility systems (potable water transmission and sanitary sewer collection) to determine if any offsite improvements are needed for the planned increase in utility demands. Should any offsite improvements to the transmission or collection systems be needed to directly serve this PUD, those improvements shall be the responsibility of the Developer. Should any offsite improvements to utility plant capacities be needed to directly serve this PUD, those improvements shall be the responsibility of the City. The Developer acknowledges that the fire-flow available for this project is limited to the flows and pressures currently available to the property.
 - c. The Developer shall retain the services of a registered professional engineer to analyze safety and operational capacities of the adjacent roadways and intersections. The intersections and roadways to be analyzed shall be agreed upon by the Developer and City in writing.

prior to preparing the analysis. Should any offsite improvements be needed to directly serve this PUD, those improvements shall be the responsibility of the Developer.

- d. The Developer shall submit and process a lot combination with the City to combine the numerous existing parcels into a single parcel.
- e. The Developer shall work with the City to design an access point for the PUD at the corner of SE Kings Bay Road and SE Paradise Point Road that meets current engineering standards for access, sight distance and driveway spacings. The design of this location shall be required with the first site plan submittal.
- f. All dumpsters shall be relocated during design to locations away from adjacent residential properties to the greatest extent practical.
- g. All lighting for the site shall be designed for "Dark Sky" criteria and shall not cast light directly onto any adjacent properties.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES

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

SECTION 7. SEVERABILITY.

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

SECTION 8. EFFECTIVE DATE.

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

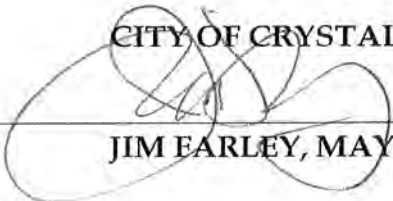
This Ordinance was introduced and placed on first reading on the 11th day of December, 2017, and upon motion duly made and seconded was passed on first reading.

This Ordinance was introduced and placed on second reading on the 8th day of January, 2018, and upon motion duly made and seconded was passed and adopted on second reading.

ATTEST:



MIA FINK, CITY CLERK

CITY OF CRYSTAL RIVER


JIM EARLEY, MAYOR

PASSED on First Reading
DECEMBER 11, 2017

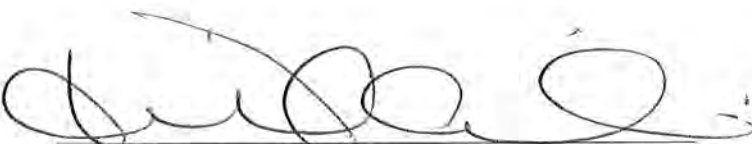
NOTICE Published on
NOVEMBER 1, 2017

PASSED on Second & Final Reading
JANUARY 8, 2018

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

VOTE OF COUNCIL:

Brown	<u>Y</u>
Gudis:	<u>Y</u>
Holmes:	<u>Y</u>
Farley	<u>Y</u>
Fitzpatrick	<u>Y</u>



George G. Angeliadis, City Attorney



EXHIBIT A



EXHIBIT B

PARCEL 1:

Lot 3, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida; together with a tract of land North of said Lot 3, in Block C described as follows: Beginning at the NE corner of Lot 3, Block C, run N3°10'W 20 feet more or less along the West boundary of Bay View to a point where the West boundary of Bay View Drive intersects the Center line of an original 10 foot alley as shown on said Plat; thence run N80°40' W along the center line of said alley to the waters of Crystal Bay, thence meander the waters of Crystal Bay in a Southeasterly direction to a point where the North line of said Lot 3, intersects the waters of Crystal Bay, thence run S 80°40' E along the North boundary of said Lot 3 to the Point of Beginning.

AND

PARCEL 2:

Lot 4, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida; LESS AND EXCEPT that part of Lot 4, in Block C, lying South and East of the following described line: Beginning at the most Easterly corner of said Lot 4 and run thence S46°44'W to the waters of Crystal Bay.

AND

PARCEL 3:

Lots 1 and 2, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida.

AND

PARCEL 4:

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, in Block B, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida.

AND

PARCEL 5:

A Tract of land South of Lot 2, in Block C, BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida, described as follows: Beginning at the Southeast corner of said Lot 2, run thence S3°10'E along the West boundary of Bay View Drive 5 feet, more or less, to a point where the West boundary of Bay View Drive intersects the center line of an original 10 foot alley, as shown on the plat, thence run N80°40'W along the center line of said alley to the waters of Crystal Bay, thence meander the waters of Crystal Bay in a Northwesterly direction to a point where the South line of said Lot 2 intersects the waters of Crystal Bay, thence run S80°40'E along the South boundary of said Lot 2 to the Point of Beginning.

AND

PARCEL 6:

Beginning at a point 200 feet East and 25 feet North of the Southwest corner of the SW 1/4 of the NE 1/4 of Section 28, Township 18 South, Range 17 East, thence North 95 feet, thence East 150 feet, thence South 95 feet, thence West 150 feet to the Point of Beginning. Said lot also known as Lot 23, PARKER'S HAVEN UNRECORDED.

AND

PARCEL 7:

Beginning at the Southwest corner of the NE 1/4 of Section 28, Township 18 South, Range 17 East, run thence East 150 feet, thence North 75 feet, thence West to the waters edge of Blinds Pass of Kings Bay; thence following along the meanderings of the waters edge Southwardly to a point directly West and opposite the Point of Beginning; thence run East to the Point of Beginning. This tract is also described as part of Lot 1, PARKER'S HAVEN UNRECORDED.

AND

PARCEL 8:

A portion of Lot 2, PARKER'S HAVEN UNRECORDED, described as follows: Commence at the SW corner of the SW 1/4 of the NE 1/4 of Section 28, Township 18 South, Range 17 East, thence East along the South line of said SW 1/4 of the NE 1/4 a distance of 150 feet to a point on the West right-of-way of a County Road, thence North along said right-of-way line a distance of 75 feet to the Southeast corner of lands described in Deed recorded in Official Records Book 63, Page 176; thence West along the South line of said lands a distance of 192.98 feet to the Point of Beginning, thence continue West along said South line a distance of 86.52 feet, more or less, to the waters of Crystal Bay, thence Northeasterly along said waters to a point that bears N85°08'20"W from the Point of Beginning, thence S. 85°08'20"E 79.52 feet more or less, to the Point of Beginning.

FILE COPY

ORDINANCE NO. 19-O-17

AN ORDINANCE AMENDING THE CONDITIONS ASSOCIATED WITH THE PORT PARADISE HOTEL LLC PLANNED UNIT DEVELOPMENT (PUD) ADOPTED BY ORDINANCE NUMBER 17-O-17 ON JANUARY 8, 2018, AS DESCRIBED BY SECTION 5; SUBSECTION C, NUMBER 2; CHANGING THE MAXIMUM PERMITTED BUILDING HEIGHT BY ONE FOOT THROUGHOUT THE DISTRICT, IF AND WHEN THE MINIMUM ELEVATION OF THE LOWEST FLOOR IS EQUAL TO THE BASE FLOOD ELEVATION (BFE) PLUS TWO FEET FREEBOARD; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR MODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the proposed amendment 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 held a public hearing on November 7, 2019 to consider a request that the conditions associated with the Planned Unit Development (PUD), as described in Section 5, Subsection C, Number 2, be amended to extend by one (1) foot the maximum permitted building height throughout the district, if and when the minimum elevation of the lowest floor is equal to the base flood elevation (BFE) plus two (2) feet freeboard; and

WHEREAS, the City of Crystal River Planning Commission voted unanimously (7-0) to recommend to the City Council that the request to amend the conditions associated with the Port Paradise Hotel Planned Unit Development (PUD) pertaining to base flood elevation (BFE) and maximum building height be approved; 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 to amend the conditions associated with the Port Paradise Hotel Planned Unit Development (PUD) pertaining to base flood elevation (BFE) and maximum building height are consistent with the City of Crystal River Comprehensive Plan and,

WHEREAS, the City Council of the City of Crystal River, Florida has further determined that approval of the requested change to amend the conditions associated with the Port Paradise Hotel Planned Unit Development (PUD) pertaining to base flood elevation (BFE) and maximum building height are consistent with best practices for addressing future flooding and sea level rise.

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 conditions associated with the Port Paradise Hotel Planned Unit Development (PUD), as described in Section 5, Subsection C, Number 2, to address base flood elevation (BFE) and maximum building height 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.

The City Council of the City of Crystal River, Florida, hereby adopts and incorporates into this Ordinance the proposed amendments shown in SECTION 3.

SECTION 3. PLANNED UNIT DEVELOPMENT CONDITIONS AMENDMENT.

The proposed changes to subsection C, number 2 are shown below with strikethroughs and underlines. Changes are highlighted in red font:

C. Planned Unit Development Conditions. The following conditions apply to the approval of this ordinance:

2. The maximum building height for the proposed hotel building and the proposed hotel villas building shall be limited to a building height of 56'-0", with a maximum of 8'-0" in additional height for the parapet, for a total maximum height of 64'-0". The maximum building height for all other buildings shown on the PUD shall be 50'-0"¹.

¹ If the minimum elevation of the lowest floor is at the base flood elevation (BFE) plus two (2) feet freeboard, the maximum permitted building height may be extended by one foot.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES

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

SECTION 5. SEVERABILITY.

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

SECTION 6. MODIFICATION.

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

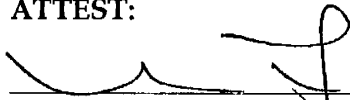
SECTION 7. EFFECTIVE DATE.

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 9th day of ~~DECEMBER~~, 2019, and upon motion duly made and seconded was passed on first reading.


This Ordinance was introduced and placed on second reading on the 13th day of ~~JANUARY~~, 2020, and upon motion duly made and seconded was passed and adopted on second reading.

ATTEST:



MIA FINK, CITY CLERK

CITY OF CRYSTAL RIVER



JOE MEEK, MAYOR

PASSED on First Reading DECEMBER 9, 2019

NOTICE Published on OCTOBER 23, 2019

PASSED on Second & Final Reading JANUARY 13, 2020



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

VOTE OF COUNCIL:

Meek	<u>Y</u>
Brown:	<u>Y</u>
Guy:	<u>Y</u>
Fitzpatrick:	<u>Y</u>
Holmes:	<u>Y</u>

Carrie N. Felice

Carrie N. Felice, City Attorney

EXHIBIT A

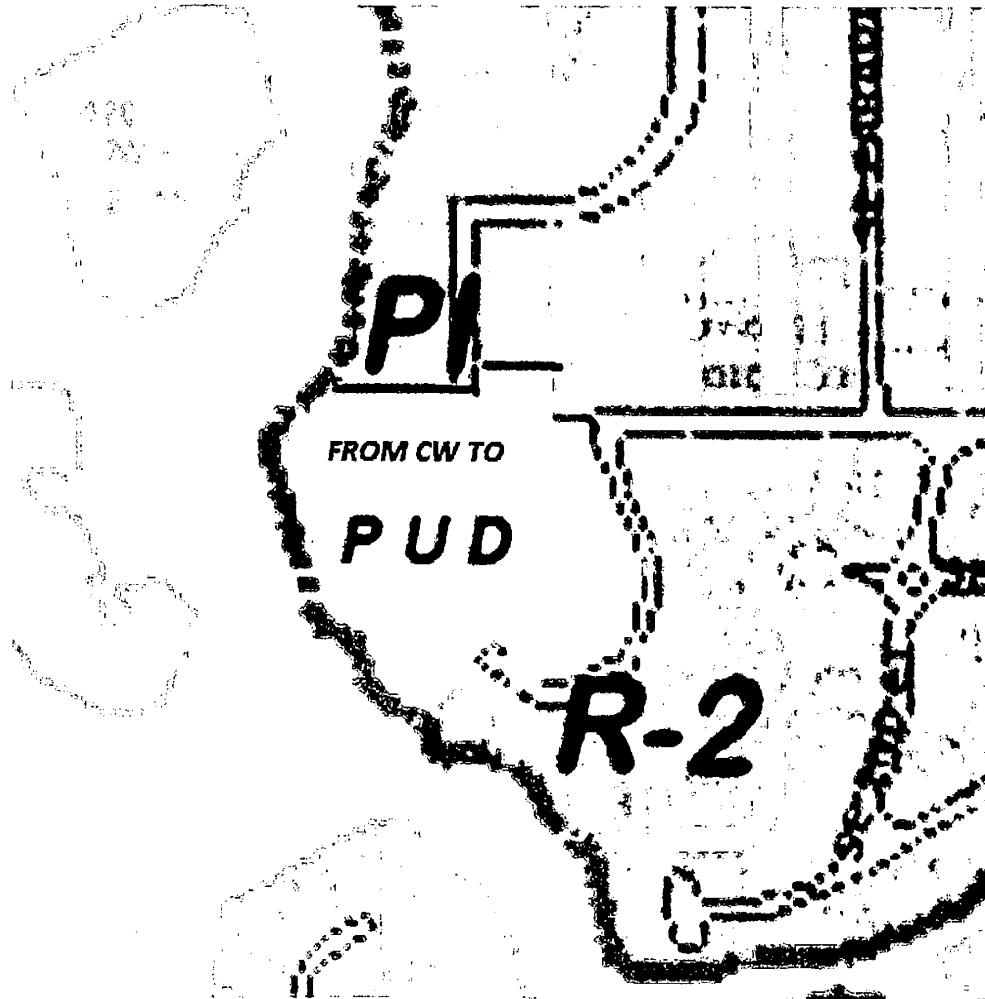


EXHIBIT B

PARCEL 1:

Lot 3, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida; together with a tract of land North of said Lot 3, in Block C described as follows: Beginning at the NE corner of Lot 3, Block C, run N3°10'W 20 feet more or less along the West boundary of Bay View to a point where the West boundary of Bay View Drive intersects the Center line of an original 10 foot alley as shown on said Plat; thence run N80°40' W along the center line of said alley to the waters of Crystal Bay, thence meander the waters of Crystal Bay in a Southeasterly direction to a point where the North line of said Lot 3, intersects the waters of Crystal Bay, thence run S 80°40' E along the North boundary of said Lot 3 to the Point of Beginning.

AND

PARCEL 2:

Lot 4, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida; LESS AND EXCEPT that part of Lot 4, in Block C, lying South and East of the following described line: Beginning at the most Easterly corner of said Lot 4 and run thence S46°44'W to the waters of Crystal Bay.

AND

PARCEL 3:

Lots 1 and 2, in Block C, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida.

AND

PARCEL 4:

Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, in Block B, of BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida.

AND

PARCEL 5:

A Tract of land South of Lot 2, in Block C, BAY VIEW SUBDIVISION, according to the map or plat thereof as recorded in Plat Book 2, Page 37, Public Records of Citrus County, Florida, described as follows: Beginning at the Southeast corner of said Lot 2, run thence S3°10'E along the West boundary of Bay View Drive 5 feet, more or less, to a point where the West boundary of Bay View Drive intersects the center line of an original 10 foot alley, as shown on the plat, thence run N80°40'W along the center line of said alley to the waters of Crystal Bay, thence meander the waters of Crystal Bay in a Northwesterly direction to a point where the South line of said Lot 2 intersects the waters of Crystal Bay, thence run S80°40'E along the South boundary of said Lot 2 to the Point of Beginning.

AND

PARCEL 6:

Beginning at a point 200 feet East and 25 feet North of the Southwest corner of the SW 1/4 of the NE 1/4 of Section 28, Township 18 South, Range 17 East, thence North 95 feet, thence East 150 feet, thence South 95 feet, thence West 150 feet to the Point of Beginning. Said lot also known as Lot 23, PARKER'S HAVEN UNRECORDED.

AND

PARCEL 7:

Beginning at the Southwest corner of the NE 1/4 of Section 28, Township 18 South, Range 17 East, run thence East 150 feet, thence North 75 feet, thence West to the waters edge of Blinds Pass of Kings Bay; thence following along the meanderings of the waters edge Southwardly to a point directly West and opposite the Point of Beginning; thence run East to the Point of Beginning. This tract is also described as part of Lot 1, PARKER'S HAVEN UNRECORDED.

AND

PARCEL 8:

A portion of Lot 2, PARKER'S HAVEN UNRECORDED, described as follows: Commence at the SW corner of the SW 1/4 of the NE 1/4 of Section 28, Township 18 South, Range 17 East, thence East along the South line of said SW 1/4 of the NE 1/4 a distance of 150 feet to a point on the West right-of-way of a County Road, thence North along said right-of-way line a distance of 75 feet to the Southeast corner of lands described in Deed recorded in Official Records Book 63, Page 176; thence West along the South line of said lands a distance of 192.98 feet to the Point of Beginning, thence continue West along said South line a distance of 86.52 feet, more or less, to the waters of Crystal Bay, thence Northeasterly along said waters to a point that bears N85°08'20"W from the Point of Beginning, thence S. 85°08'20"E 79.52 feet more or less to the Point of Beginning.



Administrative Waiver

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

To: Ken Frink, City Manager
From: Brian Herrmann, Planning & Development services Director
Date: October 4, 2021
Subject: Administrative Waiver for Port Hotel Marriott
Applicant: Paresh Desai, Property Owner; Robert Resch III, Architect

Ken,

The applicant is proposing to increase 45% of the proposed roof area of the new building by 4 feet 8 inches or 7.3% in height. However, the remaining 55% of the building's roof area will fall two feet below the maximum approved height limit. As a result, a little less than half of the roof will exceed the required height limit, while a little more than half of the roof will fall below the maximum required height limit. **Based on this fact, as well as the findings below, I feel as though it is appropriate to convey an Administrative Waiver to the applicant.**

(1) The proposal will ensure the same general level of land use compatibility as the current standards do.

STAFF RESPONSE: There are two items that are currently applicable to this project that were not considered at the time when the PUD was approved. One could argue that they are these two items are reason why the applicant is forced to request an Administrative Waiver for additional height. The two items are:

- a. **The Base Flood Elevation for the site was raised in early 2021 from 9 feet to 13 feet.** This should not impact the limit for maximum height, as the increase is accounted for as part of the overall increase. However, to adequately provide access to the main lobby on the first elevated floor all guests must now enter the hotel through a "jump lobby." Had the FEMA elevations not increased, this lobby may not have been necessary. This ground floor facility must be built in such a way as to properly allow for handicapped access as well as appropriate clearance and means of construction. As a result, the height of the first floor is now higher than normal.
- b. **In addition, prior to this year, the site was not located within the so-called LIMWA line boundary.** Today it is, and as a result the height of the first elevated floor is now measured from the base of the lowest structural member as opposed to the top of the first floor (minus freeboard). This change to the way in which the measurement is calculated can easily add one foot or more in height, and as a result impacts the overall building height.

(2) A waiver will not materially and adversely affect adjacent land uses and the physical character of such uses because of inadequate screening, setbacks, and other land use considerations.

STAFF RESPONSE: The PUD was adopted to ensure that the site must meet all codes regarding screening, setbacks, and other land use considerations. These have not changed since adoption. Therefore, a minor increase in height over just 45% of the building will not impact these standards.

(3) Granting the administrative waiver will not adversely affect property values in any material way.

STAFF RESPONSE: The proposed PUD was approved several years ago. It is known throughout the community that a hotel and condominiums will be constructed at the site. As noted previously, the proposed waiver applies to just 45% of the roof area and is for an increase of just 4 feet 8 inches in height. 55% of the roof area lies 2 feet below the maximum approved height. Therefore, it is unlikely that such a minor change will adversely impact property values in any material way.

(4) That granting the administrative waiver will be generally consistent with the purpose and intent of each chapter and / or section of this LDC.

STAFF RESPONSE: The proposed changes utilize a mechanism for relief that is consistent with the purpose and intent of this and every chapter of the LDC. While functionally, about one half of the proposed building will occupy space that exceeds the maximum height, aesthetically, one could argue that this change will improve the overall appearance of the site. Therefore, the proposed change remains consistent with the purpose and intent of each chapter or section of the LDC.

Brian Herrmann

Brian Herrmann, CNU-a; LEED AP.
Planning & Development Services Director

10/04/2021

Date

APPLICANT'S COMMENTS:

See attachments.

From: [Brian Herrmann](#)
To: [Jenette Collins](#)
Subject: Fwd: Port hotel project
Date: Tuesday, May 17, 2022 8:27:02 AM

See below:

Sent from my iPhone

Begin forwarded message:

From: Silvia Grillo <sgrillo711@hotmail.com>
Date: May 16, 2022 at 10:17:42 PM EDT
To: Brian Herrmann <BHerrmann@crystalriverfl.org>
Subject: Port hotel project

to Brian Herrmann; as an interested party to future development of the Port, the issue of condos vs villas has come up. We think it would be a good idea to have condos instead of villas. It will increase the tax base for the city and help to reduce traffic on Port Paradise road. Thank you for your consideration to this. Best regards, Denis and Silvia Grillo

From: [Brian Herrmann](#)
To: [Jenette Collins](#); [Zachary Cciera](#)
Subject: Fwd: Support for the port hotel/condo project
Date: Wednesday, May 25, 2022 11:33:35 AM

Please see below...

Sent from my iPhone

Begin forwarded message:

From: Walter Choung <walterchoung@yahoo.com>
Date: May 25, 2022 at 7:26:32 AM EDT
To: Brian Herrmann <BHerrmann@crystalriverfl.org>
Subject: Support for the port hotel/condo project

We are in support of the proposed changes.

Yoon and Walter Choung

Sent from my iPad

From: [Brian Herrmann](#)
To: [Jenette Collins](#)
Subject: FW: Condos at Port
Date: Wednesday, May 25, 2022 12:10:32 PM

-----Original Message-----

From: vandeboe67@gmail.com <vandeboe67@gmail.com>
Sent: Tuesday, May 24, 2022 6:59 AM
To: Brian Herrmann <BHerrmann@crystalriverfl.org>
Subject: Condos at Port

Hello Brian:

Is there anything I can do or say to help Dr Desai get approved for condominiums versus Villas .

Everyone I know wants this project to happen! Beautiful waterfront Hotel in our neighborhood is such an asset .

He has done so much to improve our environment in donating to Save Crystal River. This man Loves our community and only wants the best for all of us!

Thank you!
Lisa VanDeBoe

Sent from my iPhone

From: [Brian Herrmann](#)
To: [Jenette Collins](#); [Zachary Ciciera](#)
Subject: Fwd: Paresh Desai port
Date: Wednesday, May 25, 2022 8:52:34 PM

Sent from my iPhone

Begin forwarded message:

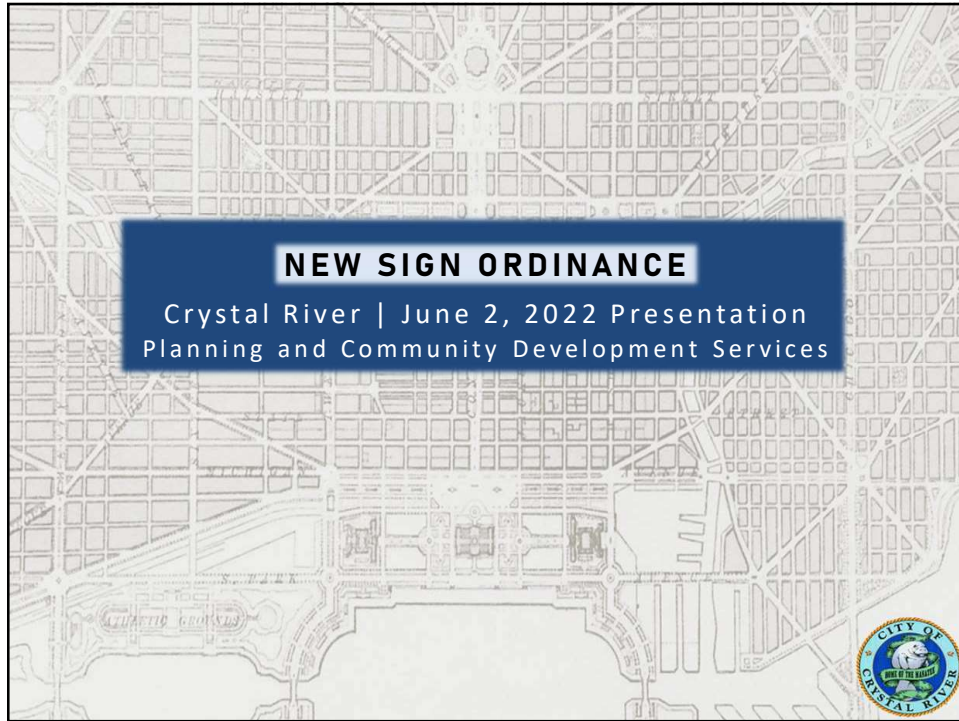
From: Mark Rogers <threeyankees@tampabay.rr.com>
Date: May 25, 2022 at 4:53:47 PM EDT
To: Brian Herrmann <BHerrmann@crystalriverfl.org>
Subject: Paresh Desai port

Hi Brian, we live on 5th ave and approve of condos and hotel at Port Hotel location , will be a great addition to community.

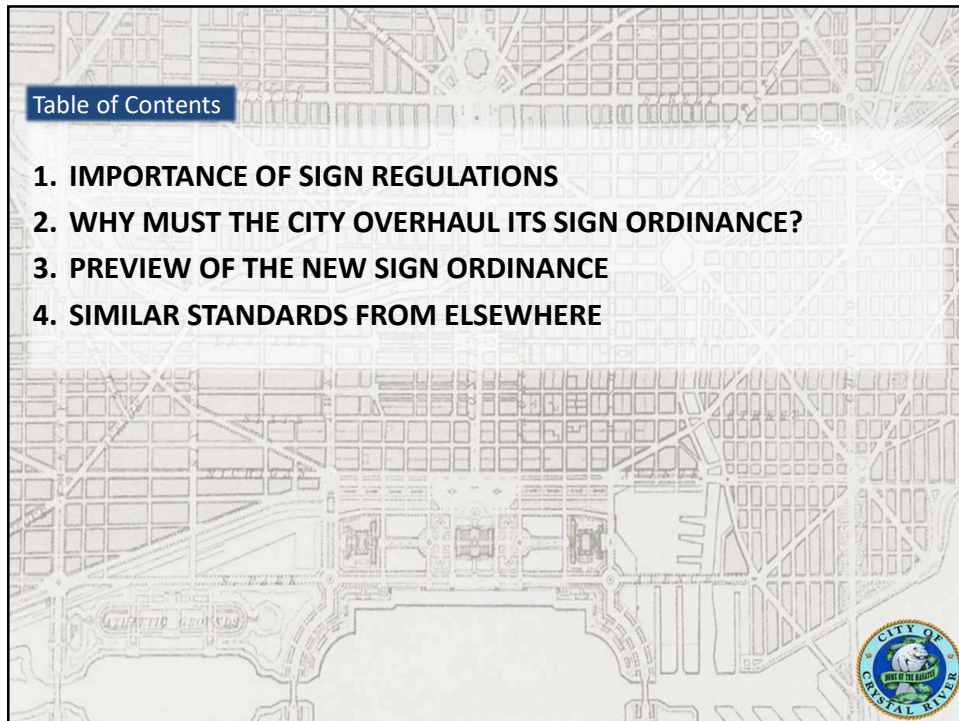
Thanks,
Mark and Dawn Rogers
1020 SE 5th ave CR 34429



Virus-free. www.avast.com



1




2

IMPORTANCE OF SIGN REGULATIONS

“Sign regulation is one of the most powerful actions a community can take to make an immediate, visible change in its physical environment. Properly drafted and enforced, sign controls can reinforce the distinctive design quality of the entire community, which often corresponds with its economic vitality.”

Edward T. McMahon, Urban Land Institute
 Planning Commissioner's Journal / Number 25 / Winter 1996-97



3

WHY MUST THE CITY OVERHAUL ITS SIGN ORDINANCE?

- Crystal River’s Sign Ordinance was written in **2010**.
- **2015** U.S. Supreme Court decision in **REED vs. TOWN of GILBERT** had far reaching impacts on local government sign regulations.
- The primary takeaway was:

“local sign regulations must be “content-neutral” meaning they shall not apply different standards based on:

 - 1. The Message;**
 - 2. The Speaker; or**
 - 3. An Event.**
- If you can differentiate the **type of sign** being regulated by:
 1. reading the **Sign’s Content (i.e. political signs)**; or
 2. knowing the **Message’s Author (i.e. real estate signs)**, then
the regulation is probably **unconstitutional**.

4


WHY MUST THE CITY OVERHAUL ITS SIGN ORDINANCE?			
<p>“Content-based” signs found in the current Ordinance:</p> <ol style="list-style-type: none"> 1. Real Estate Signs 2. Political Signs 3. Directional Signs 4. Construction Signs 5. Religious Signs 	<p>J. Real Estate Signs</p>	<p>Multi-Family: The total multi-family complex, in its aggregate, is allowed one 16 square foot sign per road and water frontage. Further signage may be placed on the inside of the window of individual units. Condo associations with association rules which exceed the restrictions in this ordinance have the right to apply their own rules.</p> <p>b. Commercial: <1 Acre - 16 square feet c. Commercial: >1 Acre - 32 square feet</p>	<p>a. 1 per waterfront and street frontage</p> <p>a. Signs must be removed within two (2) weeks either after a sale has been consummated or the listing has terminated. b. For purposes of this section of the ordinance, water frontage shall be considered a street frontage. c. Where multiple signs are permitted, no sign shall be closer than 100' to another sign on the same property.</p>
	<p>I. Political Signs</p>	<p>a. Residential zoning districts - 6 square feet b. Commercial and Industrial - 32 square feet</p>	<p>a. 1 per candidate</p> <p>a. Can be placed a maximum of sixty (60) days prior to an election. b. Must be removed within seven (7) days following the election or referendum. c. Cannot be placed in public rights-of-way.</p>
	<p><u>Directional/informational signs</u> - Directional signs are allowed not exceeding four (4) square feet in area, or two (2) feet in height with a limit of four (4) signs per lot, located at points of parking lot ingress and egress.</p>		
	<p>C. Construction Sign</p>	<p>a. Residential: 5 square feet b. Commercial: <1 Acre - 16 square feet c. Commercial: >1 Acre - 32 square feet</p>	<p>a. 1 per street frontage</p> <p>a. Sign must be removed prior to the issuance of a Certificate of Occupancy. b. Allowed only in conjunction with approved building permits.</p>
	<p>B. Commemorative Religious Signs</p>	<p>a. None</p>	<p>a. None</p> <p>a. Signs which commemorate religious holidays may be displayed during a period of time beginning forty-five (45) days before and terminating fifteen (15) days after the holiday without a permit.</p>

5

WHY MUST THE CITY OVERHAUL ITS SIGN ORDINANCE?

Signs may still be regulated in a **“content-neutral” time, place, or manner** approach, using factors such as:

- Location (i.e. commercial vs. residential, or a zoning district);
- Size and Height;
- Type of Structure (i.e. sign);
- Type of Materials (i.e. freestanding sign vs. building attached);
- Number of Signs Permitted;
- Lighting;
- Fixed Message vs. Changing Message Signs (electronic or manual);
- Moving Parts;
- Portability (i.e. Sandwich Board signs).




6

WHY MUST THE CITY OVERHAUL ITS SIGN ORDINANCE?

In addition to a lack of consistency with the US Supreme Court:

1. 82% of the current code is comprised of text (**typically 25% to 50% text**).
2. Text should be conveyed in easy to understand English – not legalese.
3. Tables, charts, graphics, and images are needed & promote ease of use!

These items have been corrected in the proposed ordinance.



7


WHY MUST THE CITY OVERHAUL ITS SIGN ORDINANCE?

FINALLY:

- Preview of the new ordinance;
- The major differences;
- Some examples from elsewhere.

THE END

QUESTIONS?



8