

Planning Commission Agenda

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

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



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

- 1) Call to Order
- 2) Roll Call
- 3) Moment of Silence
- 4) Pledge of Allegiance
- 5) Chairman Comments
- 6) Adoption of Agenda
- 7) Approval of Minutes: **October 6, 2022**
- 8) Citizen Input: 3 minutes
- 9) Public Hearings:

- 1. Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0089 brought by EASTROB, LLC - An Amendment to the Official Zoning Map of the City of Crystal River, Florida, to change the zoning on 14.04 acres +/- from Commercial Waterfront (CW) to Planned Unit Development (PUD), and to establish a Master Plan of Development known as Eastrob, LLC RV Resort” for a planned recreational vehicle (“RV”) park.**
- 2. Conduct a Public Hearing for APPLICATION NO. PZ22-0092 brought by Sarah and Jason Arena – A Text Amendment to the Crystal River Land Development Code – 1.) Add new supplemental use to Section 2.03.02 – Table of Permitted uses in the CG District; and 2.) Add Miniature Golf supplemental standards as new Section 5.05.18.**
- 3. Conduct a Public Hearing for APPLICATION NO. PZ22-0091 brought by Ensing Properties, LLC and James M. Byers – A Text Amendment to the Crystal River Land Development Code – 1.) Add new supplemental use to Table 2.03.02. Permitted Uses: Retails and Restaurants in CW and CG Districts and; 2.) Add supplemental use standards as new Section 5.05.19. Mobile Food Court.**

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.

4. **Conduct a Quasi-Judicial Public Hearing for SUPPLEMENTAL USE APPLICATION NO. PZSU22-0001 brought by Ensing Properties, LLC and James M. Byers** – A supplemental use application to establish a mobile food court on the parcel located at 406 NE 1st Avenue, Crystal River, Florida, in compliance with the standards set forth in (pending text amendment to establish) Section 5.05.19 Mobile Food Court, of the Crystal River Land Development Code.
5. **a.) Conduct a Public Hearing for APPLICATION NO. PZ22-0087 brought by Mary Street, LLC** – Small-Scale Comprehensive Plan Amendment to change 39.17 acres +/- from Citrus County’s Professional Services/Office (PSO) and Low Density Residential (LDR) to the City’s Office/Services Commercial (O/SC) and Low Density Residential (LDR) on the Future Land Use Map.

b.) Conduct a Quasi-Judicial Public Hearing for APPLICATION NO. PZ22-0088 brought by the City of Crystal River – Amendment to the Official Zoning Map to change 39.17 acres +/-from Citrus County’s Professional Services/Office (PSO) and Low Density Residential (LDR) to the City’s General Commercial (CG) and Low Density Residential (R-1).
6. **a.) Conduct a Public Hearing for APPLICATION NO. PZ22-0093 brought by the City of Crystal River** – Large-Scale Amendment to change 47.02 acres (MOL) from Citrus County, Conservation (CON), Low Intensity Coastal and Lakes (CL) to City of Crystal River, Conservation (CON) on the Future Land Use Map; and the re-adoption of the Future Land Use Map to include the annexed area of 339.55 acres (MOL) comprising a portion of Kings Bay (headwaters of the Crystal River) together with certain upland islands.

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

- 10) Unfinished Business
- 11) New Business
- 12) Citizen Input: 5 minutes
- 13) Staff Comments

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- 14) Commissioner's Comments
- 15) Chairman's Comments
- 16) Adjournment

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

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Planning Commission Minutes

October 6th, 2022 - 5:30 p.m.

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



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

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

2) Roll Call

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

Commissioners Absent: Billy Gause.

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

3) Moment of Silence was led by Chairman Grannan.

4) Pledge of Allegiance was led by Chairman Grannan.

5) Administration to Oath of Office for Planning Commissioners Deborah MacArthur Anderson and Karen Cunningham.

6) Chairman Comments: None.

7) Motion to adopt the agenda was made by Commissioner Thompson, seconded by Commissioner Herring. **Motion carried 6-0.**

8) Motion to approve minutes of the Planning Commission meeting held August 4th, 2022, was made by Commissioner Herring, seconded by Commissioner Thompson. **Motion carried 6-0.**

9) Citizen Input: None.

10) Public Hearings:

1. Conduct a Quasi-Judicial Public Hearing for VARIANCE APPLICATION NO. PZ22-0082 brought by Casey & Katherine Damron – A two-part Variance request of the City of Crystal River Land Development Code (LDC) to construct a swimming pool and raised patio addition by 1.) reducing the minimum waterfront setback pursuant to Section 4.02.02. – Standards for buildings and building placement (setbacks), of the LDC, and 2.) to exceed the maximum impervious surface ratio allowed in zoning district R-W (Residential Waterfront) pursuant to Section 4.02.01. – Standards for lot design, of the LDC.

Chair opened the quasi-judicial hearing.

Conflict of Interest: None.

Ex-Parte Communications: None by Commissioners.

Staff Presentation:

Zach Ciciera, Zoning Coordinator, presented staff's findings to the commission, stating that the applicant is requesting the 25-foot waterfront setback in the Residential Waterfront zoning district to be reduced to 8.5-feet, and to exceed the 45 percent maximum impervious surface percentage by 4.6 percent, totaling 49.6 percent. Stated that staff does not support the proposal.

Applicant Presentation:

Paolo Mastroserio P.E., stated that the angle of the lot presents difficulty in conforming with the required setback while keeping the pool/patio area square to the home. Also, the stormwater drainage plan is designed to hold double the required volume to offset the impervious area.

Christopher Luetgert, Luetgert Development Corp., stated the pool will be raised with fill added underneath in order to keep out of flood zone. The proposed setback is similar to that of the neighboring lots to the east and west.

Commissioner Comments:

Chairman Grannan raised concerns about flooding in the area, stated that exceptions to the code will not help the existing flood issues during each heavy rainfall. The limited amount of buildable area on the lot is brought upon by the owner based on the footprint of the home.

Commissioner Cunningham questioned the proposed size of the pool, mentioned if there may be another alternative to the design to conform with the city's setback requirements.

Commissioner MacArthur-Anderson questioned whether the home's roof pitch conforms to city code in relation to drainage. The applicant confirmed the pitch is at 5:12.

Commissioner Thompson commented that larger swales may be favorable in controlling stormwater runoff.

Public Comment:

Randy Martin, Crystal River, asked for future consideration to change the city's waterfront setback requirements to become similar to those of other Florida coastal cities. Stated that the setbacks currently create hardships not brought upon by the owner.

Commissioner Discussion:

A motion to **DENY** part one of the two-part variance request PZ22-0082 of the City of Crystal River Land Development Code (LDC) brought by Casey & Katherine Damron, to construct a swimming pool and raised patio addition by 1.) reducing the minimum waterfront setback pursuant to Section 4.02.02. – Standards for buildings and building placement (setbacks), of the LDC, was made by Commissioner Herring, seconded by Commissioner Cunningham. ***Motion carried 4-2***, with Commissioners Thompson and Schenavar in opposition.

A motion to **DENY** part two of the two-part variance request PZ22-002 of the City of Crystal River Land Development Code (LDC) brought by Casey & Katherine Damron, to construct a swimming pool and raised patio addition 2.) to exceed the maximum impervious surface ratio allowed in zoning district R-W (Residential Waterfront) pursuant to Section 4.02.01. – Standards for lot design, of the LDC, was made by Commissioner Herring, seconded by Chairman Grannan. **Motion carried 4-2**, with Commissioners Thompson and Schenavar in opposition.

2. Conduct a Public Hearing for APPLICATION NO. PZ22-0084 brought by the City of Crystal River – Text Amendment to Appendix A – Land Development Code of Crystal River, Florida, Code of Ordinances by adding a new Section 6.04.12 Vehicular cross-access required between adjoining developments

Staff Presentation: Jenette Collins, Urban Planner, presented the proposed changes made to the Crystal River Land Development Code regarding cross access between adjoining developments.

Commissioner Discussion: A motion was made by Commissioner Thompson to recommend Council approval of Application NO. PZ22-0084 brought by the City of Crystal River – Text Amendment to Appendix A – Land Development Code of Crystal River, Florida, Code of Ordinances by adding a new Section 6.04.12 Vehicular cross-access required between adjoining developments. **Motion carried 6-0**.

- 11) Unfinished Business: Planning Director Brian Herrmann announced the selection of Stringfellow Planning & Design to lead in the creation of the city's future form-based code.
- 12) New Business: None.
- 13) Citizen Input: None.
- 14) Staff Comments: None.
- 15) Commissioner's Comments: None.
- 16) Chairman's Comments: Chairman Grannan thanked former Commissioners Randy Martin and Doug Smith for their service to the city's Planning Commission, also welcoming new Commissioners Deborah MacArthur Anderson and Karen Cunningham.
- 17) Motion to adjourn was made by Commissioner Thompson; seconded by Commissioner Herring. **Motion carried 6-0**. Meeting adjourned at 6:39pm.

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

ATTEST:

Zoning Coordinator Zach Cicera

Chairman Dan Grannan

DRAFT



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	November 3, 2022
APPLICATION NO. PZ22-0089 – EASTROB, LLC RV RESORT - PUD	
PROPOSED AMENDMENT:	An Amendment to the Official Zoning Map of the City of Crystal River, Florida, to change the zoning on 14.04 acres +/- from Commercial Waterfront (CW) to Planned Unit Development (PUD), and to establish a Master Plan of Development known as Eastrob, LLC RV Resort” for a planned recreational vehicle (“RV”) park.
SUBJECT PROPERTY:	Section 28, Township 18 S, Range 17 E; specifically, Parcel ID: 17E18S28 23300 (Altkey #1092884), and Section 33, Township 18 S, Range 17 E; specifically, Parcel ID: 17E18S33 14400 (Altkey #1098017), as identified in the records of the Citrus County Property Appraiser; and which address is known as 9372 W Fort Island Trail, Crystal River, Florida. A complete legal description of the property is on file with the Planning & Development Services Department.
PROPERTY OWNER:	Eastrob, LLC
LAST OCCUPANT:	Vacant
LAND USE:	EXISTING FUTURE LAND USE is Waterfront Commercial (CW)
ZONING:	EXISTING ZONING is Waterfront Commercial (CW)
FLOOD ZONE:	According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE, with a Base Flood Elevation (BFE) of 12 feet, as found on FIRM Panel Number 12017C0189E. (Effective date: January 15, 2021)
SURROUNDING AREA:	North – Kingsbrook Condominiums (County CLR Residential Zoning) across creek (canal) South/Southeast – Plantation Golf Course and vacant (City PUD – Note: There is a pending application to renew/establish a master plan for a RV park and resort) East –Plantation Golf Course (City CH, High Intensity Commercial Zoning) West – Single family residential and vacant(County CLR Residential Zoning) across W Fort Island Trail
PREPARED BY:	Jenette Collins, AICP, Urban Planner; Department of Planning and Community Development Services

BACKGROUND INFORMATION:

This is a request to rezone the subject property from CW to PUD, and to establish a master plan of development to allow a recreational vehicle (RV) park having a maximum 81 RV lots, and associated amenities including a gate house/check-in, manager’s office and RV guest gathering space, and recreational facilities. The applicant has advised that the project proposes to be a “RV Condo” while allowing for leasing of available sites.

The subject property, comprising 14.04 acres, has approximately 1,500 feet of frontage along W Fort Island Trail, a Citrus County maintained, 2-lane, minor collector road, and ranges from 150 to 650 feet in depth. The site is currently vacant, naturally wooded, and abuts a creek along its

western boundary that extends through a culvert under W Fort Island Trail and to the coastal waters of Kings Bay (of the Crystal River).

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

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

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

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

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

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

Site requirements for a PUD specify that a RV Park is allowed a maximum allocation of 70 percent of the overall site. The plan proposes to maintain 31.5% for common facilities and recreation area, 8.4% for open space/drainage, and 10.6% for landscape buffer. These amenity and open space areas equate to approximately 50% of the total project area; the other 50% is allocated for RV spaces, internal roadways, and parking areas.

Lot Dimensions/Setbacks: The RV spaces have been designed to have access from internal driveways and are dimensioned to meet two styles of RVs: Class A and Class B or C. Internal

setbacks are in keeping with LDC Section 4.04.05 for RV Parks, and have been identified on the proposed master plan. All lots and proposed structures are positioned to maintain the required 25-foot setback from the creek (canal) area per the LDC.

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

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

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

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

Internal Circulation/Parking – The applicant proposes 24-foot wide paved driveway aisles and parking in accordance with the requirement of Section 4.04.05 for internal roadways and circulation. No concerns are noted.

Refuse Collection – The LDC requires dumpster or garbage containers for commercial development. All such facilities shall be screened with plantings or fencing and shall not be located within any required buffer area, including parking lot landscaping or stormwater management area. Land Development Code requirements for dumpster containment will be applied at time of development permit. The Citrus County Landfill is operating at satisfactory Level of Service.

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

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

As transient uses, the RVs must be road ready in event of a declared storm requiring evacuation. To satisfy these requirements, staff recommends a condition requiring that each RV on the subject property shall remain, at all times, fully licensed and ready for highway use. This language shall be incorporated into the covenants and restrictions encumbering the property. The applicant has advised that no park trailers (park models) are proposed, as park trailers are expressly prohibited by the LDC.

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

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

Map Unit Symbol	Acres	%	Map Unit Name	Parent Material	Typical Profile	Drainage Class	Depth to Water Table
11	0.2	1.7%	Tavares fine sand, 0 to 5 percent slopes	Eolian or sandy marine deposits	0-80": Fine Sand	Moderately well drained	42" to 72"
13	0.2	1.7%	Okeelanta Muck	Herbaceous organic material over sandy marine deposits	0-38": Muck; 38-80": Fine sand	Very poorly drained	Surface (about 0 inches)
22	11.1	78.6%	Quartzipsamments, 0 to 5 percent slopes	Sandy marine deposits	0-80": Fine Sand	Well drained	More than 80"
58	2.0	13.9%	Myakka, limestone substratum-EauGallie, limestone substratum complex	Sandy marine deposits	0-62": fine sand; 62-66" unweathered bedrock	Poorly drained	6" to 18"
99	0.6	4.2%	Water	-	-	-	-
Totals	14.1	100.0%					

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

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

Biological Survey – The LDC requires the submittal of a professionally prepared biological survey when there is presence of endangered, threatened, or of special concern of the development of environmentally sensitive lands. The site contains a distinguishable amount of wooded area. A Biological survey will be required at time of development permit in accordance with LDC standards.

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

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

INFRASTRUCTURE:

Transportation (Ingress/Egress) – The master plan proposes a single entry/exit point at W Fort Island Trail, which is a county-maintained right-of-way designated as a minor collector on Citrus County’s Functional Classification Map Series for roadways. Citrus County Government does not require a transportation concurrency study, but does review for traffic ingress and egress lane requirements. The City has requested a review by the County’s Division of Engineering, and comments have not been returned as of this writing. A condition is recommended that the developer shall provide the County a professional engineers analysis as to safety and operational capacities of the adjacent collector roadway so that the County may determine any offsite improvements that may be required for connection as may be warranted by the analysis.

It is noted that W Fort Island Trail is identified in the Comprehensive Plan, **Multi-Modal Transportation Element**, as being part of the Crystal River Evacuation Route system. The element (prepared by Kimley Horn in 2018), indicates in **Table 2-3: Existing AADT and Level of Service**¹ (LOS), that this segment of roadway has been designated at a LOS Standards D and is functioning at a LOS D. Likewise, **Table 2-4: Existing Peak Hour, Peak Direction, and Level of Service**² indicates that in a peak hour, eastbound direction, this segment of roadway is functioning at a LOS D. The subject property is located in the Coastal High-Hazard Area (CHHA)³ as defined in the **Coastal Management Element** of the Comprehensive Plan, and could contribute to degrading hurricane

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

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

³ CHHA is the area below the elevation of the category one storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model [Section 163.3178 (2)(H), Florida Statutes].

evacuation times. Staff recommends a condition requiring that the applicant shall be required to submit an evacuation plan to the City for its evaluation at time of development permit.

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

Sewer – The project is required to connect to the City of Crystal River sanitary sewer system. The City has adequate capacity to service the project. Extension of utility lines constructed within the public roadway will require right-of-way utilization permits from Citrus County Government.

Stormwater Management – Stormwater management requirements must be approved as established by the Southwest Florida Water Management District (SWFWMD) for a commercial project. All stormwater treatment systems shall meet the latest SWFWMD and State standards for water quality and peak discharge. This requires that the rate of post-development runoff conditions shall not exceed pre-development runoff conditions.

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

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

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

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

POLICIES:

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

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

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

Staff Response: The PUD provides the benefit of a Master Plan of Development that serves to mitigate against potential conflicts with adjacent land uses where compatibility is a

concern. However, several issues (identified below) must be addressed to preserve, protect the City and its residents.

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

OBJECTIVE 4.1: *The City shall maintain or reduce hurricane evacuation times by requiring that new developments not degrade the existing evacuation Level of Service (LOS).*

POLICY:

- C) *The Coastal High-Hazard Area (CHHA) is defined as the area below the elevation of the category 1 storm surge line as established by a Sea, Lake, and Overland Surges from Hurricanes (SLOSH) computerized storm surge model. All proposed Comprehensive Plan Amendments and new developments within the CHHA must meet the following criteria: 1. The adopted LOS for “out of county” hurricane evacuation is maintained for a category 5 storm event as measured on the Saffir-Simpson scale.*
- 2. A 12 hour evacuation time to shelter is maintained for a category 5 storm event as measured on the Saffir-Simpson scale and shelter space reasonably expected to accommodate the residents of a development contemplated by the proposed comprehensive plan amendment is available; or*
 - 3. Appropriate mitigation is provided that will satisfy Policy C1. Or 2). Appropriate mitigation shall include, without limitation, payment of money, contribution of land, and construction of hurricane shelters and transportation facilities not to exceed the amount required for a developer to accommodate impacts reasonably attributable to development.*
 - a. City shall enter into a binding contract with the developer detailing with any required mitigation.*
 - b. If the LOS for the host evacuees has not been established the LOS shall not exceed 16 hours for a category 5 event.*

Staff Response: Evacuation response time is a concern given the functioning LOS D for W Fort Island Trail [refer to **Transportation (Ingress/Egress)** section above]. The applicant has advised that “...per the regional council that RV park evacuation times are faster than traditional single family or multi family residential.” Staff recommends a condition requiring that the developer shall submit an evacuation plan to the City for its evaluation at time of development permit.

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

POLICY:

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

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

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

Marina/Boat Facilities

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

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

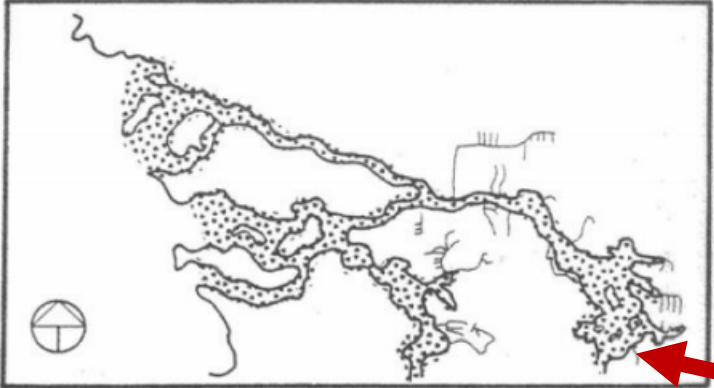
Only two sites which meet both criteria 1 and 2 have been identified as suitable sites for new facilities on the Crystal River and Kings Bay: one at Fort Island and one near the mouth of the Crystal River (see MP 4). Neither location is within the City of Crystal River.

POLICIES:

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

Staff Response: The master plan proposes a canoe/kayak livery, launch, ramp as an ancillary use of the RV Park’s available recreational amenities. The **Manatee Protection Element** of the Comprehensive Plan prohibits the establishment of any new marinas or boating launching facilities within the coastal waters of the Crystal River Kings Bay area for the protection of essential manatee habitat. This includes the waterways leading into King’s Bay.

This rendering taken from the element identifies the Essential Habitat Area for Crystal River. These are areas that prohibit new marinas of boat facilities and boat ramps within the City Limits. The arrow indicates the



The map, titled "CRYSTAL RIVER", shows a winding waterway with several tributaries. A large, irregularly shaped area along the river is shaded with a stippled pattern, representing the Essential Habitat Area. A red arrow points to a specific location on the riverbank within this shaded area.

proximate location of the project as it connects to the existing creek (waterway) that extends through a culvert under Fort Island Trail to the coastal waters of Kings Bay.

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

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

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

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

The following findings of fact are presented:

1. The request is to change the zoning on 14.04 acres +/- from Commercial Waterfront (CW) to Planned Unit Development (PUD), and to establish a Master Plan of Development known as Eastrob, LLC RV Resort” for a planned RV park having 81 RV spaces and related amenities.
2. The request to rezone property from CW to PUD and to establish a Master Plan of Development for the PUD is found consistent with the City’s Future Land Use Element of the Comprehensive Plan for the CW, Highway Commercial category as designated on the Future Land Use Map provided adequate assurances can be made to mitigate any negative concerns expressed in this report.
3. A waiver request has been made by the applicant to allow the restroom/bathhouse facilities to be less than the required minimum 500-separation from any RV space.
4. A waiver request has been made by the application to not require a landscape buffer where the project site abuts the creek.
5. No information has been provided by the applicant about how the drainage pond will be designed to prevent stormwater from directly entering the aquifer, which may directly impact Kings Bay of the Crystal River (an OFW), which is inconsistent with the **Coastal Management Element** policy to ensure that stormwater management facilities do not degrade coastal resources.
6. The applicant has not provided adequate evacuation information for the RV park (located in the CHHA and on W Fort Island Trail, an evacuation route functioning at a LOS D) to address the intent of the **Coastal Management Element** policy to maintain or reduce hurricane evacuation times.

7. The proposed canoe/kayak livery, launch, ramp facility is inconsistent with the intent of the **Manatee Protection Element** policy to not allow boat facilities in the manatees' Essential Habitat area.

STAFF RECOMMENDATION:

Staff recommends denial as presented. Conditions of approval have been provided in **Exhibit B** of the draft ordinance (see backup) to assist in mitigating concerns expressed herein.

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES:

Please see Staff's PowerPoint presentation.


PLANNING COMMISSION ACTION:

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

- 1) PZ22-0089 - Zoning Map PUD Amendment

ATTACHMENTS:

1. Staff PowerPoint Presentation
2. Draft Ordinance
3. Applicant's Submittal with supporting documents



PZ22-0089
REZONING TO PUD AND ADOPT A MASTER PLAN OF DEVELOPMENT KNOWN AS EASTROB, LLC RV RESORT
EASTROB, LLC

Crystal River Planning Commission Meeting of November 3, 2022

1

1



SUBJECT PROPERTY
 14400

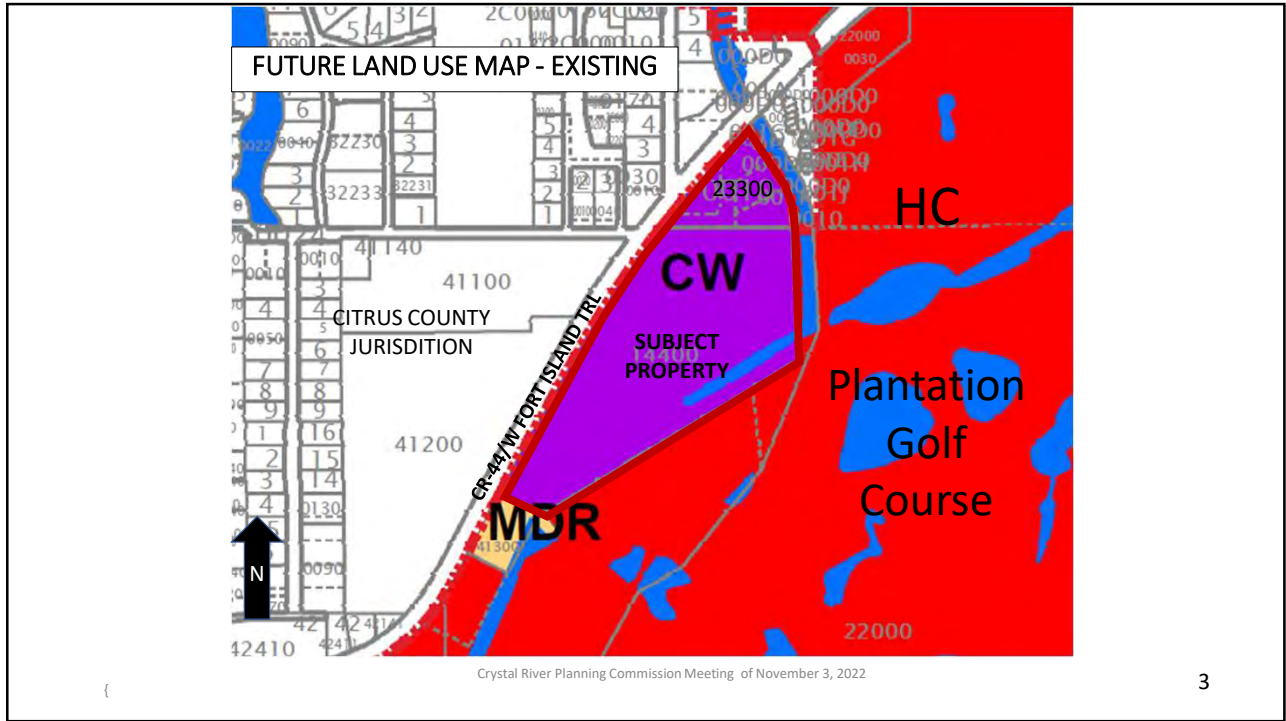
Citrus County

Plantation Golf Course

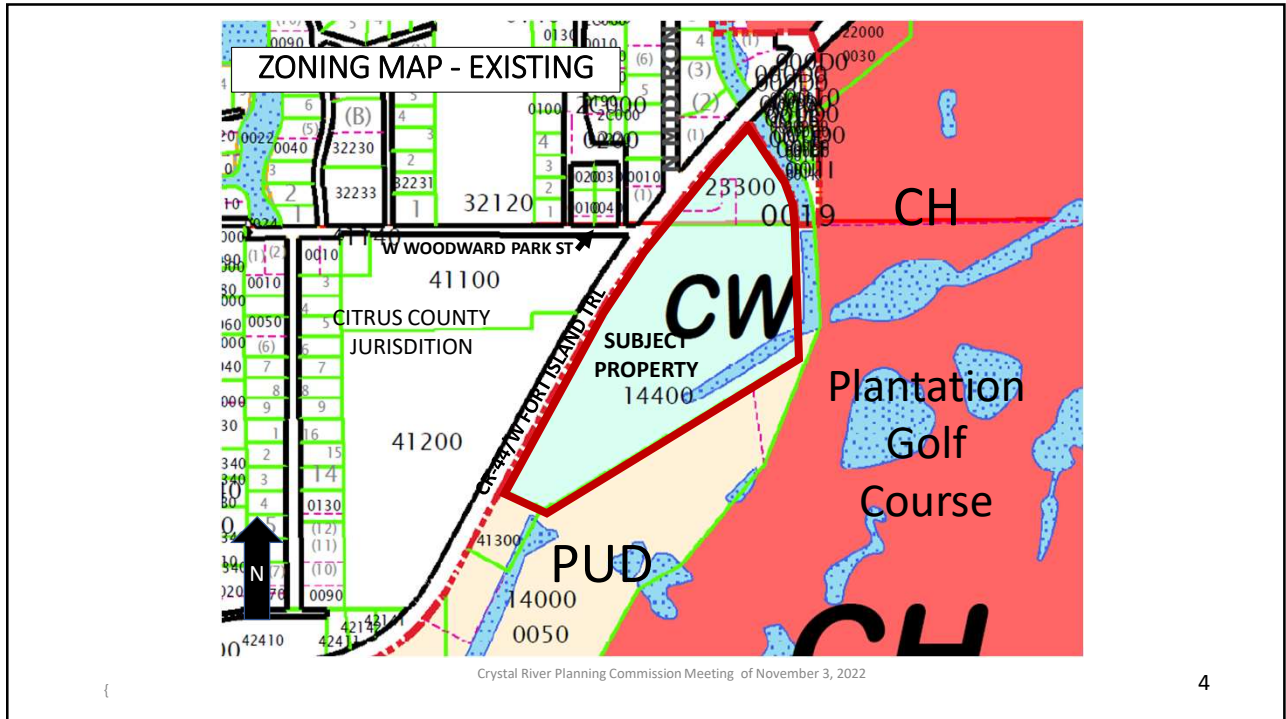
Crystal River Planning Commission Meeting of November 3, 2022

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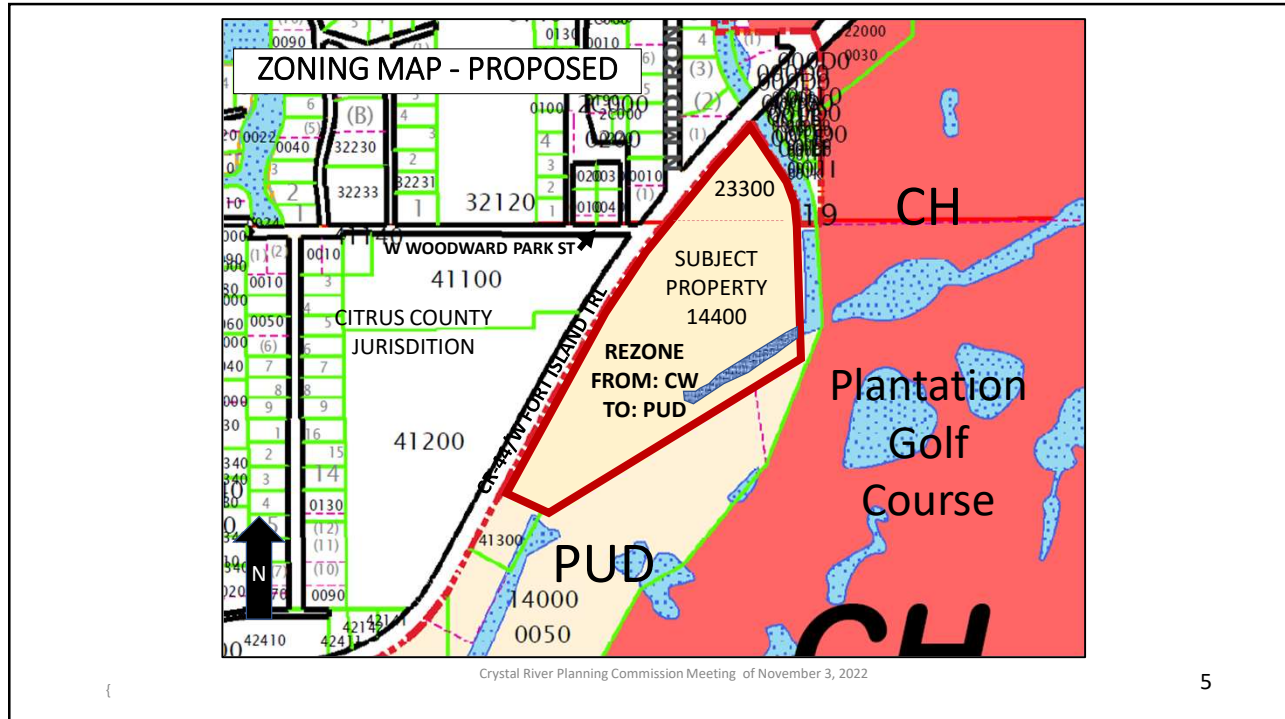
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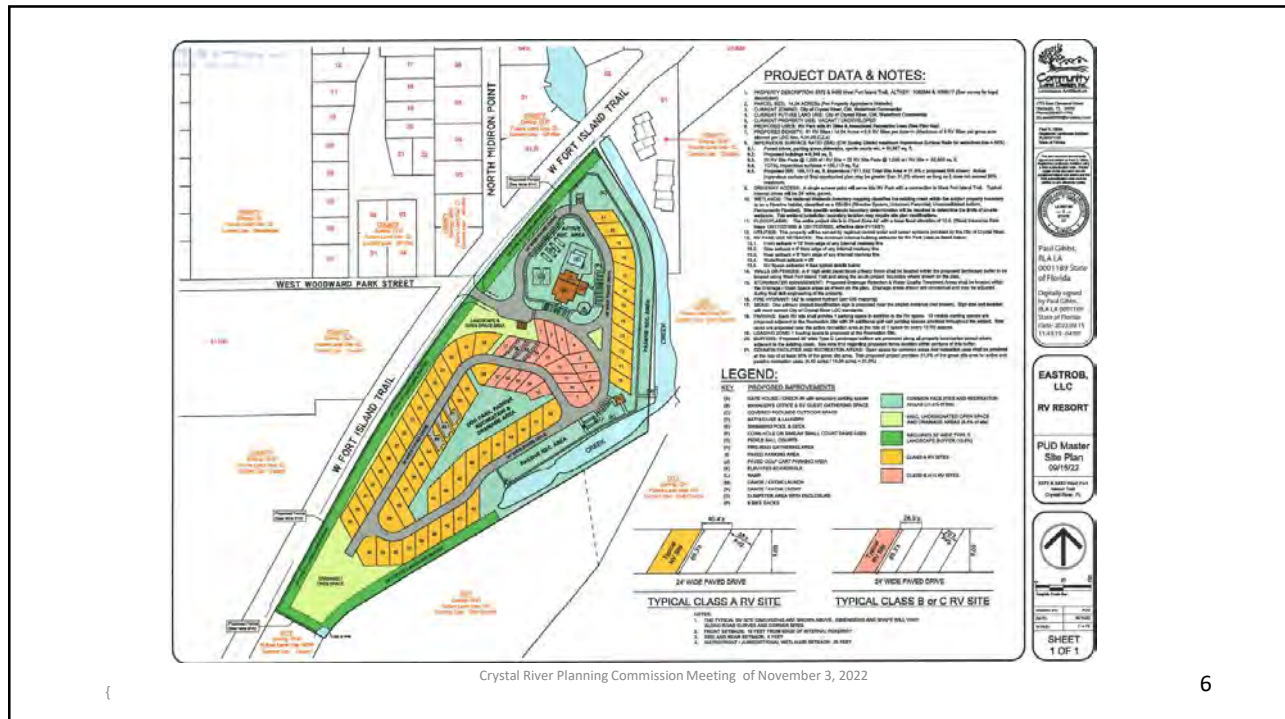
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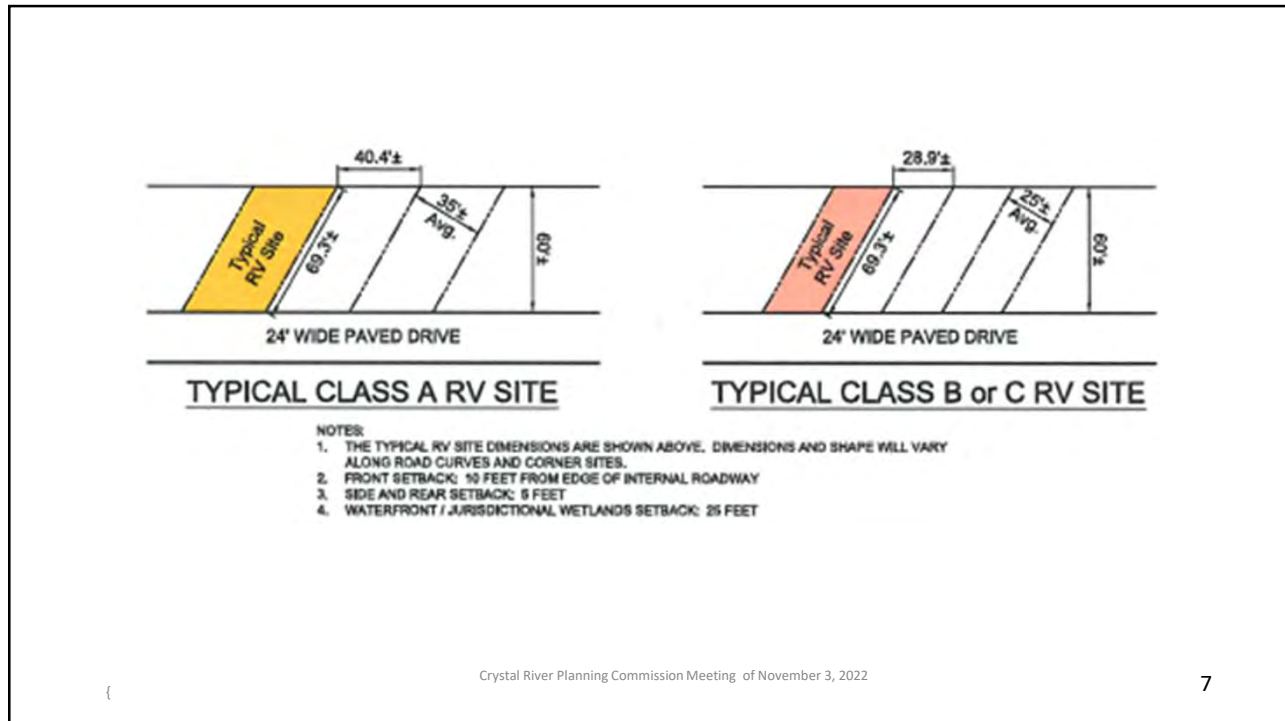
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5



6



7



8

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



Crystal River Planning Commission Meeting of November 3, 2022

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9

9

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



Crystal River Planning Commission Meeting of November 3, 2022

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10

10

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



Crystal River Planning Commission Meeting of November 3, 2022

11

11


Looking north across street from subject property toward Midiron Point



Crystal River Planning Commission Meeting of November 3, 2022

12

12

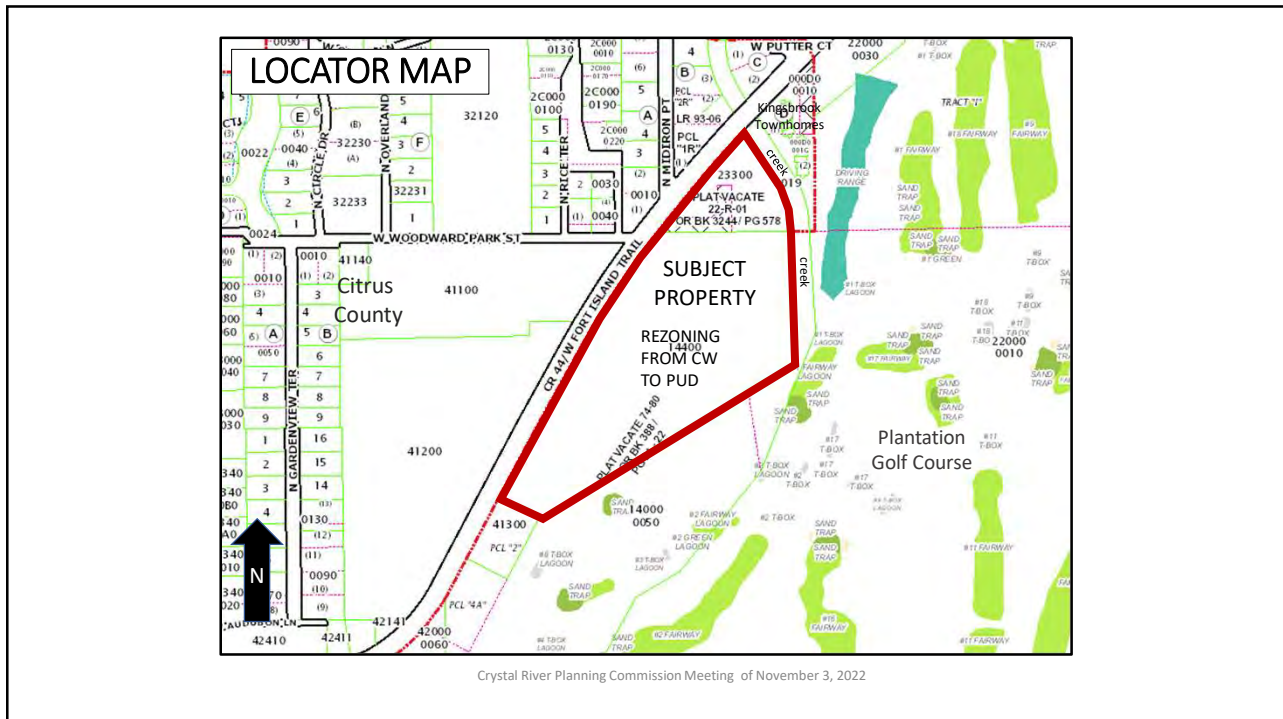


QUESTIONS?

PZ22-0089
REZONING TO PUD AND ADOPT A MASTER PLAN OF DEVELOPMENT KNOWN AS EASTROB, LLC RV RESORT
EASTROB, LLC

Crystal River Planning Commission Meeting of November 3, 2022

13



14

DRAFT ORDINANCE 23-O-07

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

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

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

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

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

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

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

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

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

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

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the official zoning map from Commercial Waterfront (CW) to Planned Unit Development (PUD), and by adopting a Master Plan of Development for the PUD known as “Eastrob, LLC RV Resort” for certain real property specifically described the attached **Exhibit A** and in Section 3, below, for the reasons set forth in the above “**WHEREAS**” clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY

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

SECTION 3. PUD AMENDMENT TO THE ZONING MAP

PZ22-0089 EASTROB, LLC RV RESORT

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

SECTION 4. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

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

set forth herein verbatim.

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

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

SECTION 6. REPEAL OF CONFLICTING ORDINANCES

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

SECTION 7. SEVERABILITY

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

SECTION 8. EFFECTIVE DATE

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

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

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

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

APPROVED AS TO FORM AND LEGALITY:

VOTE OF COUNCIL:

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

Meek _____
Guy _____
Brown _____
Fitzpatrick _____
Holmes _____

EXHIBIT A

Eastrob LLC, RV Resort Property Description

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

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

AND

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

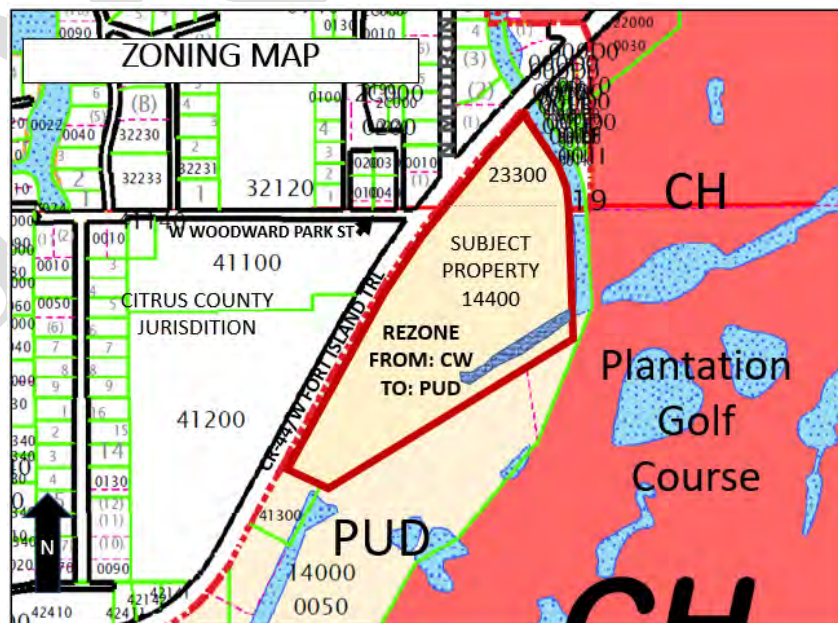


EXHIBIT B

Eastrob LLC, RV Resort PUD Conditions of Approval

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

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

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

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

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

6. A Tree Survey demonstrating tree protection standards of the Crystal River LDC must be submitted and approved at time of development permit.
7. Access gates (if planned at entry/exit point) shall be siren activated (or allow access by another method) as found acceptable by the City's emergency regulatory agencies. In this case, adequate driveway stacking distance must be maintained at the entrance to deter vehicles from queuing onto the public right-of-way.
8. The Developer or its successor or assign, such as a successor declarant or property owners association, which owns the common areas within the subject property, shall ensure that each recreational vehicle located on the subject property remains, at all times, fully licensed and ready for highway use and shall ensure compliance with applicable laws governing RV Park occupants. For purposes of this section, "ready for highway use" means the recreational vehicle is not affixed to the ground, is on wheels or a jacking system, is attached to the site only by quick-disconnect type utilities and security devices, has no permanent attachments such as additions, rooms, stairs, decks or porches, and is capable of removal within twelve hours. In addition, the temporary structures must be removed prior to departure. The foregoing requirement shall be incorporated into a Declaration of Covenants and Restrictions encumbering the subject property, which shall also require all owners of lots, recreational vehicles within the subject property to contract with a third-party entity responsible for immediate removal of the recreational vehicle in the event of an emergency or evacuation order. Such Declaration shall be submitted to City for approval pursuant to section 3.B.iv., above.
9. No park trailers (park models) shall be placed on the subject property.
10. An emergency evacuation plan will be submitted for the City's approval at time of development permit. Permanent or habitable spaces within structures must meet the required FEMA Flood Insurance Rate Map (FIRM) base flood elevation or FEMA flood proofing standards (for non-residential buildings) in effect at time of development.
11. To avoid manatee/boat overlap, no boating facility or boat ramp (including boat, canoe, kayak or paddleboard launch area or facility) shall be permitted within the subject property.²
12. A determination for expiration of development rights for the *PUD Master Plan* shall be in accordance with those procedures set forth in Section 10.00.04 *Expiration of development permits*, of the Crystal River LDC, except that the term to obtain a development permit for site improvement plans shall be for three (3) years.
13. The Developer is responsible for obtaining any and all permits and approvals required by the City and all other federal, state, and local government permits to operate the property as provided herein.
14. Where standards are not specified herein, the Crystal River Land Development Code standards (or current code standards) will apply.

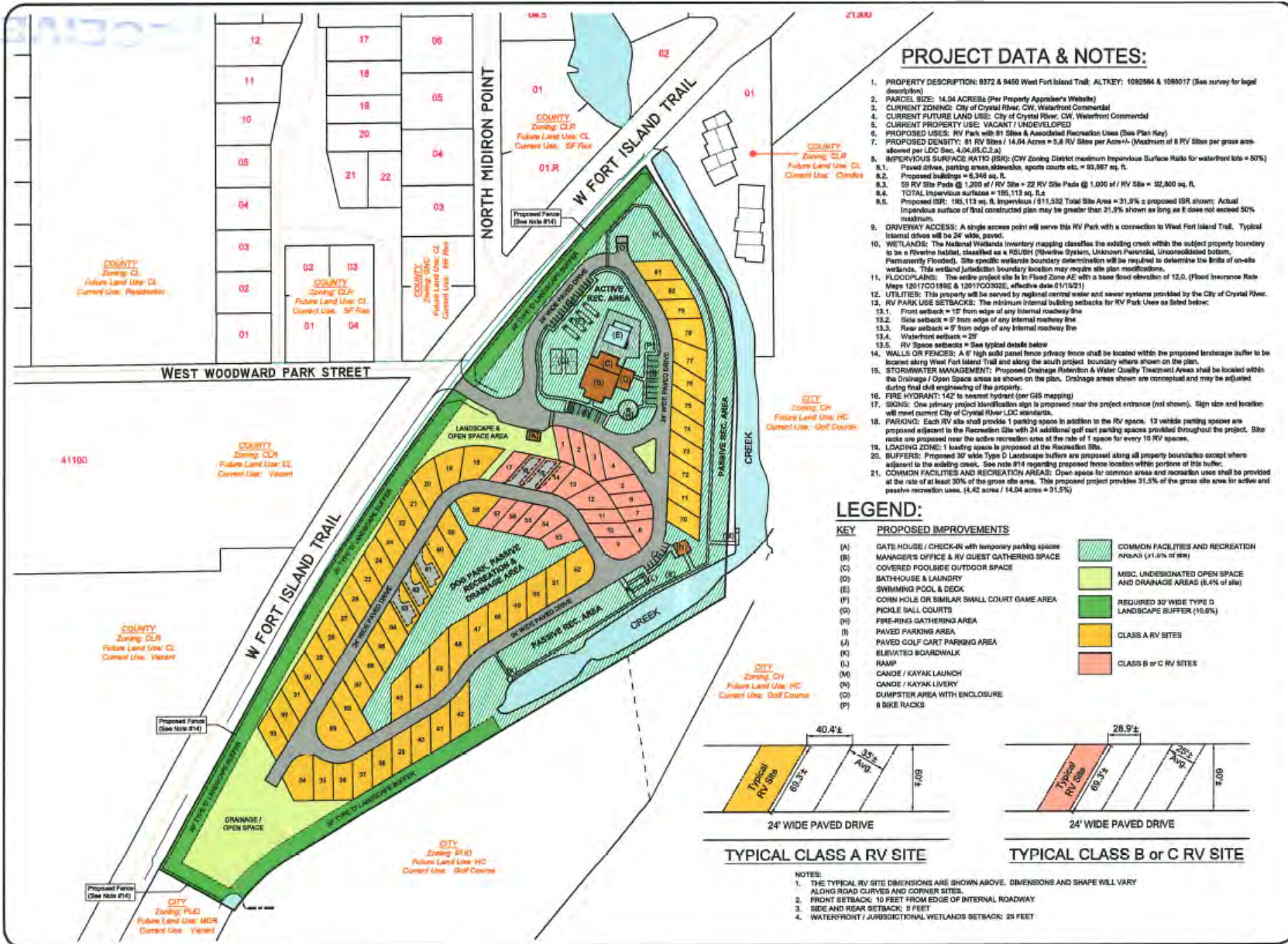
² It is noted that the *PUD Master Plan* attached as **Exhibit C** includes a "Ramp" "Canoe/Kayak Launch" and "Canoe/Kayak Livery" depicted and assigned as Legend Key items (L), (M), and (N), but such use is expressly prohibited by the City's Comprehensive Plan, Manatee Protection Element, and these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

15. Minor modifications to this Planned Unit Development may be approved by the City Manager (or his designee) as outlined within Section 10.05.02, *Procedures for Minor Amendments*, of the Crystal River LDC.
16. The failure of Developer or its successors or assigns to materially satisfy any condition or perform or comply with any obligation set forth herein shall constitute a violation of the City Code of Ordinances that may be enforced through the City's code enforcement, which could lead to the imposition of restrictions or limitations on future development until compliance is achieved

End of Exhibit B

DRAFT

EXHIBIT C PUD Master Plan



1773 East Cleveland Street
 Newberry, FL 34462
 Phone: 904-631-1742
 Email: paul@communitylandscapes.com

Paul C. Gibbs
 Registered Landscape Architect
 FL 0001189
 State of Florida

Paul Gibbs,
 RLA LA
 0001189 State of Florida

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

EASTROB, LLC
RV RESORT

PUD Master Site Plan
 09/15/22

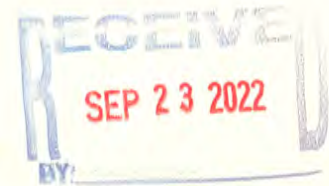
8372 & 9450 West Fort Island Trail
 Crystal River, FL



DRAWN BY: POG
 DATE: 09/15/22
 SCALE: 1" = 25'

SHEET 1 OF 1

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



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

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

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

September 23, 2022

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

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

Dear Jenette:

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

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

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

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

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

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

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

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

Very truly yours,

LAW OFFICE of CLARK A. STILLWELL, LLC



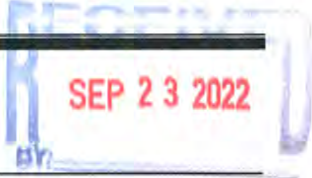
Clark A. Stillwell

CAS/cv
Enclosure
cc: Client



PLANNED UNIT DEVELOPMENT (PUD) REZONING APPLICATION

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



Applicant Information:

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

Property Description:

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

Legal Description: See Exhibit "A"

(or attachment)

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

PROPOSED NEW PUD OR PUD AMENDMENT (circle)

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

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

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

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

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

Attachments:

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

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

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

Rezoning Checklist

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

Determination of Compliance

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

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

STANDARD APPLICATION

STAFF USE ONLY

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

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

Required Attachments for All Applications (Sec. 10.01.02):

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

OWNERSHIP INFORMATION

Property Owner: Eastrob, LLC

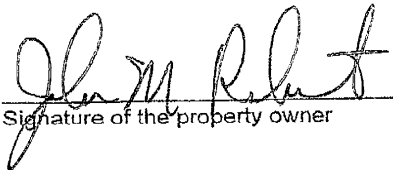
Address: 27941 US HWY 19 N, Clearwater, Florida 33761

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

Email address: _____

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

OWNER'S SIGNATURE:

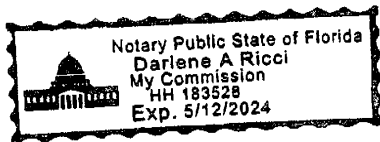

Signature of the property owner

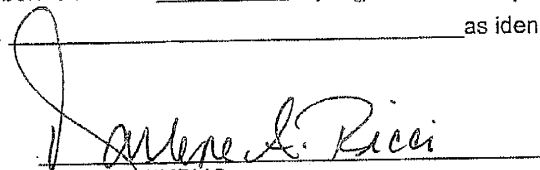
Signature of the property owner

NOTARIZATION FOR OWNER'S SIGNATURE

STATE OF Florida COUNTY OF PINELLAS

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




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

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

www.crystalriverfl.org

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

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

AGENT AUTHORIZATION

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

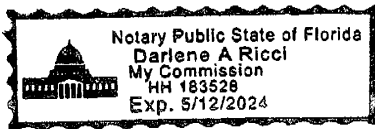


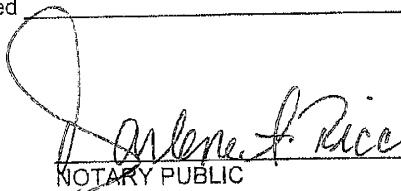
Signature of the Property Owner

NOTARIZATION FOR OWNER'S SIGNATURE

STATE OF Florida COUNTY OF Pinellas

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





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

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

Exhibit "A" – PA printout – Deed

Exhibit "B" – GIS Aerial – PA Aerial

Exhibit "C" – Crystal River Current Zoning Map

Exhibit "D" – Crystal River FLUE Map

Exhibit "E" – FIRM Map

Exhibit "F" – Application Text

Exhibit "G" – Survey

Exhibit "H" – Site Plan

Altkey: 1098017
EASTROB LLC

Exhibit "A"

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

Citrus County Property Appraiser, Cregg E. Dalton

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

Mailing Address

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

All Owners

Name	Owner Type
EASTROB LLC	BU - Business

Value History and Tax Amount

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

Buyer Beware!

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

Sales

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

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

DISCLAIMER

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

Land & Agricultural

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

Total Misc Value

Altkey: 1092884
EASTROB LLC

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

Citrus County Property Appraiser, Cregg E. Dalton

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

Mailing Address

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

All Owners

Name	Owner Type
EASTROB LLC	BU - Business

Value History and Tax Amount

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

Buyer Beware!

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

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

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

DISCLAIMER

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

Permit Summary

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

Land & Agricultural

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

Total Misc Value

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

WARRANTY DEED

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

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

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

See Exhibit "A" attached hereto

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

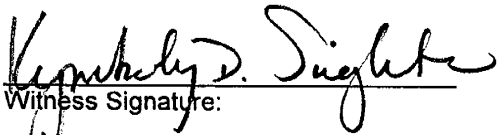
and said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

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

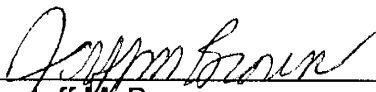
IN WITNESS WHEREOF, Grantor has caused this Warranty Deed to be executed in its name by its proper and authorized representative as of the day and year first above written.

Signed, sealed and delivered in our presence:


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


Witness Signature:

Kimberly D. Singleton
Witness Printed Name:

By: 
Jeff M. Brown
Its Manager

750 South Dixie Highway
Boca Raton, Florida 33432


Witness Signature:

ROBERT I. McLAREN III
Witness Printed Name:

STATE OF FLORIDA
COUNTY OF PALM BEACH

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



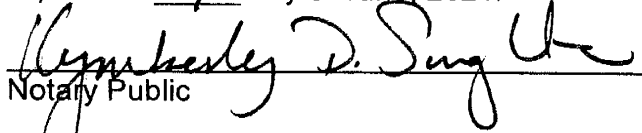

Notary Public

Exhibit "A"

Legal Description

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

AND

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



Geographic Information Systems

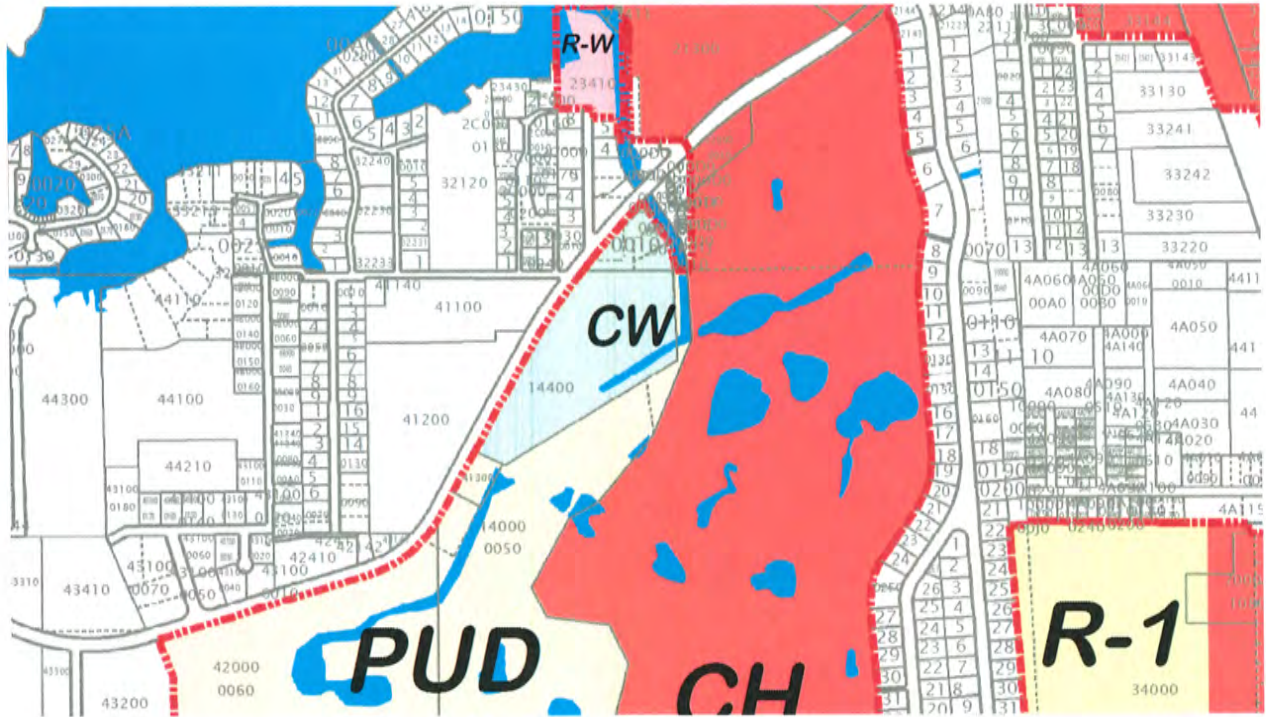
Cynthia Shelton
Director

Prepared By: Web User
Date: 2/8/2022
Source: Enterprise Geodatabase
Copyright © 2014 Citrus County B.O.C.C.

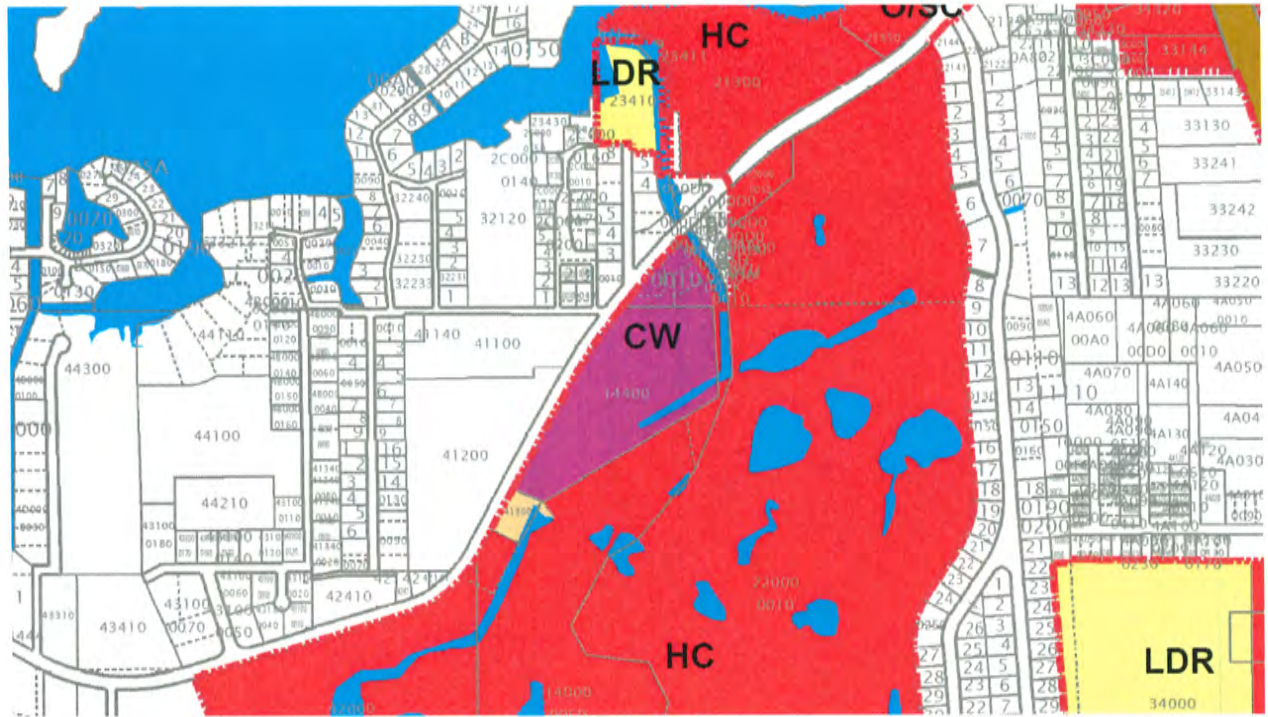
This information is provided for informational purposes only. The Citrus County Geographic Information System is not intended to be used for legal purposes. Citrus County is not responsible for any errors or omissions in this information. Citrus County is not liable for any damages, including but not limited to, direct, indirect, or consequential damages, arising from the use of this information. Citrus County is not responsible for any damages, including but not limited to, direct, indirect, or consequential damages, arising from the use of this information.

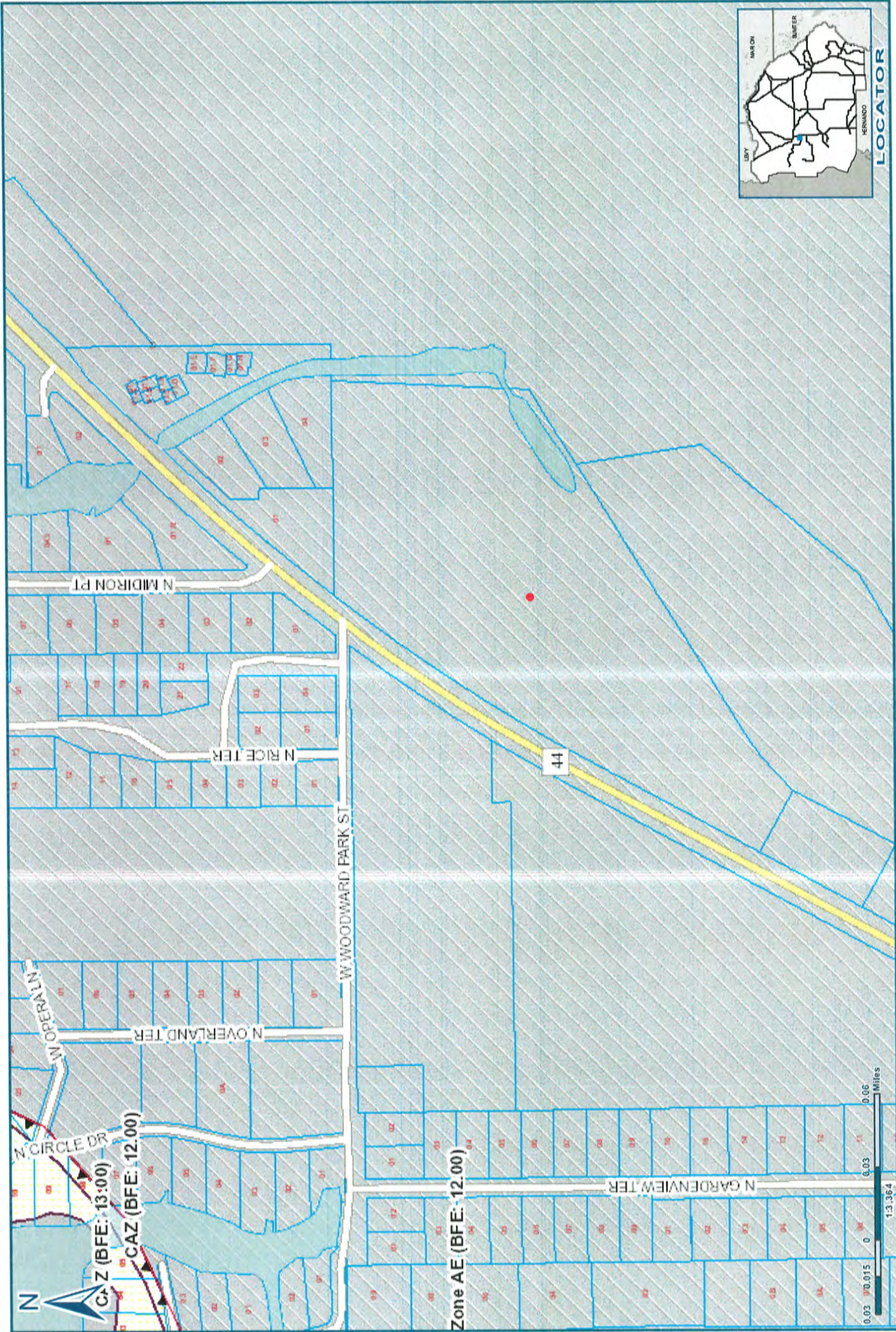
Eastrob, LLC

CR Zoning Map



CR FLUE





Geographic Information Systems

Cynthia Skeithorn
Director

Prepared By: Web User

Date: 2/8/2022

Source: Enterprise Geodatabase

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

FIRM Map



Information is to be used for general purposes only. It is not intended for use in any legal proceeding. Citrus County, Florida, is not responsible for any errors or omissions in this information. 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 actions taken based on this information. Citrus County, Florida, is not responsible for any consequences of any actions taken based on this information.



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

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

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

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

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

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

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

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

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

Exhibit "G"

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

- Notes:
1. Bearings hereon are based on an assumed value of South 89°58'33" West, for the South boundary of Section 28, Township 18 South, Range 17 East, and bearing is identical with the Plat of record.
 2. Features and improvements, (i.e. foundations, utilities, septic tanks, etc.) not visible beneath the surface of the ground are specifically depicted or noted hereon. If a septic tank is shown upon the map, it was located by probing the ground and not by excavation. Additional wells and septic tanks may exist which are unshown to the surveyor.
 3. Property lines shown hereon may be exaggerated for pictorial purposes only and are not to scale.
 4. Property lines should not be reconstructed based on distances to improvements.
 5. The building setbacks shown hereon are shown hereon, this does not imply that there are none on subject property. Building setbacks are shown hereon for the subject property only and are verified at the proper building department with the current zoning of the subject property.
 6. Subject property shown hereon may be a division of a parent tract based on information provided by the client. If so, this survey does not constitute a deed or any other instrument and all liabilities are verified at the proper building department with the current zoning of the subject property.
 7. Information from the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map shown hereon was current as of the effective or revised date of said map. Map revisions and amendments are periodically made by FEMA and may not be reflected on said map.

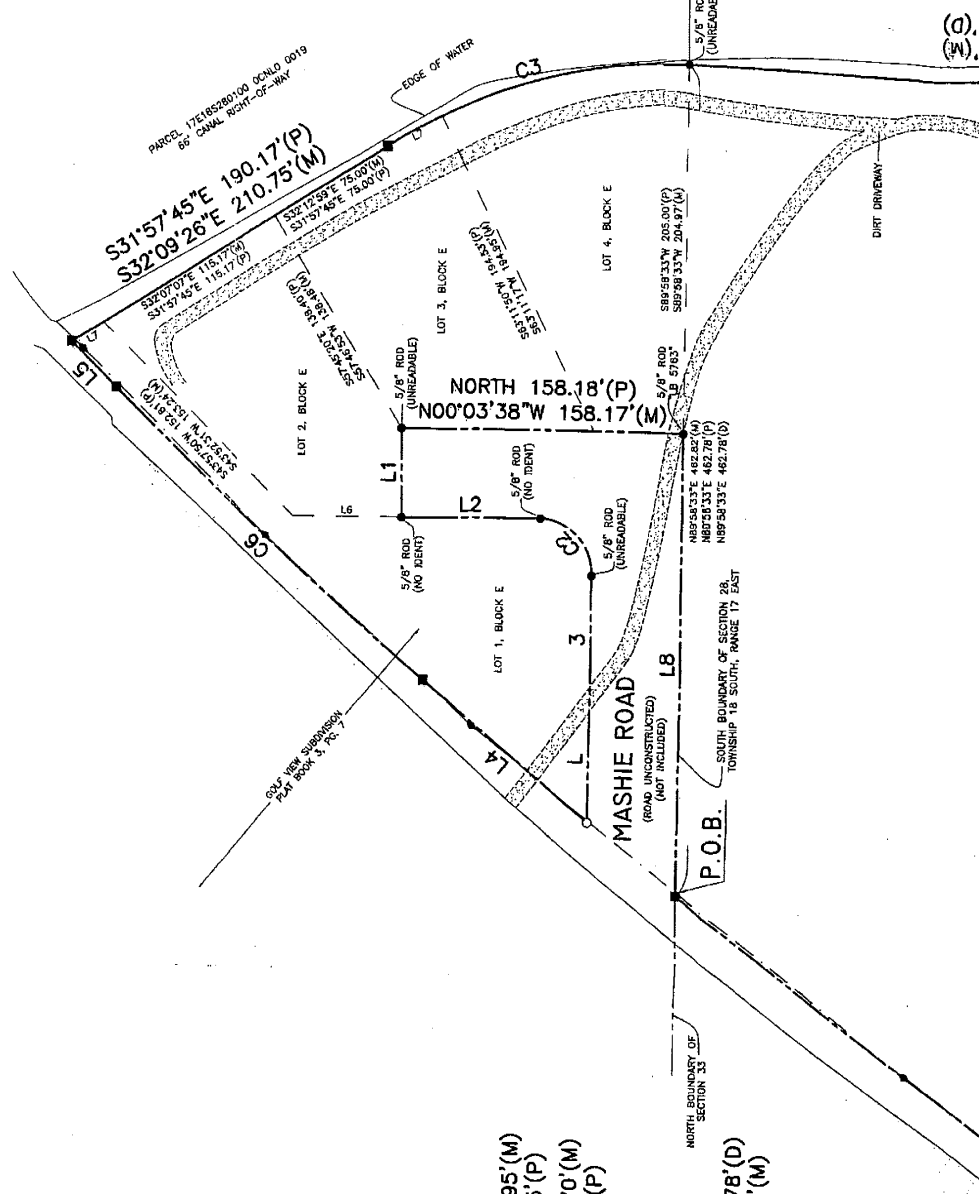
Description: (by client)
 Begin at the intersection of the North Boundary of Section 33, Township 18 South, Range 17 East, with the Easterly right of way line of Kings Bay Road, thence run N. 89°58'33"E., along the North boundary of said Section 33, 462.78 feet, thence S. 02°42'25"W., 425.38 feet, thence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

AND

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

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

CURVE	RADIUS	ARC	PERCENT	CENTRAL ANGLE	CHORD	CHORD BEARING
C(10)	3519.63	645.17	32.3%	64.0°35'	644.40'	N32°55'14"E
C(10)	35.00	645.26	100%	180°00'00"	642.50'	N33°46'50"E
C(10)	311.81	177.56	30.51%	90°57'40"	42.76'	N45°01'07"E
C(30)	311.81	177.56	11.25%	35°37'34"	14.13'	S15°24'15"E
C(40)	365.02	52.90	26.48%	74°22'22"	52.88'	S54°27'45"W
C(40)	365.02	52.90	100%	180°00'00"	52.35'	S55°09'03"W
C(50)	334.01	66.44	46.48%	113°38'52"	66.17'	S43°00'56"W
C(50)	334.01	66.44	100%	180°00'00"	66.35'	S43°47'22"W
C(60)	283.186	236.98	119.52%	450°00"	236.98'	N41°56'51"E
C(60)	283.186	236.98	100%	180°00'	236.98'	N41°54'47"E

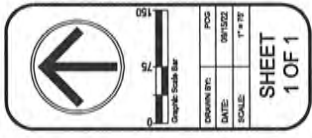


(D), (E)



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EASTROB, LLC
RV RESORT
PUD Master
Site Plan
09/15/22
9372 S. 6450 West Fort
Island Trail
Crystal River, FL



DATE: 09/15/22
SCALE: 1" = 10'
SHEET
1 OF 1

PROJECT DATA & NOTES:

- PROPERTY DESCRIPTION: 9372 & 9400 West Fort Island Trail, ALTYREV, 1020864 & 1026917 (See survey for legal description)
- PARCEL SIZE: 1/4 ACRES (Per Property Appraiser's Website)
- ADJACENT PARCELS: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100
- CURRENT FUTURE LAND USE: VACANT / UNDEVELOPED
- PROPOSED USES: RV Park with 91 Sites & Associated Recreation Uses (See Plan Key)
- PROPOSED USES: RV Park with 91 Sites & Associated Recreation Uses (See Plan Key)
- ADDITIONAL USES: 17 RV Sites per ACRV-1 (Maximum of 8 RV Sites per gross acre allowed per LDC Sec. 4.0A(2)(2.4))
- IMPERVIOUS SURFACE RATIO (ISR): (City Zoning District Maximum ImperVIOUS Surface Ratio for residential lots = 50%)
 1. Proposed site, including 1.5' sidewalk
 2. 59 RV Sites @ 1,200 sq. ft. RV Sites + 22 RV Site Pads @ 1,000 sq. ft. = 92,800 sq. ft.
 3. TOTAL ImpervIOUS surface = 195,113 sq. ft.
 4. 537 Total Site Area = 31.5%, as proposed 100% impervIOUS
 5. ImpervIOUS surface of final constructed plan may be greater than 31.5% shown as long as it does not exceed 50% maximum.
- DRIVEWAY ACCESS: A single access point will serve the RV Park with a connection to West Fort Island Trail. Typical 10' wide driveway.
- WETLANDS: The National Wetlands Inventory mapping identifies the wetland creek within the subject property boundary to be a Riverine habitat, classified as a R2UBH (Riverine System, Unclassified Periodic, Unconsolidated bottom, Submerged). The wetland jurisdiction boundary location may require site plan modifications.
- FLOODPLAIN: The entire project site is in Flood Zone AE with a base flood elevation of 12.0. (Flood Insurance Rate Zone 1). The site will be elevated above the base flood elevation to 12.0.
- RV PARK USE SETBACKS: The minimum internal building setbacks for RV Park Uses as listed below.
 1. Front setback = 15' from edge of any internal roadway line
 2. Side setback = 10' from edge of any internal roadway line
 3. Rear setback = 5' from edge of any internal roadway line
 4. Wetland setback = 25'
 5. Flood Zone AE setback = 25'
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- STORMWATER MANAGEMENT: Proposed Drainage Retention & Water Quality Treatment Areas shall be located within the site and shall be designed to meet the requirements of the City of Crystal River.
- FIRE HYDRANT: 142' to nearest hydrant (per GIS mapping)
- UTILITIES: One street light pole shall be located near the project entrance (not shown). Sign size and location to be determined by the City of Crystal River LDC.
- PARKING: Each RV site shall provide 1 parking space in addition to the RV space. 13 vehicle parking spaces are proposed adjacent to the Recreation Site with 24 additional golf cart parking spaces provided throughout the project. Bicycles shall be stored in a designated area.
- LOADING ZONE: 1 loading space is proposed at the Recreation Site.
- BUFFERS: Proposed 30' wide Type D Landscape buffers are proposed along all property boundaries except where shown otherwise. Proposed 10' wide Type D Landscape buffers are proposed along the site boundary with the adjacent site at the rate of at least 50% of the gross site area. The proposed project provides 31.5% of the gross site area for active and passive recreation uses, (4.42 acres / 14.04 acres = 31.5%)

LEGEND:

- KEY**
- (A) GATE HOUSE / CHECK-IN with temporary parking spaces
 - (B) MANAGER'S OFFICE & RV GUEST GATHERING SPACE
 - (C) BATHHOUSE & LAUNDRY
 - (D) SWIMMING POOL & DECK
 - (E) CORN HOLE OR SIMILAR SMALL COURT GAME AREA
 - (F) PEOPLE BALL COURTS
 - (G) PAVED PARKING AREA
 - (H) ELEVATED BOARDWALK
 - (I) CANOE / KAYAK LAUNCH
 - (J) DAMPSTER AREA WITH ENCLOSURE
 - (K) 8 BIKE RACKS
- PROPOSED IMPROVEMENTS**
- COMMON FACILITIES AND RECREATION AREAS (0.15% of site)
 - MISC. UNDESIGNATED OPEN SPACE AND DRAINAGE AREAS (6.4% of site)
 - REQUIRED 30' WIDE TYPE D LANDSCAPE BUFFER (10.5%)
 - CLASS A RV SITES
 - CLASS B or C RV SITES



TYPICAL CLASS A RV SITE

- NOTES:
1. THE TYPICAL RV SITE DIMENSIONS ARE SHOWN ABOVE. DIMENSIONS AND SHAPE WILL VARY ALONG ROAD CURVES AND CORNER SITES.
 2. THE TYPICAL RV SITE DIMENSIONS ARE SHOWN ABOVE. DIMENSIONS AND SHAPE WILL VARY ALONG ROAD CURVES AND CORNER SITES.
 3. SIDE AND REAR SETBACK: 5 FEET
 4. WATERFRONT / JURISDICTIONAL WETLANDS SETBACK: 25 FEET

TYPICAL CLASS B or C RV SITE

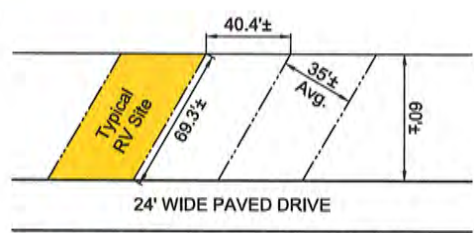


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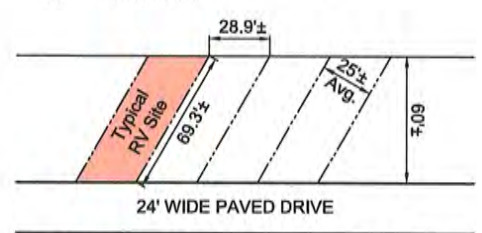


LEGEND:

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



TYPICAL CLASS A RV SITE



TYPICAL CLASS B or C RV SITE

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

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CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	November 3, 2022
APPLICATION #:	PZ22-0092 – Text Amendment to Land Development Code – Miniature Golf Course
APPLICANT:	Sarah and Jason Arena; 5500 West Heather Ridge Path, Lecanto, Fl. 34461
PROPOSED LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT:	Text amendment to two areas of the City of Crystal River Land Development Code: 1. Section 2.03.02 – Table of Permitted Uses – Add New Supplemental Use (S) to: <i>RECREATION, EDUCATION, SAFETY, PUBLIC ASSEMBLY, INFRASTRUCTURE</i> Miniature Golf Courses and Driving Tees CG General Commercial zoning district (outside of the CRA District) 2. Section 5.05.18 – Add Miniature Golf Course as a New Supplemental Use (S) with Supplemental standards.
PROJECT MANAGER:	Brian Herrmann, <i>CNU-A, LEED AP</i> – Director of Planning and Development Services

BACKGROUND INFORMATION:

This application is for a **text amendment** that will impact two specific locations within the City of Crystal River Land Development Code.

If approved, a **Miniature Golf Course** and a stand-alone **Driving Range (tees)** will be permitted as a **Supplemental Use “S”** within the **General Commercial (CG)** zoning district in **Table 2.03.02 Permitted Uses**. In addition, **Section 5.05.18 Miniature Golf Course** will be added to **Section 5.05.00 Supplemental Standards for Specific Uses**. This section contains a list of additional requirements that are applicable to the Miniature Golf Course use and must be adhered to by each candidate.

This proposal came about following several inquiries to redevelop a former day care facility located at 1076 N. Citrus Avenue. Over the past three years applicants had inquired about various uses for the site, all of which would have required a rezoning as well as a Comprehensive Plan amendment. For example, prior to covid, the property was purchased with the intent of establishing a “lower-income” affordable housing facility. However, in light of the pandemic, the applicant decided not to proceed.

Six months ago, the city received a serious inquiry regarding a dog training facility for the site. While certainly unique, this too would have required an amendment to the Land Development Code, as currently “outdoor kennels” (establishments in which multiple dogs are kept outside for the purpose of breeding, sale, training, boarding, grooming, or sporting purposes) are prohibited in the underlying zoning district. While various uses had been proposed for the location, none were able to meet the City’s zoning code as currently written.

The same can be said for a Miniature Golf Course, however, this use is already permitted in other districts within the city. In addition, staff feels as though there are significant benefits to the community that are associated with this use that are not found with others. For example, whether the participants are family members, long-time friends, or a group of teenagers, miniature golf promotes social interaction and relationships by bringing people together in a relaxed and informal environment.

Miniature golf is also a slower-paced activity that is suitable for anyone, regardless of age or physical fitness. Walking has a huge benefit to mental and physical health. Walking around a miniature golf course provides a purpose and more enjoyment for the walk. As such, it is listed as an activity that can help to lower rates of depression and anxiety. In addition, miniature golf is often used by businesses and groups for team building activities.

Miniature golf is an appealing activity. As such, it is quite common to find a course in a waterfront area that attracts tourists. Crystal River certainly fits this description. While there are plenty of activities on and around the bay in Crystal River, miniature golf is a unique endeavor that will attract folks in the evening, especially tourists. Furthermore, given that the city no longer has a movie theater or mall, it is likely that such a facility would be quite popular with teenagers during the summer.

For all of these reasons the staff feels as though this is an appropriate use for the edge of our downtown – just outside of our Community Redevelopment Area (CRA). This is an area that is amenable to vehicular traffic, cyclists, and those that are walking. The staff has worked with the applicants to ensure that an appropriate level of investment is being made in order to redesign the current sight and use. As a result, the applicants will be transforming the property, infusing necessary infrastructure associated with this use, while also adhering to basic code requirements.

ANALYSIS:

As conveyed in **Table 2.03.02. Permitted Uses** (below), the applicant is proposing to establish **Miniature Golf and Driving Tees** as a **Supplemental Use (S)** within the General Commercial zoning district. The Supplemental Standards limit the use to a site that is located outside of the CRA District.

Table 2.03.02. Permitted Uses.

P = Permitted S = Supplemental	Zoning Districts														
	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD	
Recreation, Education, Safety, Public Assembly, Infrastructure															
Golf Courses (excluding miniature golf & driving tees)			S	S	S	S			P			P			
Golf Courses (including miniature golf & driving tees)								<u>S</u>	P			P			
Gov. offices and / or maintenance facilities							P	P	P	P		P			

Section 5.05.00. Supplemental Standards for Specific Uses contains the Supplemental Standards for all Supplemental land uses that are found in the City’s Land Development Code.

PZ22-0092 - Text Amendment to LDC: Section 2.03.02 Table of Permitted Uses – Recreation, Education, Safety, Public Assembly, Infrastructure; Section 5.05.00 Supplemental Standards for Specific Uses; Section 5.05.18 Miniature Golf Course.

Since a **Miniature Golf Course** is proposed to be a Supplemental Use within the **General Commercial (CG)** zoning district, the standards that apply to this use are located in Section 5.05.18 (below).

Section 5.05.18 – Miniature Golf Course.

By-right Use. A Miniature Golf Course is permitted “by-right” when located in the High Intensity Commercial (HC) and Public Institutional (PI) zoning districts. As such, the use shall be subject to the standards of the zoning district.

Supplemental Use. A Miniature Golf Course is considered to be a Supplemental Use when located within the General Commercial (CG) zoning district. As such, the use shall be subject to the standards of the zoning district as well as the Supplemental Standards of this section.

1. No **Miniature Golf Course** facility (or Driving Tees) shall be permitted within the Community Redevelopment Area (CRA) district.
2. Hours of operation for a Miniature Golf Course facility shall be between 8 am. and 12 am.

If a single-family residential use or a multi-family residential use exists within 500 ft. of the **Miniature Golf Course** facility at the time in which the Certificate of Occupancy (CO) for the facility is issued, then the hours of operation shall be between 8 am. and 11 pm.

3. **Parking** requirements are as follows:
 - a. One (1) parking space required for each golf hole; and
 - b. One parking space required for every 300 sq. ft. of retail sales, business activity, entertainment activity (including eating or drinking) that is part of the golf course facility.

4. All **Exterior Illuminating** devices shall adhere to **4.03.04 Lighting** of the City of Crystal River Land Development Code, including:

- | | |
|--|-------------------------------|
| 1. General | 2. Outdoor Light Fixtures |
| 3. Shielding | 4. Light Spillage |
| 5. Exemptions | 6. Illumination Types |
| 7. Wall Packs | 8. Other Illumination Sources |
| 9. Sign Lighting – including provisions that limit new pipe, post, column, or double column light poles to 20 ft. in height (25 ft. max. must be approved by the Planning Director). | |

5. All primary and accessory structures shall adhere to the following:

Build-to-line location: (Interior & Corner Lot)	Setback Location: (Side & Rear Setback)
5–15 ft. from front property line	Side Setback: 5 ft. (waterfront 25 ft.)
5–15 ft. from side street property line	Rear Setback: 5 ft. (waterfront 25 ft.)

6. The applicant shall provide to the City’s Planning Department conceptual site plans that clearly depict:
 - a. The Front, Rear, and Side Setbacks for the site.
 - b. Proposed Layout and Size of Facilities, including:
 - i. Primary Buildings – including pro shop, eating area, arcade, restrooms, etc.
 - ii. Ancillary Buildings – building used for storage, etc. on the site,
 - iii. Miniature Golf Course – including design of each hole, elevation, water, etc.
 - iv. Stormwater Areas – depicting basic requirements,
 - v. Parking Areas – depicting number of spaces required and dimensions,
 - vi. Lighting as conveyed in #4 above.
 - c. Building Height.
 - d. Lot Coverage.
 - e. Ground Floor Finish Level as it relates to Base Flood Elevation
 - f. Landscape Buffers (based on zoning district, street frontage, etc.), Foundation Plantings, Interior Landscaping, and Parking Lot Landscaping.
 - g. Additional requirements found in the City’s Land Development Code (LDC).
7. The applicant shall submit to the City official plans in accordance with the City’s requirements. These shall depict the Supplemental Standards set forth in 1 through 6 above. All plans shall be signed and sealed by a **landscape architect** or **architect** that is registered in the **State of Florida**.

BENEFITS ASSOCIATED WITH SUCH A CHANGE:

The **Miniature Golf Course** use is currently permitted “by-right” in both the **High Intensity Commercial (CH)** and **Public Institutional (PI)** zoning districts.

This proposal would expand upon the areas in which this use is permitted, allowing it to be sited in the **General Commercial (CG)** zoning district. However, the use would be considered a Supplemental Use in this district, meaning that it must adhere to the **Supplemental Standards** that are found in **Section 5.05.18**.

1. The first Supplemental Standard states that when the use is located within the **General Commercial (CG)** zoning district it shall not be permitted to be sited within the City’s **Community Redevelopment Area (CRA)**. Given that a miniature golf course is almost always located on a thoroughfare with significant vehicular, cycle and / or pedestrian travel, there are only four locations within the proposed zoning district that are ideal or even appropriate:



Citrus Ave. just North of the CRA District boundary (purple)



East of Three Sisters Springs Trail. Just south of the CRA District (purple)



Northeast of the intersection of Three Sister Springs Trail and SE Paradise Pt. Rd.



South of West Venable Street and east of the Suncoast Parkway

The four areas that are shown above have the thoroughfare intensity that is necessary for a **Miniature Golf Course** to succeed while also being located outside of the **Community Redevelopment Area (CRA)**.

2. If a single-family residential use or a multi-family residential use exists within 500 ft. of the **Miniature Golf Course** facility at the time in which the Certificate of Occupancy (CO) is issued for the golfing facility, then the hours of operation shall be limited to 8 am. until 11 pm. If no such facility exists, then the hours of operation may be from 8 am to 12 am.
3. Whereas the parking standards for a typical **Assembly Use** require one parking space per 300 gsf., the provisions for this **Supplemental Use** are more intense and restrictive. They require a minimum of one parking space per golf hole in addition to one parking space for every 300 sq. ft. of retail sales, business activity, and entertainment activity (including eating and drinking) that is part of the golf course facility.
4. All exterior illuminating devices on this site shall adhere to **4.03.04 Lighting** of the City of Crystal River Land Development Code, including: 1. General, 2. Outdoor Light Fixtures, 3. Shielding, 4. Light Spillage, 5. Exemptions, 6. Illumination Types, 7. Wall Packs, 8. Other Illumination Sources, 9. Sign Lighting – provisions that limit new pipe, post, column, or double column light poles to 20 ft. in height max. (25 ft. max. if approved by the Planning Director).
5. All primary and accessory structures that are part of this Supplementary Use shall adhere to the following...

<p>Build-to-line location: (Interior & Corner Lot)</p> <p>5–15 ft. from front property line</p> <p>5–15 ft. from side street property line</p>	<p>Setback Location: (Side & Rear Setback)</p> <p>Side Setback: 5 ft. (waterfront 25 ft.)</p> <p>Rear Setback: 5 ft. (waterfront 25 ft.)</p>
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6. The applicant shall provide to the City’s Planning Department **conceptual site plans** that clearly depict all physical aspects of the proposal, including: all primary and ancillary buildings, the miniature golf course, the parking area, all landscaping, all lighting, and all additional standards found in the City’s Land Development Code (LDC).

7. The applicant shall submit to the City official plans in accordance with the City’s requirements. These shall depict the Supplemental Standards set forth in 1 through 6 above. All plans shall be signed and sealed by a **landscape architect** or **architect** that is registered in the **State of Florida**.

As conveyed above, the Supplemental Standards for this use are quite comprehensive, addressing issues that limit the areas in which the use may locate, requiring significant development standards, and ensuring that official plans for the proposal are signed and sealed by a landscape architect or architect that is registered in the State of Florida.

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

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

Goal 2 of the Comprehensive Plan states:

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

The provisions for a “Miniature Golf Course” will update and improve upon the City’s existing zoning standards by broadening the potential locations that one might decide to promote such a use. However, the expansion of the use has been well thought through. In fact, it shall be limited to the General Commercial (CG) zoning district, a district that is a hallmark of the City’s Community Redevelopment Area.

However, in this case the use is not ideal for the heart of downtown, but rather the edges of the downtown – or areas that are both highly walkable and highly drivable. As such, the use shall be a Supplemental Use, with standards that limit the location to the General Commercial (CG) zoning district, but only if sited outside of the Community Redevelopment Area. This approach will truly allow this land use where it is most beneficial, and as a result ensure that Crystal River continues to be a well-balanced and well-planned community.

Objective 2.8 of the Comprehensive Plan states:

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

As currently proposed a “Miniature Golf Course” adheres to this requirement.

Goal 3 of the Comprehensive Plan states:

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

As conveyed previously, a “Miniature Golf Course” is already permitted “by-right” in other zoning districts within the City. However, as conveyed above the expansion of the use has been well thought through. In fact, the use is not ideal for the heart of downtown, but rather the edges of downtown – that are both highly walkable and highly drivable.

Therefore, the use shall be permitted within the General Commercial (CG) zoning district. However, in doing so it shall be designated as a Supplemental Use, with restrictions that specifically limit the function to sites that are located outside of the Community

Redevelopment Area (CRA). This rather strict approach to expansion will ensure that the City of Crystal River continues to promote and maintain the character of community through consistent land use.

SUMMARY OF PUBLIC COMMENTS:

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

PLANNING COMMISSION ACTION:

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

Additionally, Subsection (C.) (#4) of 10.03.04. (Procedures for action by the Planning Commission) states that “the Planning Commission shall recommend to the City Council that the application be **approved**, **approved with conditions** (changes), or **denied**.”

SUPPORTING ATTACHMENTS, DIAGRAMS, and POWERPOINT PRESENTATIONS:

- A. Staff’s PowerPoint Presentation

ORDINANCE NO. 23-O-08

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING ORDINANCE NUMBER 05-O-08, APPENDIX A – LAND DEVELOPMENT CODE OF CITY OF CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, AS AMENDED; AMENDING SECTION 2.03.00 LAND USES PERMITTED IN EACH ZONING DISTRICT, TABLE 2.03.2 TABLE OF PERMITTED USES BY ALLOWING MINIATURE GOLF COURSE AS A SUPPLEMENTAL USE IN THE CG ZONING DISTRICT; ADDING SECTION 5.05.18 MINIATURE GOLF COURSE TO ESTABLISH SUPPLEMENTAL USE STANDARDS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

WHEREAS, the City Council of the City of Crystal River, Florida, recognizes the need to update and revise the City’s LDC to maintain consistency with the goals, objectives, and policies of the Comprehensive Plan; and

WHEREAS, certain changes are necessary and desirable to improve the usability of the LDC.

WHEREAS, the City of Crystal River has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, the City Council of the City of Crystal River, Florida, has determined that adoption of this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Crystal River.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, THAT THE CITY’S LAND DEVELOPMENT CODE IS AMENDED AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend Appendix A, Land Development Code of the Crystal River, Florida, Code of Ordinances, by amending Section 2.03.00 Land Uses Permitted in Each Zoning District, Table 2.03.02 Table of Permitted Uses by allowing Miniature Golf Course as a supplemental use in the CG Zoning District, and by adding Section 5.05.18 Miniature Golf Course to establish supplemental use standards, for reasons set forth in the above “WHEREAS” clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY.

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

SECTION 3. AMENDMENT OF THE LAND DEVELOPMENT CODE.

The City Council of the City of Crystal River, Florida, hereby adopts this Ordinance by amending Section 2.03.00 Land Uses Permitted in Each Zoning District, Table 2.03.02 Table of Permitted Uses by allowing Miniature Golf Course as a supplemental use in the CG Zoning District, and by adding Section 5.05.18 Miniature Golf Course to establish supplemental use standards, as shown in **Exhibit "A"**, attached hereto, and incorporated herein by reference.

A copy of the Land Development Code, as amended, is on file at City Hall in Crystal River, Florida.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

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

SECTION 5. CONDIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

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

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provisions of the Ordinance.

SECTION 7. MODIFICATION.

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

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective as per Florida law.

DONE AND ADOPTED in a regular meeting of the City Council of the City of Crystal River, Florida, this _____ day of _____, 2023.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

**APPROVED FOR CORRECTNESS
AND FORM:**

VOTE OF COUNCIL:

Meek: _____

Brown: _____

Guy: _____

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

Fitzpatrick: _____

Holmes: _____

EXHIBIT "A"

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

Table 2.03.02. Permitted Uses.

P = Permitted S = Supplemental	Zoning Districts													
	R-C	R-W	R-1	R-2	R-3	NBR	CW	C G	C H	IN D	CO N	PI	PUD	MX D
Recreation, Education, Safety, Public Assembly, Infrastructure														
Golf Courses (excluding miniature golf & driving tees)			S	S	S	S			P			P		
Golf Courses (including miniature golf & driving tees)								<u>S</u>	P			P		
Gov. offices and / or maintenance facilities							P	P	P	P		P		

TEXT AMENDMENT 2 – THAT NEW SECTION 5.05.18 MINIATURE GOLF COURSE, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY ADDED AS FOLLOWS:

Section 5.05.18 – Miniature Golf Course.

By-right Use. A Miniature Golf Course is permitted “by-right” when located in the High Intensity Commercial (HC) and Public Institutional (PI) zoning districts. As such, the use shall be subject to the standards of the zoning district.

Supplemental Use. A Miniature Golf Course is considered to be a Supplemental Use when located within the General Commercial (CG) zoning district. As such, the use shall be subject to the standards of the zoning district as well as the Supplemental Standards of this section.

1. No Miniature Golf Course facility (or Driving Tees) shall be permitted within the Community Redevelopment Area (CRA) district.
2. Hours of operation for a Miniature Golf Course facility shall be between 8 am. and 12 am.

If a single-family residential use or a multi-family residential use exists within 500 ft. of the Miniature Golf Course facility at the time in which the Certificate of Occupancy (CO) for the facility is issued, then the hours of operation shall be between 8 am. and 11 pm.

3. Parking requirements are as follows:
 - a. One (1) parking space required for each golf hole; and
 - b. One parking space required for every 300 sq. ft. of retail sales, business activity, entertainment activity (including eating or drinking) that is part of the golf course facility.

4. All Exterior Illuminating devices shall adhere to **4.03.04 Lighting** of the City of Crystal River Land Development Code, including:

- | | |
|---|--------------------------------------|
| <u>1. General</u> | <u>2. Outdoor Light Fixtures</u> |
| <u>3. Shielding</u> | <u>4. Light Spillage</u> |
| <u>5. Exemptions</u> | <u>6. Illumination Types</u> |
| <u>7. Wall Packs</u> | <u>8. Other Illumination Sources</u> |
| <u>9. Sign Lighting – including provisions that limit new pipe, post, column, or double column light poles to 20 ft. in height (25 ft. max. must be approved by the Planning Director).</u> | |

5. All primary and accessory structures shall adhere to the following:

<u>Build-to-line location:</u> <u>(Interior & Corner Lot)</u>	<u>Setback Location:</u> <u>(Side & Rear Setback)</u>
<u>5–15 ft. from front property line</u>	<u>Side Setback: 5 ft. (waterfront 25 ft.)</u>
<u>5–15 ft. from side street property line</u>	<u>Rear Setback: 5 ft. (waterfront 25 ft.)</u>

6. The applicant shall provide to the City’s Planning Department conceptual site plans that clearly depict:

- a. The Front, Rear, and Side Setbacks for the site.
- b. Proposed Layout and Size of Facilities, including:
 - i. Primary Buildings – including pro shop, eating area, arcade, restrooms, etc.
 - ii. Ancillary Buildings – building used for storage, etc. on the site,
 - iii. Miniature Golf Course – including design of each hole, elevation, water, etc.
 - iv. Stormwater Areas – depicting basic requirements,
 - v. Parking Areas – depicting number of spaces required and dimensions,
 - vi. Lighting as conveyed in #4 above.
- c. Building Height.
- d. Lot Coverage.
- e. Ground Floor Finish Level as it relates to Base Flood Elevation
- f. Landscape Buffers (based on zoning district, street frontage, etc.), Foundation Plantings, Interior Landscaping, and Parking Lot Landscaping.
- g. Additional requirements found in the City’s Land Development Code (LDC).

7. The applicant shall submit to the City official plans in accordance with the City’s requirements. These shall depict the Supplemental Standards set forth in 1 through 6 above. All plans shall be signed and sealed by a **landscape architect** or **architect** that is registered in the **State of Florida**.

END OF EXHIBIT “A”



PERMIT NO: P222-0092 ORDINANCE NO. _____

City of Crystal River

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

APPLICATION FOR LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT

Fee: \$500 DUE AT TIME OF APPLICATION

Name of Petitioner(s): Sarah Arena, Jason Arena

Address of Petitioner(s): 1076 N Citrus Avenue
Citrus Avenue Florida 34428
City State Zip Code

Phone # _____ Cell # 609-602-3369
Email Address: prinzessarah@hotmail.com

State the LDC Code Section(s) that you wish to Amend: "Sections: 2.03.02 Table of Permitted Uses" ADDING:
"Supplemental Standards "S" TO THE "General Commercial (CG) zoning district" (CONTINUED, SEE ATTACHED)
Reason for Proposed Amendment: Other land uses that are appropriate for the edge of a walkable downtown have been
proposed for this site. Several have required a similar text amendment. It appears as if the (CONTINUED, SEE ATTACHED)
State evidence of consistency of the Proposed Amendment with the Comprehensive Plan.
Please see the staff report, including: GOAL 1, OBJECTIVE 1.1, POLICIES A, B, C, D.; GOAL 2, OBJECTIVE
2.1, POLICIES D, E.; OBJECTIVE 2.8, POLICIES A, B, C, D.; OBJECTIVE 3.5

I Sarah Arena, Jason Arena, 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] _____ 10/3/2022
Signature Date

Sarah Arena
Print Name

State of Florida
County of Citrus

The foregoing instrument was acknowledged before me by physical presence or () remote audio-visual
means this 3 day of October, 2022, by Sarah Arena
who is personally known to me or has produced FL DL as
identification and who did not take an oath.

[Signature]
Notary Public



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

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

- Standard Application Form
- Notarized Letter of Authorization, if acting on another's behalf
- Copy of the proposed text change.
- Copy of the proposed ordinance in strike-through and underline form.
- Attach as many additional pages as necessary.

- **State the LDC Code Section(s) that you wish to amend:**

(CONTINUED) FOR Golf Courses (including miniature golf and driving tees). THE SUPPLEMENTAL STANDARDS SHALL STATE: *"The use shall only be applicable if it is located outside of the CRA District."*

- **State the Reason for Proposed Amendment:**

(CONTINUED) current zoning district is too restrictive on land uses that are both applicable and appropriate. However, staff has decided to limit the use to zoning districts found outside of the CRA District.



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	November 3, 2022
APPLICATION NUMBER:	PZ22-0091 – Text Amendment to Land Development Code – Mobile Food Court
APPLICANT:	Ensing Properties, LLC and James M. Byers; PO Box 995, Crystal River Fl. 34423
PROPOSED LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT:	Text amendment applied to two specific areas within the City of Crystal River Land Development Code: 1. Section 2.03.02 – Table of Permitted Uses – Add a New Supplemental Use (S) to Table 2.03.02. Permitted Uses: <i>Retail and Restaurants</i> . 2. Section 5.05.00 – Supplemental Standards for Specific Uses; Add a New Supplemental Use (S) with Standards to 5.05.19 Mobile Food Court.
PROJECT MANAGER:	Brian Herrmann, <i>CNU-A, LEED AP</i> Director of Planning and Development Services

BACKGROUND INFORMATION:

This application is for a **text amendment** to the city’s Land Development Code. If approved, the city will add a new use, **Mobil Food Court** to **Section 2.03.02 Table of Permitted Uses**. The use will be listed as a **Supplemental Use “S”** in the Table of Permitted Uses.

In addition, **Section 5.05.19 Mobile Food Court** will be added to **Section 5.05.00 Supplemental Standards for Specific Uses**. This section contains a list of additional requirements that are applicable to the use and must be adhered to by the applicant.

Because **this use is so unique** the very first Supplemental Standard that must be adhered to states:

“The form and character of this use may vary with each application. The City Council shall have an opportunity to review each Mobile Food Court proposal, including its site plan, in order to determine whether it will be compatible with the surrounding uses and development pattern of the area, specifically the proposed function, proposed site design, and potential operational impacts of the new use.”

While technically not listed as a **“Special Use”** the aforementioned language within these provisions ensure that it will function in much the same way.

ANALYSIS:

The following changes to the Land Development Code are proposed as part of this text amendment:

- Section 2.03.02 – Table of Permitted Uses** – Add the following text to the use table:

Table 2.03.02. Permitted Uses.

P = Permitted S = Supplemental	Zoning Districts													
	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD
Retail and Restaurants														
Grocery Stores, Supermarkets									P					
Marina, Commercial							S							
<u>Mobile Food Court</u>							<u>S</u>	<u>S</u>						
Permanent Roadside Produce Stand (must meet design requirements)									P					
Restaurants (without drive-through windows)							P	P	P					

- Section 5.05.00. Supplemental Standards for Specific Uses** – Add the following NEW USE:

Section 5.05.19 – Mobile Food Court. A Mobile Food Court is a Supplemental Use that is limited to the CG General Commercial or CW Waterfront Commercial zoning district of the Community Redevelopment Area (CRA). An applicant’s proposal shall be conveyed (via written summary, site plan, and illustrative plan or illustrations) and reviewed to ensure that it adheres to the following Supplemental Use Standards. As with any use that is located in the CRA, the final review and approval procedures are conveyed in 4.07.10 Administration of the CRA.

A. CITY COUNCIL APPROVAL:

The form and character of this use may vary with each application. The City Council shall have an opportunity to review each Mobile Food Court proposal, including its site plan, in order to determine whether it will be compatible with the surrounding uses and development pattern of the area, specifically the proposed function, proposed site design, and potential operational impacts of the new use.

In addition, the City’s staff shall evaluate each application to determine if the **Supplemental Standards** listed below have been addressed. A final report shall be provided to City Council.

- B. ROADSIDE VENDING PERMIT REQUIREMENTS
- C. LOCATION AND PLACEMENT STANDARDS
- D. SITE DEVELOPMENT STANDARDS
- E. FORM AND CHARACTER ISSUES

Having reviewed the staff’s report regarding Supplemental Standards and considered the overarching form and character of the application (as conveyed above), the City Council shall either **(1) approve the proposal, (2) deny the proposal, or (3) approve the proposal with additional stipulations added by the Council.**

B. ROADSIDE VENDING PERMIT REQUIREMENTS:

All food trucks and carts, whether currently operating or seeking to operate following the approval of the Mobile Food Court must first garner a Roadside Vending Permit from the City. After which, such food trucks and food carts that intend to locate on a Mobile Food Court site must submit proof that they adhere to the following standards and provisions:

- a. **4.02.07.3. (ROADSIDE VENDING PERMIT: APPROVAL, EXPIRATION, SUSPENSION, AND REVOCATION)**
Sub-section B., Sub-section C., Sub-section D., Sub-section E.
- b. **4.02.07.4. (GENERAL TO ALL)**
Sub-section A., #1 a. (changed for this use), b., c., #2., #3., #4., #5., #6., #7.
Sub-section C.
Sub-section E.
Sub-section F.
- c. **Table 4.02.07.A: FOOD TRUCKS AND FOOD CARTS** (pull, push, towed w/ limited menu)
SUB-SECTIONS: Description, Signage and Related Elements (all standards applicable)

C. LOCATION AND PLACEMENT STANDARDS:

- a. A Mobile Food Court (comprised of food trucks or food carts) shall be located on private property, outside of the right-of-way, within the Waterfront Commercial (CW) or General Commercial (CG) zoning district of the CRA district.
- b. The design of the Mobile Food Court shall not impede traffic nor visually impair any motor vehicle operation within a parking area, driveway, or street.
- c. Each Mobile Food Court shall be located a minimum of 200 ft. from any parcel that is zoned R2, R3, or Planned Unit Development (PUD). 200 ft. is the typical width of the shorter end of a city block within the CRA district. The distance shall be measured from the nearest property line of each parcel.
- d. A minimum of three (3) and a maximum of six (6) individual mobile food establishment units (food trucks or food carts) are permitted per Mobile Food Court site. An applicant may request that the City Council approve additional units for the site.

D. SITE DEVELOPMENT STANDARDS:

- a. A written summary of the site, a detailed site plan, and either an illustrative plan or illustrative renderings that depict the location, type, size, and design for each of the following items shall be provided:
 - i. Vendor Pad
 - ii. Paving, Driveways, Pedestrian Walkways
 - iii. Eating and Seating Areas
 - iv. Restrooms
 - v. Trash Facilities (dumpsters)
 - vi. Landscaping and Planters
 - vii. Fences, Hedges, and Walls
 - viii. Canopies, Umbrellas, Table covers
 - ix. Public and On-street Parking

- b. A Mobile food establishment (food truck, food cart) or structure associated with the Mobile Food Court’s use (seating areas, rest rooms, trash enclosure) SHALL NOT be located within an:
 - i. access easement
 - ii. drainage easement
 - iii. utility easement
 - iv. fire access area
- c. The following provisions apply to a site / lot in which a Mobile Food Court is proposed:
 - i. Minimum lot size: 5,000 sf.
 - ii. Required Build to Line Location (Front of lot): 0 – 25 ft.
 - iii. Side Setback (Primary and Accessory Structures): 5 ft.
Water Adjacent Side Setback (Primary and Accessory Structures): 25 ft.
 - iv. Rear Setback (Primary and Accessory Structures): 5 ft.
Water Adjacent Rear Setback (Primary and Accessory Structure): 25 ft.
 - v. Lot Coverage: 75% max.
 - vi. Building Height: 1½ Stories max.
 - vii. Landscaping: See 4.07.07 Private Frontage Landscape Area.
 - viii. Driveway Width: 14 feet max.

The following LDC/CRA standards shall be applied if applicable to the site:

- i. 4.07.03. General to all Development (A. Boundaries, B. Base Zoning, C. State and Local Codes, F. Terminating Vistas, H. Lot Frontage. K. Build to Line Exceptions, L. Exceptions to the Impervious Surface Ratio (ISR) Requirement, M. Building Height, N. Mixed Use – only applicable if specifically approved by City Council, O. Landscaping, P. Signage, Q. Utilities, R. Light Impact Materials.).
- ii. 4.07.06 Architecture.
- ix. 4.07.08 Lighting.
- d. Electrical service shall be provided to the site, as well as the food trucks / food carts, dining area, restrooms, etc. If permitted, food trucks may utilize temporary electric or an “on-board” generator. This shall be conveyed. Basic electrical service shall be shown on the site plan/illustrative plan or in a written summary.

E. FORM AND CHARACTER ISSUES

- a. The visual and structural integrity of each food truck or food cart (including signage) shall be continuously maintained and shown.
- b. Live music shall not be performed on the Mobile Food Court lot.
 - i. Speakers may be installed within a seated dining area that is covered – allowing the owner to play recorded background music.
 - ii. Only City Council may permit live music to be played on the site. It shall be limited to an area that faces the dining area. Additional standards may be placed on the days, times, and extent to which such activity may occur.

Music shall be maintained at a decibel level that complies with City noise standards.

- c. Three types of signage shall be permitted on the site:
 - i. Signage that complies with **Table 4.02.07.A.** (Standards for Signage and Related Elements – Class I Mobile Kitchens and Class II Non-mobile food Carts). Such signage is associated with a **Roadside Vending Permit**. All food trucks and carts, whether currently operating or seeking to operate following the approval of the Mobile Food Court must first garner a Roadside Vending Permit from the City.
 - ii. Signage for the site / lot. Such signage may be located at any pedestrian entrance or exit to the site that fronts a public street. Appropriate sign types are found in **Chapter 12 Signs** of the LDC and include:
 - 1. Monument Signs
 - 2. Suspended Signs
 - 3. Wall Signs (may be attached to a wall or fence), and
 - 4. Yard Signs. Electronic Message Signs are prohibited.

As shown on the site plan, illustrative plan/illustrations of the Mobile Food Court.
 - iii. Signage intended to ensure proper circulation or notification on the site (i.e. Food Hall, Restrooms). Appropriate sign types are found in **Chapter 12. Signs** of the LDC, and include:
 - 1. Directional and Informational Signs
 - 2. Flag Signs

As shown on the site plan, illustrative plan/illustrations of the Mobile Food Court.
- d. Fences Walls and Hedges: The standards found in section 5.01.11 Fences, Walls, and Hedges of the LDC shall be used. One or more fences, walls, or hedges shall be sited to promote a sense of permanence and enclosure around the use while also demarcating desired pedestrian and vehicular entrances, as well as areas in which access is limited, etc. Such uses shall be shown on the site plan, illustrative plan or illustrations.

BENEFITS ASSOCIATED WITH SUCH A CHANGE:

Mobile vending units have existed in various forms over several centuries, often distinguished by both their physical characteristics as well as their operational requirements. The current proposal:

- 1. Recognizes that there are unique and specialized market segments within the mobile vending profession.
- 2. Re-classifies the type of use accordingly.
- 3. Establishes appropriate provisions for the typical range of activities associated with this use while attempting to mitigate any undesirable impacts.

Through its support of local entrepreneurship, innovation, and various tastes the proposed use operates much like a permanent restaurant, albeit one with a specialized market segment,

function, and standards. In addition, from a regulatory point of view each applicant must adhere to a series of **Supplemental Standards**, including **final approval by the City Council**.

As with all restaurants in the city of Crystal River the location is a privately owned parcel that includes a kitchen, covered seating for its patrons, and permanent restrooms. However, unlike other restaurants the site’s kitchen is comprised of a series of semi-permanent food trucks or food carts. As such, the standards allow for a design that feels and functions much like a pocket park. While an applicant could certainly infuse ideas that stray from this concept, this is the basic form. As a result, the use is a hybrid, combining specific components of tableside dining, mobile vending, and outdoor dining into one truly unique setting.

Currently, the City of Crystal River only permits food trucks and food carts to locate in specific zoning districts as an **Accessory Use**. This is conveyed in the USE Table below. Such trucks and carts may not travel the streets. Rather, with the permission of a property owner, they may locate in the parking area of a fully developed site with a principal use.

ACCESSORY LAND USE	PERMITTED ZONING DISTRICT
1. Food Truck	CH – High Intensity Commercial
2. Food Cart	CG – General Commercial (CRA ONLY) CW – Waterfront Commercial (CRA ONLY)

While the food trucks and food carts that comprise a **Mobile Food Kitchen** will continue to be accessory uses, a Mobile Food Kitchen is a **Primary Use**, albeit one with its own **Supplemental Use Standards**.

P = Permitted S = Supplemental	Zoning Districts													
	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD
Retail and Restaurants														
<u>Mobile Food Court</u>							<u>S</u>	<u>S</u>						

As previously conveyed, the Supplemental Standards for this use are extremely comprehensive, addressing issues that require:

- final review and approval of the use by the City Council
- a written summary, site plan, illustrative plan or illustrations
- a location within specific zoning districts of the Community Redevelopment Area (CRA)
- site specific development standards

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

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

Goal 2 of the Comprehensive Plan states:

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

The provisions for a “Mobile Food Court” will update and improve upon the City’s existing zoning standards by broadening the potential uses that one might decide to promote within the CRA district and downtown. This benefits the citizens that live, work, and recreate throughout the City, while also improving upon the built environment.

As conveyed previously, this use is essentially a hybrid of a “traditional restaurant”, as it infuses the communal bonding and other elements that patrons love about “food trucks” while also providing the indoor seating and togetherness that we associate with a typical eatery. Finally, the standards require the site to be designed much like a pocket park. The final result requires significant initiative, creativeness, and expenses. As a result, it is quite rare to find more than one such facility in a city’s downtown.

Objective 2.8 of the Comprehensive Plan states:

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

As currently proposed a “Mobile Food Court” adheres to this requirement.

Goal 3 of the Comprehensive Plan states:

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

As currently proposed, the “Mobile Food Court” is very similar to other uses that are found in various cities across the United States, including the Supplemental Standards, which are quite intense. For example, the City Council must not only agree with the applicant’s concept, but they must also review the specific proposal to ensure that it adheres with their desired intent.

Therefore, in order to promote and maintain the character of our community the proposed Mobile Food Court must encourage a dining experience that highlights our City’s more unique qualities. For example, the strong sense of “urban nature” that one finds throughout our downtown – whether it be our parks, oak trees, sandy beaches, unique wildlife, or the clear water of King’s Bay.

Objective 3.1 of the Comprehensive Plan states:

“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.”

The Community Redevelopment Area (CRA) in which this use is permitted (and limited to) is a “form-based zoning district”. Therefore, this proposal preserves, protects, and improves upon the character of the City through the implementation of innovative development standards that include the form-based regulations conveyed in Objective 3.1 of the Crystal River Comprehensive Plan.

SUMMARY OF PUBLIC COMMENTS:

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

PLANNING COMMISSION ACTION:

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

Additionally, Subsection (C.) (#4) of 10.03.04. (Procedures for action by the Planning Commission) states that “the Planning Commission shall recommend to the City Council that the application be **approved, approved with conditions** (changes), or **denied.**”

SUPPORTING ATTACHMENTS, DIAGRAMS, and POWERPOINT PRESENTATIONS:

A. Staff’s PowerPoint Presentation

ORDINANCE NO. 23-O-09

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING ORDINANCE NUMBER 05-O-08, APPENDIX A – LAND DEVELOPMENT CODE OF CITY OF CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, AS AMENDED; AMENDING SECTION 2.03.00 LAND USES PERMITTED IN EACH ZONING DISTRICT, TABLE 2.03.2 TABLE OF PERMITTED USES BY ADDING MOBILE FOOD COURT; ADDING SECTION 5.05.19 MOBILE FOOD COURT TO ESTABLISH SUPPLEMENTAL USE STANDARDS; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

WHEREAS, the City Council of the City of Crystal River, Florida, recognizes the need to update and revise the City’s LDC to maintain consistency with the goals, objectives, and policies of the Comprehensive Plan; and

WHEREAS, certain changes are necessary and desirable to improve the usability of the LDC.

WHEREAS, the City of Crystal River has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance; and

WHEREAS, the City Council of the City of Crystal River, Florida, has determined that adoption of this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Crystal River.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRYSTAL RIVER, FLORIDA, THAT THE CITY’S LAND DEVELOPMENT CODE IS AMENDED AS FOLLOWS:

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend Appendix A, Land Development Code of the Crystal River, Florida, Code of Ordinances, by amending Section 2.03.00 Land Uses Permitted in Each Zoning District, Table 2.03.02 Table of Permitted Uses by adding Mobile Food Court as an allowed use, and by adding Section 5.05.19 Mobile Food Court to establish supplemental use standards, for reasons set forth in the above “WHEREAS” clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY.

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

SECTION 3. AMENDMENT OF THE LAND DEVELOPMENT CODE.

The City Council of the City of Crystal River, Florida, hereby adopts this Ordinance by amending Section 2.03.00 Land Uses Permitted in Each Zoning District, Table 2.03.02 Table of Permitted Uses to allow for Mobile Food Court as an allowed use, and to add a new Section 5.05.19 Mobile Food Court by establishing supplemental use standards, as shown in **Exhibit "A"**, attached hereto, and incorporated herein by reference.

A copy of the Land Development Code, as amended, is on file at City Hall in Crystal River, Florida.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

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

SECTION 5. CONDIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

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

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provisions of the Ordinance.

SECTION 7. MODIFICATION.

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

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective as per Florida law.

DONE AND ADOPTED in a regular meeting of the City Council of the City of Crystal River, Florida, this _____ day of _____, 2023.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

**APPROVED FOR CORRECTNESS
AND FORM:**

VOTE OF COUNCIL:

Meek: _____

Brown: _____

Guy: _____

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

Fitzpatrick: _____

Holmes: _____

EXHIBIT “A”

TEXT AMENDMENT 1 – THAT SECTION 2.03.00 LAND USES PERMITTED IN EACH ZONING DISTRICT, TABLE 2.03.02 TABLE OF PERMITTED USES (UNDER HEADING OF RETAIL AND RESTAURANTS), OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED (TO ADD “MOBILE FOOD COURT”) AS FOLLOWS:

Table 2.03.02. Permitted Uses.

P = Permitted S = Supplemental	Zoning Districts													
	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD
Retail and Restaurants														
Grocery Stores, Supermarkets									P					
Marina, Commercial							S							
<u>Mobile Food Court</u>							<u>S</u>	<u>S</u>						
Permanent Roadside Produce Stand (must meet design requirements)									P					
Restaurants (without drive-through windows)							P	P	P					

TEXT AMENDMENT 2 – THAT NEW SECTION 5.05.19 MOBILE FOOD COURT, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY ADDED AS FOLLOWS:

Section 5.05.19 – Mobile Food Court.

A Mobile Food Court is a Supplemental Use that is limited to the CG General Commercial or CW Waterfront Commercial zoning district of the Community Redevelopment Area (CRA). An applicant’s proposal shall be conveyed (via written summary, site plan, and illustrative plan or illustrations) and reviewed to ensure that it adheres to the following Supplemental Use Standards. As with any use that is located in the CRA, the final review and approval procedures are conveyed in 4.07.10 Administration of the CRA.

A. CITY COUNCIL APPROVAL:

The form and character of this use may vary with each application. The City Council shall have an opportunity to review each Mobile Food Court proposal, including its site plan, in order to determine whether it will be compatible with the surrounding uses and development pattern of the area, specifically the proposed function, proposed site design, and potential operational impacts of the new use.

In addition, the City’s staff shall evaluate each application to determine if the **Supplemental Standards** listed below have been addressed. A final report shall be provided to City Council.

B. ROADSIDE VENDING PERMIT REQUIREMENTS

C. LOCATION AND PLACEMENT STANDARDS

D. SITE DEVELOPMENT STANDARDS

E. FORM AND CHARACTER ISSUES

Having reviewed the staff's report regarding Supplemental Standards and considered the overarching form and character of the application (as conveyed above), the City Council shall either (1) approve the proposal, (2) deny the proposal, or (3) approve the proposal with additional stipulations added by the Council.

B. ROADSIDE VENDING PERMIT REQUIREMENTS:

All food trucks and carts, whether currently operating or seeking to operate following the approval of the Mobile Food Court must first garner a Roadside Vending Permit from the City. After which, such food trucks and food carts that intend to locate on a Mobile Food Court site must submit proof that they adhere to the following standards and provisions:

- a. 4.02.07.3. (ROADSIDE VENDING PERMIT: APPROVAL, EXPIRATION, SUSPENSION, AND REVOCATION)
Sub-section B., Sub-section C., Sub-section D., Sub-section E.
- b. 4.02.07.4. (GENERAL TO ALL)
Sub-section A., #1 a. (changed for this use), b., c., #2., #3., #4., #5., #6., #7.
Sub-section C.
Sub-section E.
Sub-section F.
- c. Table 4.02.07.A: FOOD TRUCKS AND FOOD CARTS (pull, push, towed w/ limited menu)
SUB-SECTIONS: Description, Signage and Related Elements (all standards applicable)

C. LOCATION AND PLACEMENT STANDARDS:

- a. A Mobile Food Court (comprised of food trucks or food carts) shall be located on private property, outside of the right-of-way, within the Waterfront Commercial (CW) or General Commercial (CG) zoning district of the CRA district.
- b. The design of the Mobile Food Court shall not impede traffic nor visually impair any motor vehicle operation within a parking area, driveway, or street.
- c. Each Mobile Food Court shall be located a minimum of 200 ft. from any parcel that is zoned R2, R3, or Planned Unit Development (PUD). 200 ft. is the typical width of the shorter end of a city block within the CRA district. The distance shall be measured from the nearest property line of each parcel.
- d. A minimum of three (3) and a maximum of six (6) individual mobile food establishment units (food trucks or food carts) are permitted per Mobile Food Court site. An applicant may request that the City Council approve additional units for the site.

D. SITE DEVELOPMENT STANDARDS:

- a. A written summary of the site, a detailed site plan, and either an illustrative plan or illustrative renderings that depict the location, type, size, and design for each of the following items shall be provided:
 - i. Vendor Pad
 - ii. Paving, Driveways, Pedestrian Walkways

- iii. Eating and Seating Areas
 - iv. Restrooms
 - v. Trash Facilities (dumpsters)
 - vi. Landscaping and Planters
 - vii. Fences, Hedges, and Walls
 - viii. Canopies, Umbrellas, Table covers
 - ix. Public and On-street Parking
- b. A Mobile food establishment (food truck, food cart) or structure associated with the Mobile Food Court's use (seating areas, rest rooms, trash enclosure) SHALL NOT be located within an:
- i. access easement
 - ii. drainage easement
 - iii. utility easement
 - iv. fire access area
- c. The following provisions apply to a site / lot in which a Mobile Food Court is proposed:
- i. Minimum lot size: 5,000 sf.
 - ii. Required Build to Line Location (Front of lot): 0 – 25 ft.
 - iii. Side Setback (Primary and Accessory Structures): 5 ft.
Water Adjacent Side Setback (Primary and Accessory Structures): 25 ft.
 - iv. Rear Setback (Primary and Accessory Structures): 5 ft.
Water Adjacent Rear Setback (Primary and Accessory Structure): 25 ft.
 - v. Lot Coverage: 75% max.
 - vi. Building Height: 1½ Stories max.
 - vii. Landscaping: See 4.07.07 Private Frontage Landscape Area.
 - viii. Driveway Width: 14 feet max.

The following LDC/CRA standards shall be applied if applicable to the site:

- i. 4.07.03. General to all Development (A. Boundaries, B. Base Zoning, C. State and Local Codes, F. Terminating Vistas, H. Lot Frontage. K. Build to Line Exceptions, L. Exceptions to the Impervious Surface Ratio (ISR) Requirement, M. Building Height, N. Mixed Use – only applicable if specifically approved by City Council, O. Landscaping, P. Signage, Q. Utilities, R. Light Impact Materials.).
 - ii. 4.07.06 Architecture.
 - iii. 4.07.08 Lighting.
- d. Electrical service shall be provided to the site, as well as the food trucks / food carts, dining area, restrooms, etc. If permitted, food trucks may utilize temporary electric or an "on-board" generator. This shall be conveyed. Basic electrical service shall be shown on the site plan/illustrative plan or in a written summary.

E. FORM AND CHARACTER ISSUES

- a. The visual and structural integrity of each food truck or food cart (including signage) shall be continuously maintained and shown.

- b. Live music shall not be performed on the Mobile Food Court lot.
- i. Speakers may be installed within a seated dining area that is covered – allowing the owner to play recorded background music.
 - ii. Only City Council may permit live music to be played on the site. It shall be limited to an area that faces the dining area. Additional standards may be placed on the days, times, and extent to which such activity may occur.
- Music shall be maintained at a decibel level that complies with City noise standards.
- c. Three types of signage shall be permitted on the site:
- i. Signage that complies with **Table 4.02.07.A.** (Standards for Signage and Related Elements – Class I Mobile Kitchens and Class II Non-mobile food Carts). Such signage is associated with a **Roadside Vending Permit**. All food trucks and carts, whether currently operating or seeking to operate following the approval of the Mobile Food Court must first garner a Roadside Vending Permit from the City.
 - ii. Signage for the site / lot. Such signage may be located at any pedestrian entrance or exit to the site that fronts a public street. Appropriate sign types are found in **Chapter 12 Signs** of the LDC and include:
 - 1. Monument Signs
 - 2. Suspended Signs
 - 3. Wall Signs (may be attached to a wall or fence), and
 - 4. Yard Signs. Electronic Message Signs are prohibited.

As shown on the site plan, illustrative plan/illustrations of the Mobile Food Court.
 - iii. Signage intended to ensure proper circulation or notification on the site (i.e. Food Hall, Restrooms). Appropriate sign types are found in **Chapter 12. Signs** of the LDC, and include:
 - 1. Directional and Informational Signs
 - 2. Flag Signs

As shown on the site plan, illustrative plan/illustrations of the Mobile Food Court.
- d. Fences Walls and Hedges: The standards found in section 5.01.11 Fences, Walls, and Hedges of the LDC shall be used. One or more fences, walls, or hedges shall be sited to promote a sense of permanence and enclosure around the use while also demarcating desired pedestrian and vehicular entrances, as well as areas in which access is limited, etc. Such uses shall be shown on the site plan, illustrative plan or illustrations.

END OF EXHIBIT "A"



PERMIT NO: PZ22-0091 ORDINANCE NO. _____

City of Crystal River

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

APPLICATION FOR LAND DEVELOPMENT CODE (LDC) TEXT AMENDMENT

Fee: \$500 DUE AT TIME OF APPLICATION

Name of Petitioner(s): ENSING PROPERTIES, LLC & JAMES M. BYERS

Address of Petitioner(s): P.O. Box 995
CRYSTAL RIVER FL 34423
City State Zip Code

Phone # (352) 302-6165 Cell # _____
Email Address: chrisensing52@gmail.com

State the LDC Code Section(s) that you wish to Amend: SECTION 2.03.02 TABLE OF PERM USES
SECTION 1.07.00 ACRONYMS & DEF / CHPT. 4.07.00 ADD SPECIAL USE "SU"

Reason for Proposed Amendment: PROVIDE SPECIAL USE FOR PROPERTY TO
ALLOW A "FOOD TRUCK COURT"

State evidence of consistency of the Proposed Amendment with the Comprehensive Plan. PLEASE SEE THE STAFF
REPORT, INCLUDING: GOAL 1, OBJECTIVE 1.1, POLICIES A,B,C,D; GOAL 2, OBJECTIVE 2.1,
POLICIES D,E; OBJECTIVE 2.8, POLICIES A,B,C,D; OBJECTIVE 3.5

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

Signature 

Date NOV 9/28/2022

Print Name CHRIS ENSING

State of Florida
County of Citrus

The foregoing instrument was acknowledged before me by physical presence or () remote audio-visual
means this 4, day of October, 2022, by Chris Ensing
who is personally known to me or has produced _____ as
identification and who did not take an oath.

Notary Public 



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

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

- Standard Application Form
- Notarized Letter of Authorization, if acting on another's behalf
- Copy of the proposed text change.
- Copy of the proposed ordinance in strike-through and underline form.
- Attach as many additional pages as necessary.



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	November 3, 2022
APPLICATION NUMBER:	PZSU-0001 Supplemental Use – Chris A. Ensing – Mobile Food Court
APPLICANT:	Ensing Properties, LLC and James M. Byers; PO Box 995, Crystal River Fl. 34423
PROPOSED LAND DEVELOPMENT CODE (LDC) SPECIAL USE:	<p>The applicant is proposing to establish a Mobile Food Court on the parcel located at 406 NE 1st Avenue. In order to do so, the proposal must comply with two specific areas within the City of Crystal River Land Development Code:</p> <ol style="list-style-type: none">1. Section 2.03.02 – Table of Permitted Uses – A <i>Mobile Food Court</i> is listed as a Supplemental Use (S) in the underlying (CG) General Commercial zoning district. <p>Therefore, the applicant’s proposal must comply with the Supplemental Standards conveyed in:</p> <ol style="list-style-type: none">2. Section 5.05.00 – Supplemental Standards for Specific Uses; specifically the standards listed in 5.05.19 Mobile Food Court.
PROJECT MANAGER:	Brian Herrmann, <i>CNU-A, LEED AP</i> Director of Planning and Development Services

BACKGROUND INFORMATION:

The applicant wishes to convey that their proposal will meet and even exceed all of the **Supplemental Use Standards** that are currently proposed for this use in **Section 5.05.19 Mobile Food Court**. As a rather unique function, with potential impacts upon the community that are both significant and diverse, the supplemental standards for this function can be broken down into three distinct **sub-categories** that include:

1. City Council review of the applicant’s site plan to ensure that its function, design, and impact are compatible with surrounding development. This shall be followed by the Council’s APPROVAL, DENIAL, or APPROVAL WITH CONDITIONS of the proposal.
2. Staff review of the applicant’s site plan and proposal to ensure that it adheres to all of the required Supplemental Standards.
3. The Temporary Use Standards associated with food trucks / food carts, as well as some specific provisions that are unique to this use. These ensure that the use is permitted to operate within the City of Crystal River, and more specifically on the proposed site.

- A. As conveyed in # 1 above the first requirement of the Supplemental Use standards ensures that the City Council shall review and vote on each applicant’s proposal:

“The form and character of this use may vary with each application. The City Council shall have an opportunity to review each Mobile Food Court proposal, including its site plan, in order to determine whether it will be compatible with the surrounding uses and development pattern of the area, specifically the proposed function, proposed site design, and potential operational impacts of the new use.”

Having reviewed the staff’s report regarding Supplemental Standards and considered the overarching form and character of the application (as conveyed by the applicant), the City Council shall either **(1) approve the proposal, (2) deny the proposal, or (3) approve the proposal with additional stipulations added by the Council.**

- B. As conveyed in # 2 above the applicant has submitted a proposed site plan as well as some illustrative renderings in order to ensure that the request adheres to all of the necessary and required provisions. Staff has reviewed the submittal and made the following findings.

1. LOCATION AND PLACEMENT STANDARDS

a. A Mobile Food Court shall be located...

- i. **on private property:**
Property owned by Ensing Properties LLC. Proposal meets the standard.
- ii. **outside of the right-of-way:**
See “Food Truck Court Plot Plan”. Proposal meets the standard.
- iii. **within the Waterfront Commercial (CW) or General Commercial (CG) zoning district of the CRA district:**
Property is located in the General Commercial (CG) zoning district. Proposal meets the standard.

b. The design of the Mobile Food Court shall not impede traffic nor visually impair any motor vehicle operation within...

- i. **a parking area:**
Public parking lot one block away. Public parking spaces located on the opposite side of the property along NE 1st Ave. Proposal meets the standard.
- ii. **a driveway:**
Commercial driveway located across NE 4th St. from the proposed commercial drive and dumpster pad for this property. Proposal meets the standard.
- iii. **a street:**
Property bounded by NE 1st Ave. and NE 4th St. Proposal meets the standard.

c. Each Mobile Food Court shall be located a minimum of 200 ft. from any parcel that is zoned...

- i. **R2, R3, or Planned Unit Development (PUD):**
(distance measured from the nearest property line of each parcel)

Closest property zoned R2 = 440 ft. Closest property zoned R3 = 545 ft. Closest property zoned PUD = 415 ft. Proposal meets the standard.

- d. **A min. of three (3) and a max. of six (6) individual food trucks or food carts are permitted...**
 - i. **per Mobile Food Court site:**
Five (5) pads on which to locate a truck or cart are shown on the site plan. Therefore, the proposal meets the standard.
 - ii. **applicant may request additional units from City Council:**
No additional trucks or carts for the site are requested of City Council.

2. SITE DEVELOPMENT STANDARDS

- a. **A detailed site plan and illustrative plan that depicts all of the following information shall be provided...**
 - i. **Vendor Pad**
 - General Location:**
five (5) vendor pads capable of accommodating food trucks are shown on the site plan.
 - Type:**
Pads shown on the site plan are constructed of concrete.
 - Size:**
Each vendor pad is shown as 12' in width by 24' in length.
 - Design:**
Pads are setback at an angle ranging from 2' to 8' from the outside property line (min. 5' required). Distance to seating pavilion shown as 20' and 1/8 in.
 - ii. **Paving, Driveways, Pedestrian Walkways**
 - General Location:**
The location of the dumpster pad, dumpster driveway, and primary pedestrian entranceway are shown.
 - Type:**
The primary paving material for all items located on the site is concrete.
 - Size:**
The pedestrian walkway is 120 sf. Other items are addressed elsewhere.
 - Design:**
Similar paving shown as foundation for all sites.
 - iii. **Eating and Seating Areas**
 - General Location:**
The primary location for the main covered seating area is at the center of the property. The foundation is concrete. Whereas portable seating on the grass is shown in four locations that surround this.
 - Type:**
Image included of an open pavilion (sides) with a 6/12 metal roof.
 - Size:**
The size of the covered pavilion for eating is 600 sf (20' x 30'). The number of picnic tables within and outside of the building are not provided but appear to be 6 tables within and 4 tables outside.
 - Design:**
See Image (referenced above).

iv. Restrooms and Storage Room

General Location:

The building with restrooms and storage is located 39' from the northern property line, 7' from the western property line, and 24' 5/16" from the covered eating pavilion.

Type:

Approximately ½ storage and ½ restrooms – one men's and one ladies rm.

Size:

Storage and restrooms are located inside a 197 sf. building that is 22' by 8' 8". Each facility is approximately 100 sf. A front patio addressing the restrooms is comprised of concrete and is 22' by 5'. A side patio comprised of concrete fronts the storage room. It is 6' by 5'.

Design: one elevation depicting the outside of the facility is shown with a board and batten base, metal roof, and traditional lighting (see image).

v. Trash Facility (dumpster)

General Location:

Dumpster location is shown in the SW corner of the lot.

Type:

The pad is concrete, with a traditional dumpster.

Size:

The entire driveway and pad appear to be 43' long by 8' in width.

Approximately 22' of the driveway is located off property, connecting the street to the dumpster pad.

Design:

A 6' privacy fence comprised of pressure treated wood surrounds the dumpster and driveway where located on the property.

vi. Landscaping and Planters (See 4.07.07 Private Frontage Landscape Area)

General Location:

Existing trees located outside of the property are shown. Some are significant.

A vegetative hedge (as opposed to fencing) is shown along the south side.

Four planters are shown at the primary pedestrian entrance.

Type:

Trees and plantings must adhere to the CRA code for landscaping. A detailed landscape plan will be required.

Size:

The trees and plantings that are shown are significant in size; however, a landscape plan with specific measurements will be required.

Design:

See above regarding site plan.

vii. Fences, Hedges, Walls

General Location:

location of basic privacy fence and hedge wall shown on site plan.

Type:

A 6' pressure treated privacy fence is shown along the north and west borders, as well as the dumpster area. A 2' 9" removable decorative wood or vinyl fence is shown along the east and south borders.

Size:

See “Type” above.

Design:

See “Type” above.

viii. **Canopies, Umbrellas, Table Covers**

General Location:

See Eating and Seating Areas above.

Type:

See Eating and Seating Areas above.

Size:

See Eating and Seating Areas above.

Design:

See Eating and Seating Areas above.

ix. **Public and On-street Parking**

General Location: During the day many individuals will utilize the site as a “secondary” use. They will park at their primary use, which may include a City Park, a kayak tour facility, or a downtown shop. While parking demand will likely be spread out during the day, significant on-street and public parking is available. Though not required, the applicant owns other property in the area. A limited number of parking spaces can be made available at nearby “residential” apartments during the “lunch” hour and nearby “commercial” lots during the “dinner” hour. The primary users will likely be gone during these times.

- b. No Mobile Food Court or structure associated with its use (seating areas, rest rooms, trash enclosure) shall be located in an access easement, a drainage easement, a utility easement, or a fire access area:

The proposal meets this standard.

- c. The following provisions shall apply to a lot in which a Mobile Food Court is proposed:
 - i. Minimum lot size = 5,000 sf: **proposal meets the standard**
 - ii. Required Build to Line Location (Front of lot): 0 – 25 ft.: **proposal meets standard**
 - iii. Side Setback (Primary & Accessory Structures): 5 ft.: **2’ fails to meet standard**
 - iv. Water Adjacent Side Setback (Primary and Accessory Structures): 25 ft.: **N/A**
 - v. Rear Setback (Primary and Accessory Structures): 5 ft.: **2’ fails to meet standard**
Water Adjacent Rear Setback (Primary and Accessory Structure): 25 ft.: **N/A**
 - vi. Lot Coverage: 75% max.: **not conveyed – proposal appears to meet standard**
 - vii. Building Height: 1½ Stories max.: **proposal meets the standard**
 - viii. Driveway Width: 14 feet max.: **none to be provided on site except for dumpster**

The following LDC/CRA standards shall be applied as they are applicable to the site:

- i. **4.07.03. General to all development.**
 - M. Building Height.:**
Proposal depicts buildings – height not shown.
 - O. Landscaping.:**
Proposal depicts landscaping – separate plan needed.

P. Signage (including Chapter 12 Signs):

Proposal depicts some signage – separate plan needed.

Q. Utilities:

Not shown or described

R. Light Impact Materials (not required):

Not shown or described.

ii. **4.07.06 Architecture:**

Proposal depicts architectural illustrations. Some details are not addressed.

ix. **4.07.08 Lighting:**

Appears to be gas lamps / lights? Will need to address.

- d. Electrical service shall be provided to the site, as well as the food trucks / food carts, dining area, restrooms, etc. If desired, food trucks may utilize temporary electric or an “on-board” generator. This shall be conveyed. Basic electrical service shall be shown on the site plan/illustrative plan.: **Not conveyed. Applicant shall provide.**

3. FORM AND CHARACTER ISSUES

- a. The visual and structural integrity of each food truck or food cart (including signage) shall be continuously maintained and shown.:

Applicant agrees to adhere to all standards if Mobile Food Court is approved.

- b. Live music shall not be performed on the Mobile Food Court lot.

- i. Speakers may be installed within a seated dining area that is covered – allowing the owner to play recorded background music.:

Not requested in submittal.

- ii. Only City Council may permit live music to be played on the site. It shall be limited to an area that faces the dining area. Additional standards may be placed on the days, times, and extent to which such activity may occur.:

Not requested in submittal.

All music shall be maintained at a decibel level that complies with the City’s noise standards.

- c. Three types of signage shall be permitted on the site:

- i. Signage that complies with Table **4.02.07.A.** (Standards for Signage and Related Elements – Class I Mobile Kitchens and Class II Non-mobile food Carts). Such signage is associated with a **Roadside Vending Permit**. All food trucks and carts, whether currently operating or seeking to operate following the approval of the Mobile Food Court must first garner a Roadside Vending Permit from the City.

Applicant shall adhere to these standards if the site plan is approved.

- ii. Signage for the site / lot. Such signage may be located at any entrance /exit to the site that fronts a public street. Appropriate sign types are found in Chapter 12 Signs of the LDC and include:

1. Monument Signs

- 2. Suspended Signs
- 3. Wall Signs (may be attached to a wall or fence), and
- 4. Yard Signs. Electronic Message Signs are prohibited.

Shall be shown on the site plan, illustrative plan/illustrations of the Mobile Food Court.

One freestanding sign (1st Avenue Eats) with no dimensions is depicted and shown on the site plan. It is located approximately 20 feet from the entrance on the property.

- iii. Signage intended to ensure proper circulation or notification on the site (i.e. Food Hall, Restrooms). Appropriate sign types are found in Chapter 12. Signs of the LDC and include:

- 1. Directional and Informational Signs
- 2. Flag Signs

Shall be shown on the site plan, illustrative plan/illustrations of the Mobile Food Court.:

One wall sign for the restrooms is shown with no dimensions provided.

- e. Fences Walls and Hedges: The standards found in section 5.01.11 Fences, Walls, and Hedges of the LDC shall be used. One or more fences, walls, or hedges shall be sited to promote a sense of permanence and enclosure around the use while also demarcating desired pedestrian and vehicular entrances as well as areas in which access is limited, etc. Such uses shall be shown on the site plan, illustrative plan, or illustrations.

As conveyed previously, a 6' pressure treated wood privacy fence is shown on the west and north side of the property, as well as the dumpster area. A 2' 9" wood or vinyl picket style fence is shown along the eastern property line. This is the primary "pedestrian" entrance. The fence is shown as being removable to allow food truck access. A significant hedge row comprised of various understory shrubs is shown along the southern property boundary. All such fences and hedges shall have to be formally approved.

- C. As conveyed in # 3 above, the Temporary Use Standards associated with food trucks / food carts shall apply:

All food trucks and carts, whether currently operating or seeking to operate following the approval of the Mobile Food Court must first garner a Roadside Vending Permit from the City. After which, such food trucks and food carts that intend to locate on a Mobile Food Court site must submit proof that they adhere to the following standards and provisions:

Sect. 4.02.07.3 – Roadside Vending Permit: Approval, Expiration, Suspension, Revocation

Sub-section B., Sub-section C., Sub-section D., Sub-section E.

Sect. 4.02.07.4 – General to All

Sub-section A., #1 a. (changed for this use), b., c., #2., #3., #4., #5., #6., #7.

Sub-section C.

Sub-section E.

Sub-section F.

Table 4.02.07.A: Class I Food Trucks and Food Carts (pull, push, towed w/ limited menu)

SUB-SECTIONS: Description, Signage and Related Elements (all standards applicable)

CONSISTENCY WITH THE COMPREHENSIVE PLAN:

If the proposal is found to be consistent with the standards that are conveyed as part of the new **Supplemental Use** for a **Mobile Food Court**, then it is also consistent with the **GOALS**, **OBJECTIVES**, and **POLICIES** that are found in the City of Crystal River Comprehensive Plan.

STAFF'S RECOMMENDATION:

This is a unique proposal. The applicant has done significant research reviewing other Mobile Food Court's throughout the region and the State of Florida. Following this effort he secured an ideal lot in the heart of the most walkable and highly trafficked portion of Crystal River's downtown.

Through this application, he has made it clear that he is willing to make the necessary investment and secure the required resources to establish a true hybrid restaurant, one that is both fun and unlike anything else on the market.

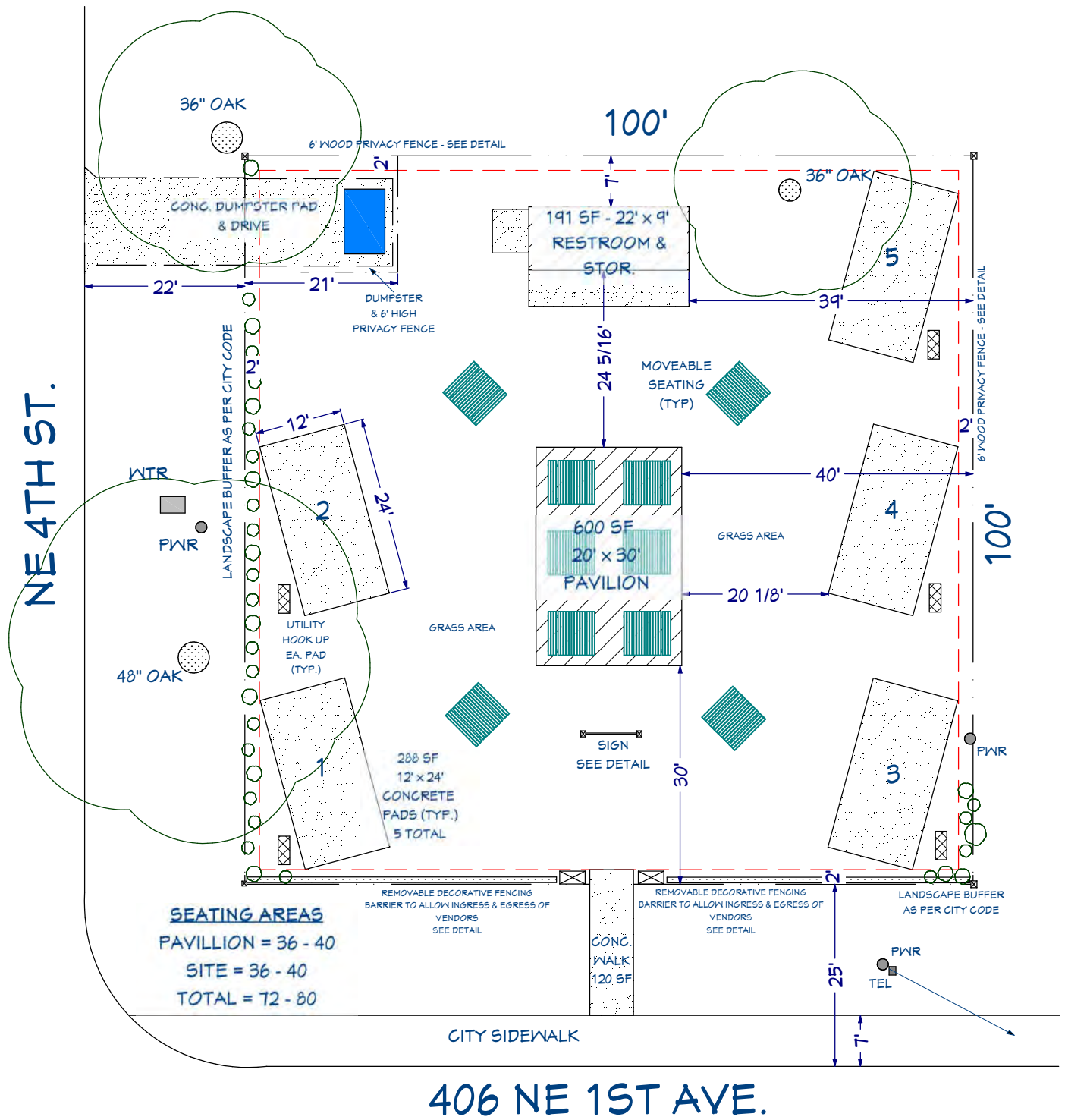
As conveyed in the application, the site will utilize food trucks as its kitchen, while at the same time creating another great public gathering space within the heart of the city. This venture, including all of the unique activities that will accompany it is significant. If successful it will establish yet another truly exceptional reason for folks to extend their stay in downtown Crystal River.

PLANNING COMMISSION ACTION:

Subsection (C.) (#4) of 10.03.04. (Procedures for action by the Planning Commission) states that "the Planning Commission shall recommend to the City Council that the application be **approved**, **approved with conditions** (changes), or **denied**."

SUPPORTING ATTACHMENTS, DIAGRAMS, and POWERPOINT PRESENTATIONS:

A. Staff's PowerPoint Presentation

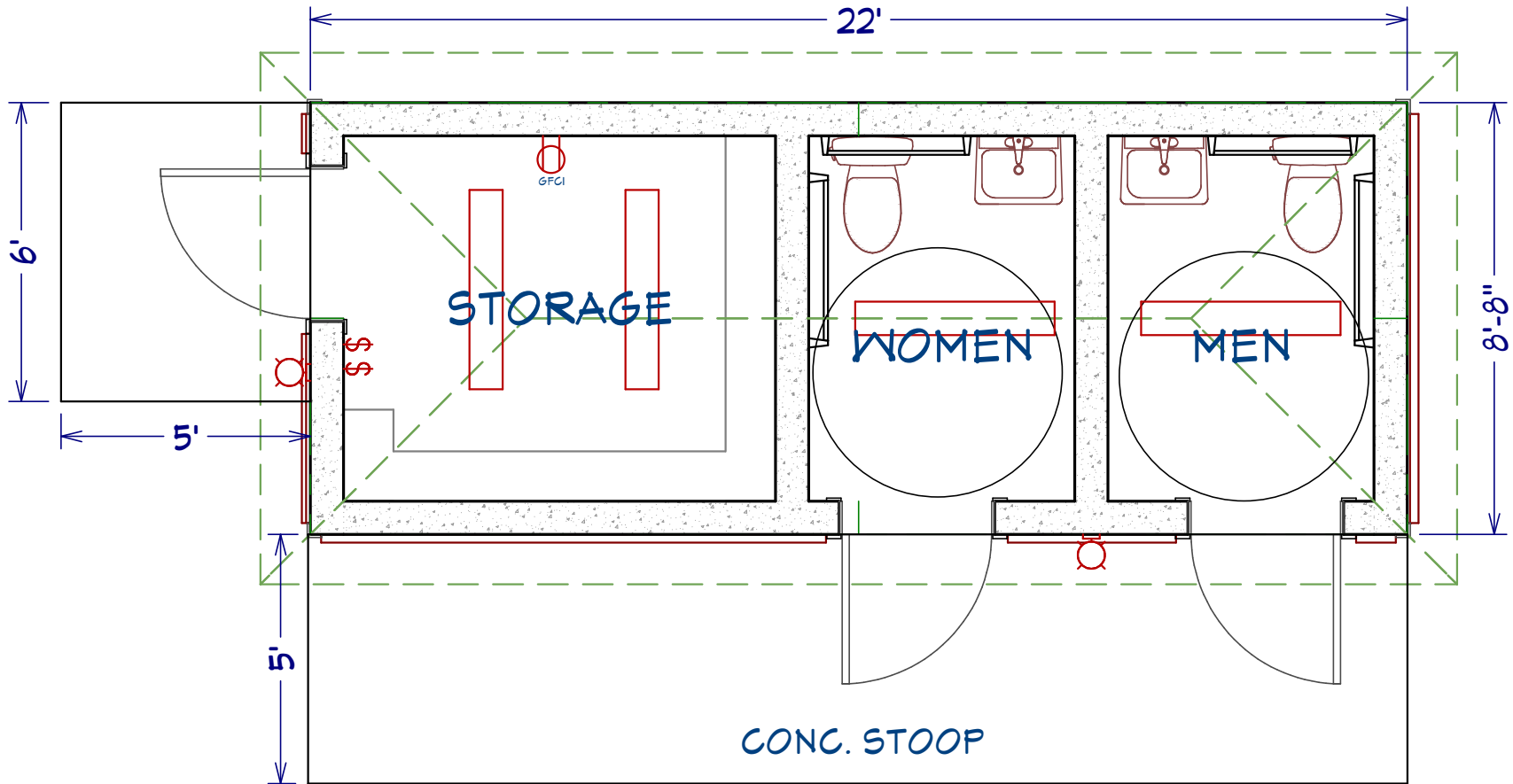


FOOD TRUCK COURT PLOT PLAN
 SCALE: 1" = 20'

CRYSTAL CITY ADDITION
 TO CRYSTAL RIVER
 LOT 3 / BLK 9
 .23 ACRES
 ZONING: CG

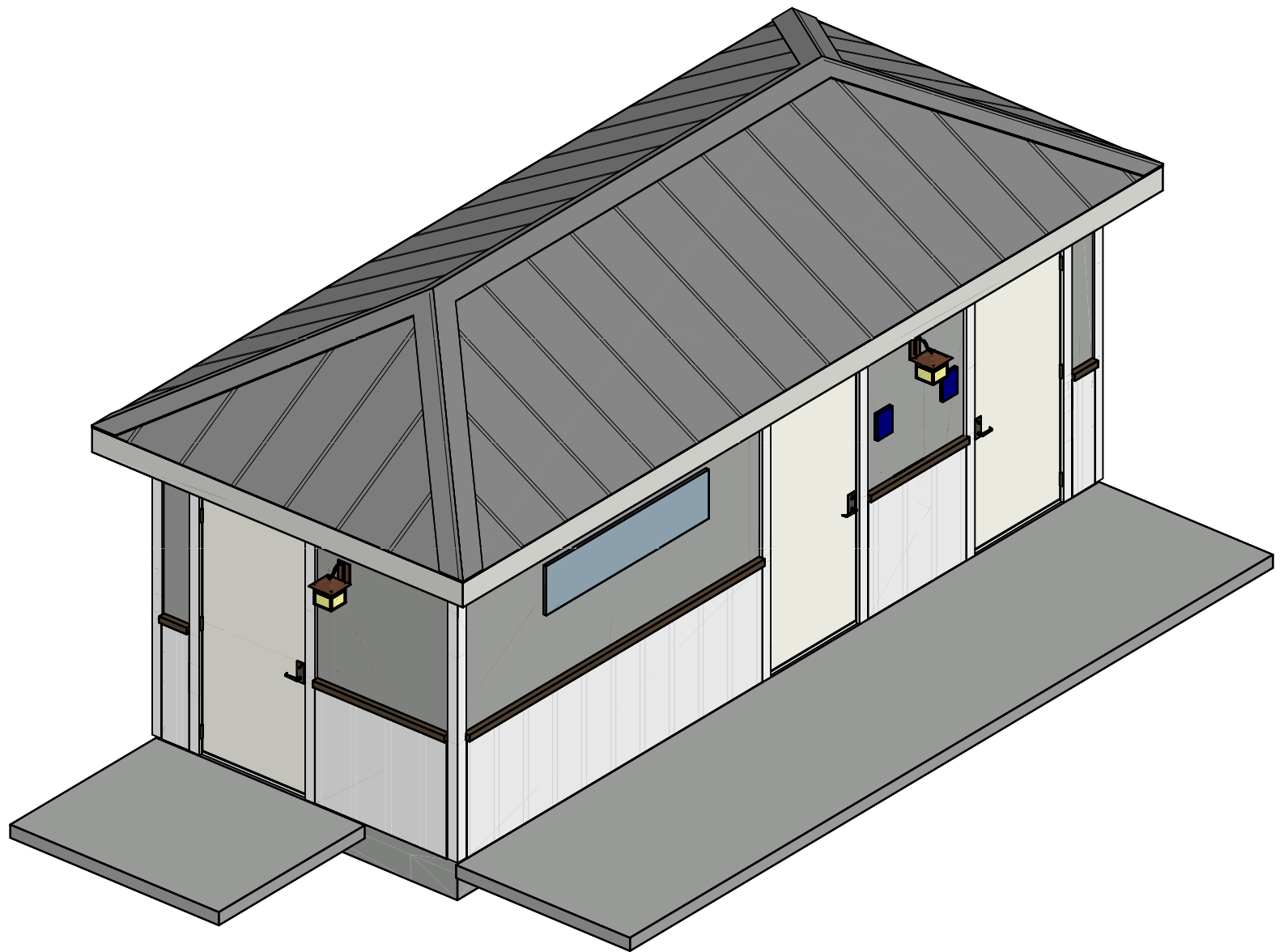


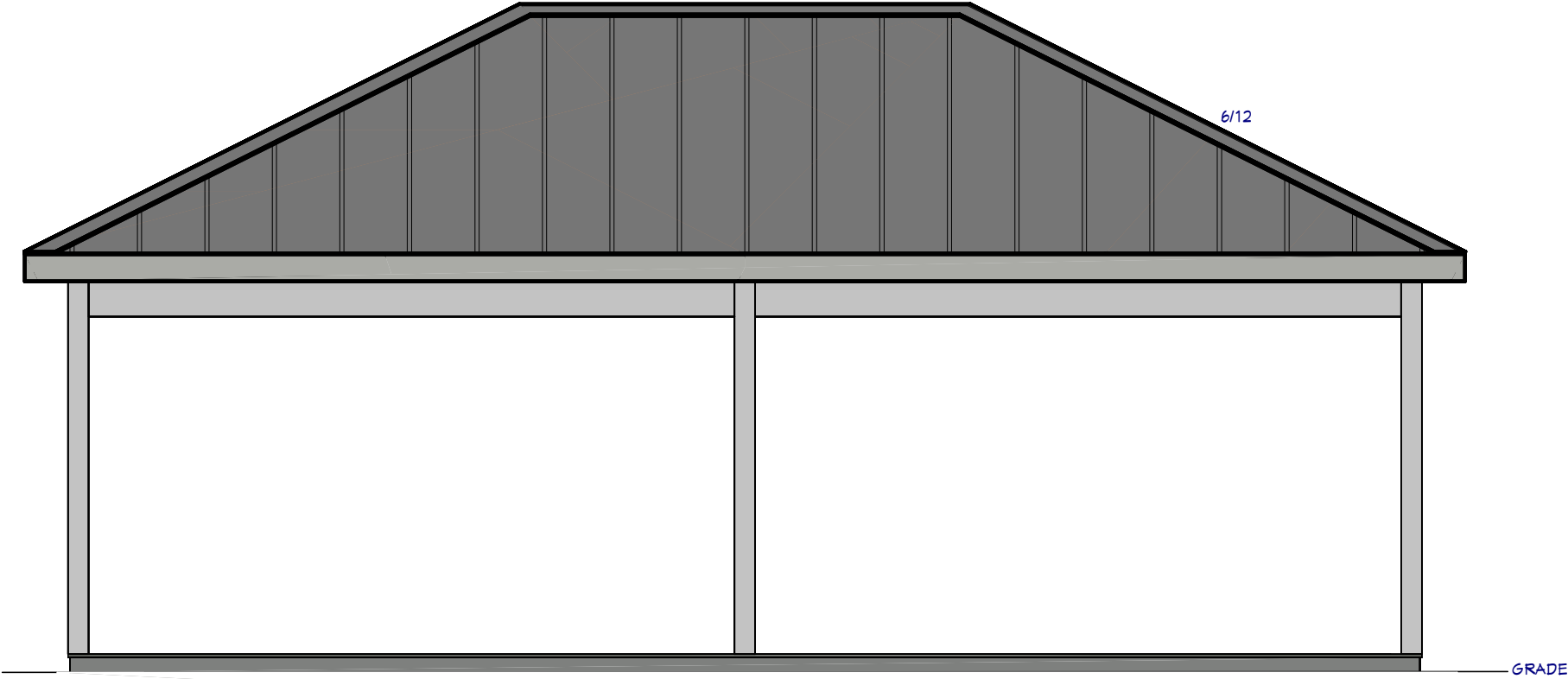
RESTROOM & STORAGE BUILDING



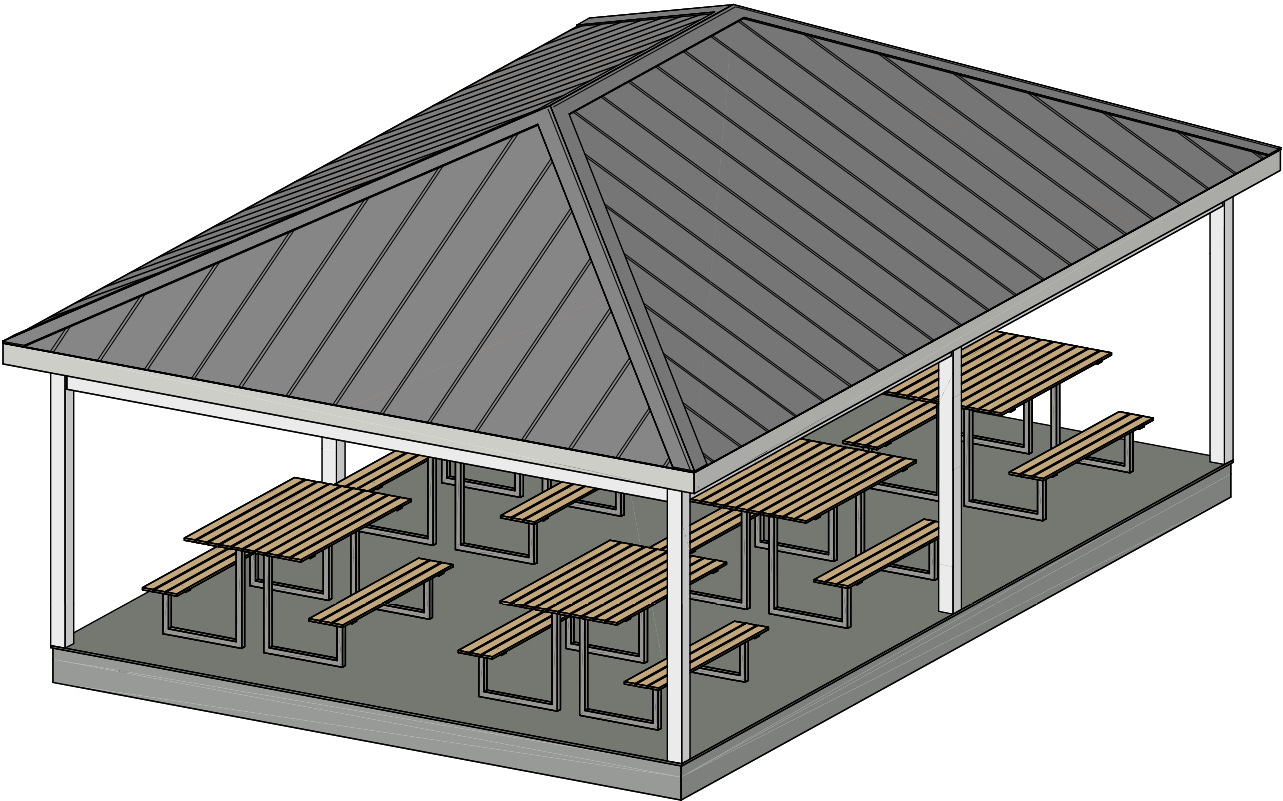


FRONT ELEVATION

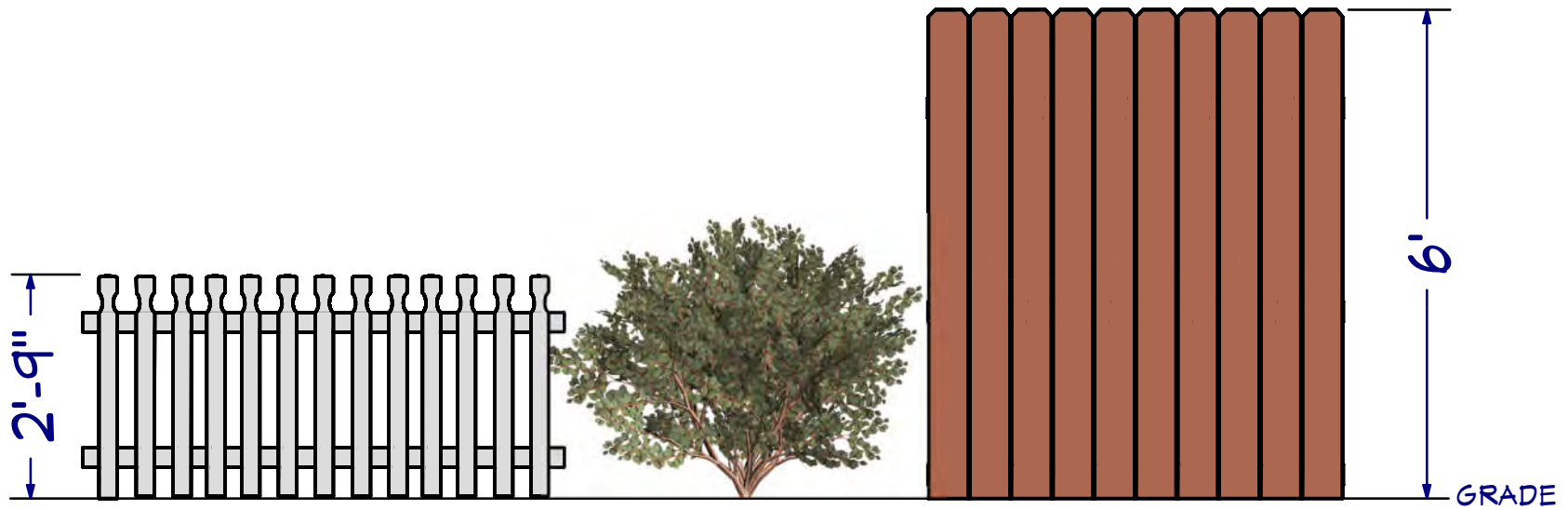




OPEN PAVILLION



FENCING DETAIL



EAST FRONT BORDER:
REMOVABLE DECORATIVE
WOOD or VINYL

NORTH & WEST BORDERS:
WOOD BOARD on BOARD
PRESSURE TREATED
PRIVACT TYPE

Sign Sample









Supplemental Use



Department of Planning & Community Development
123 NW Highway 19
Crystal River, FL 34428
352-795-4216, ext. 306
Fax: 352-795-6245
development@crystalriverfl.org

PERMIT NUMBER: PZSU22-0001

Date: 9/23/22

Applicant Information:

Name: CHRIS A. ENSING
Company Name: _____
Phone # (352) 302-6165 Email: chrisensing52@gmail.com
Address: P.O. Box 995, CRYSTAL RIVER, FL 34423

Property Owner:

Name: ENSING PROPERTIES, LLC & JAMES M. BYERS
Phone # (352) 302-6165 Email: chrisensing52@gmail.com
Address: P.O. Box 995, CRYSTAL RIVER, FL 34423
I hereby authorize CHRIS A. ENSING, to apply for a Special Use Permit.

Chris A. Ensing _____ 9/23/22
Property Owner Date

Property Information:

Alt Key #: 1079924

Job Site Address: 406 NE 1ST AVE.

Current Use: VACANT LOT Proposed Use: FOOD / RESTAURANT
Current Zoning: CG Flood Zone: AE Base Flood Elevation: 11'

(THIS INFORMATION SHALL BE BASED ON THE LATEST FLOOD INSURANCE RATE MAPS)

Size of Site Area: 10,000 Sq. Ft. Commercial Kitchen Size: N/A Sq. Ft.
(AVAILABLE AT THE CITRUS COUNTY PROPERTY APPRAISER'S WEBSITE: www.citruspa.org.)

Will there be seating? Yes No Please detail on site plan.

Chris A. Ensing _____ 10/4/22
Applicant's Signature Date

State of Florida
County of Citrus

The foregoing instrument was acknowledged before me by () physical presence or () remote audio-visual means this 4 day of October, 2022 by Chris Ensing who is personally known to me, or has produced FL DL as identification and who did not take an oath.

Zachary Ciciera
Notary Public



ZACHARY CICIERA
Notary Public
State of Florida
Comm# HH250215 8/13/2020
Expires 4/6/2026

Approved

Disapproved

Approved with conditions

Conditions: _____

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

PASSED on First Reading _____, **2022**

NOTICE Published on _____, **2022**

VOTE OF COUNCIL:

Brown _____

Guy _____

Holmes _____

Fitzpatrick _____

Meek _____



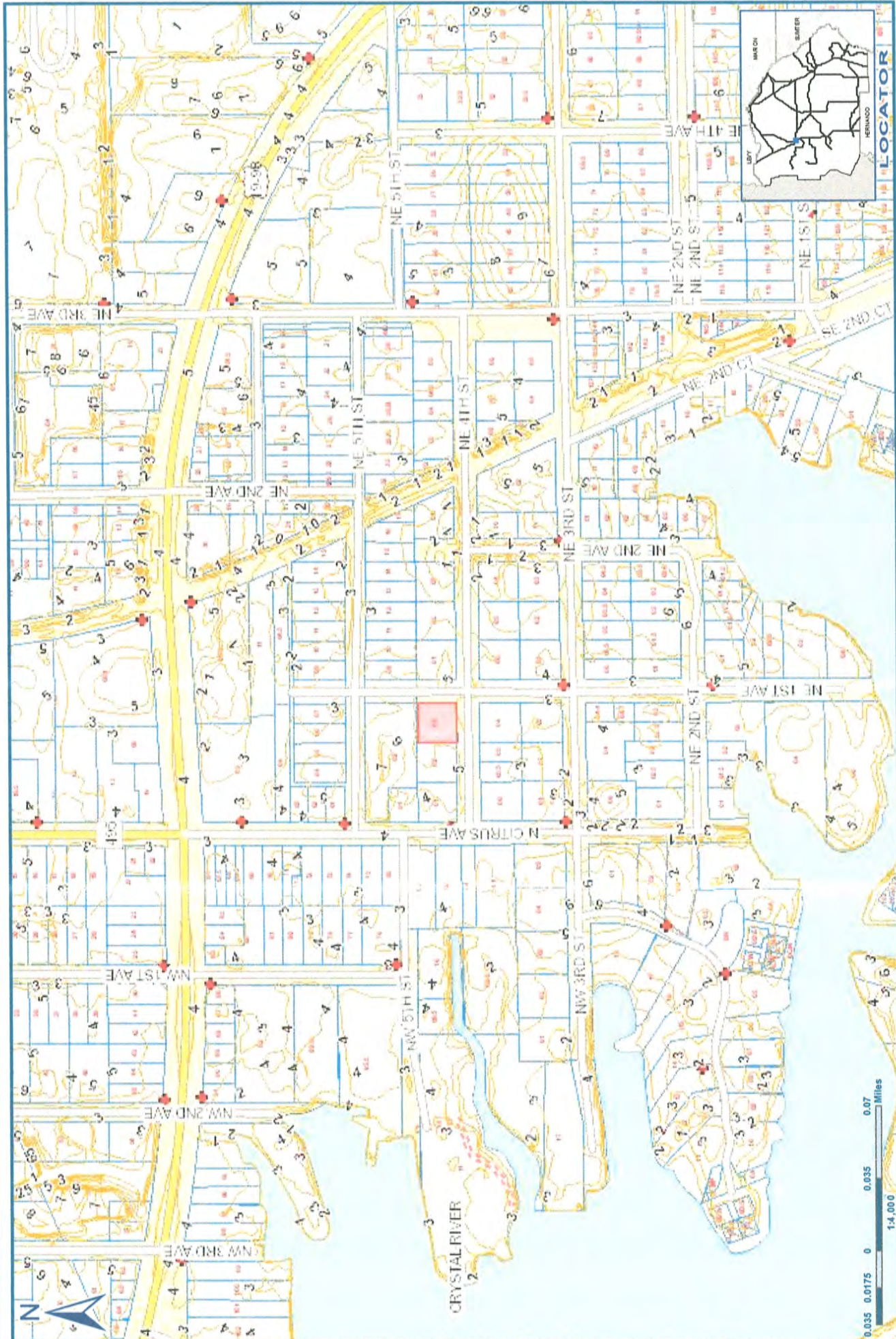
SPECIAL USE APPLICATION

Department of Planning & Community
Development
123 NW Highway 19
Crystal River, FL 34428
352-795-4216, ext. 306
Fax: 352-795-6245
development@crystalriverfl.org

SITE PLAN CHECKLIST:

This is not a comprehensive list. Please refer to the City of Crystal River Land Development Codes; you can view our codes at the city website: www.crystalriverfl.org

- Please note: all comments will be sent via email unless otherwise requested.
- Please submit all site plans **FOLDED:** Paper size no smaller than 11x17"
- Please submit revised site plans with a letter/email indicating responses to city staff comments
- Please **highlight** changes on re-submittals
- Original & revised submittals: 2 hard copies and 1 electronic



Geographic Information Systems

Cynthia Stearn
Director

Prepared By : Web User

Date: 12/7/2021

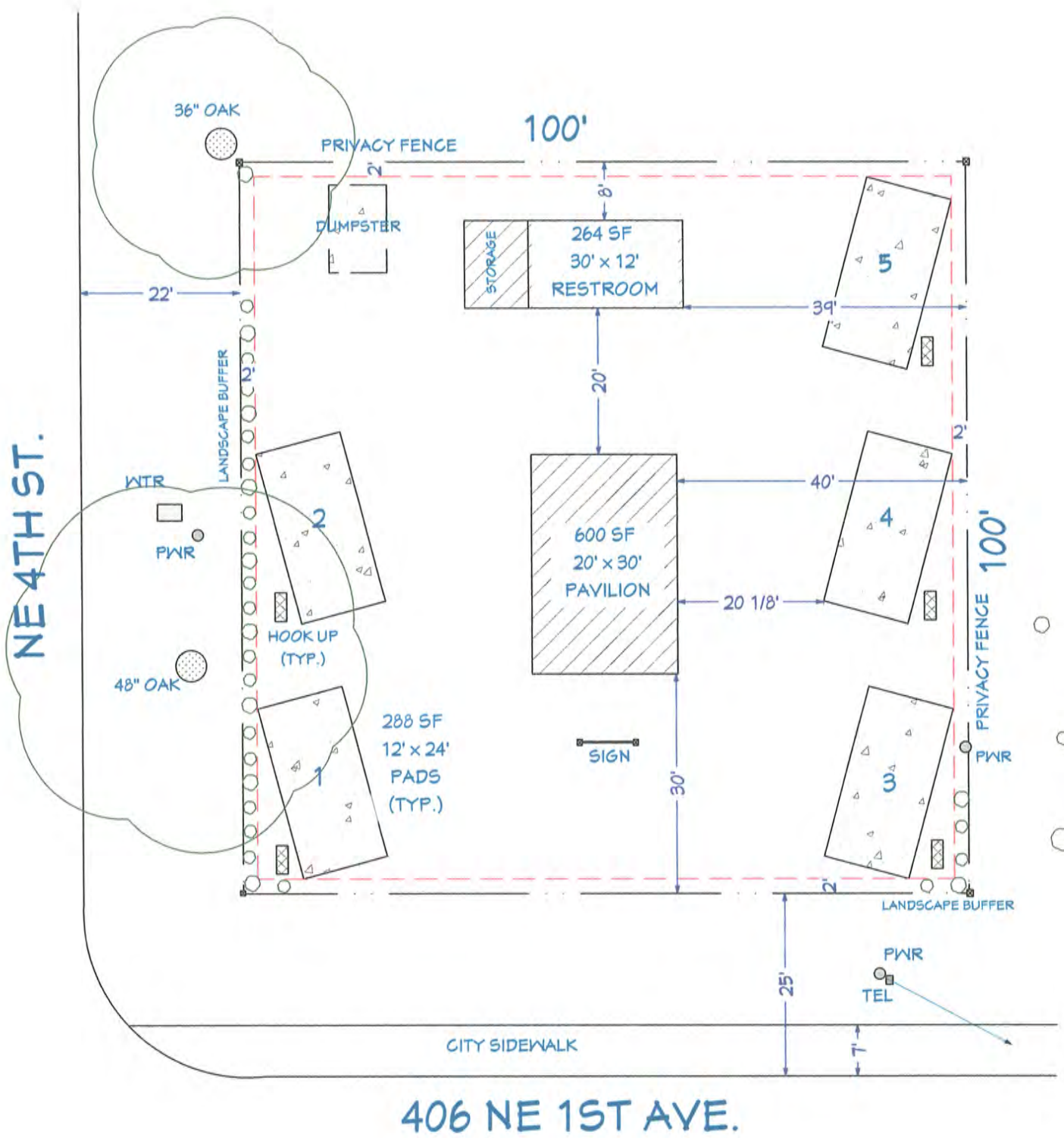
Source: Enterprise Geodatabase

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406 NE 1st Ave.



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FOOD TRUCK PLOT PLAN

SCALE: 1" = 20'



CRYSTAL CITY ADDITION
 TO CRYSTAL RIVER
 LOT 3 / BLK 9
 .23 ACRES
 ZONING: CG

Food Trucks / Food Truck Courts

Currently, the City of Crystal River only allows Food Trucks in certain commercial areas and so long as there is another business on the property.

We have acquired a piece of property in the City of Crystal River and the Historic CRA downtown. It is currently zoned general commercial (CG). It has a dilapidated building on site which will be removed.

- Location: 406 NE 1st Ave.
- Corner of NE 4th St. & NE 1st Ave.

We plan to construct a Food Truck Court on this property. The project will have:

- Men's/Women' Restroom
- Covered Pavilion for eating
- 5 concrete pads with sewer/water/electric for Food Truck/Trailer hook up
- Dumpster
- Appropriate landscaping

The site will be aesthetically pleasing and contain the infrastructure as listed above. The food vendors will be handpicked. Variety & quality will be paramount. Vendors will rent the spaces for specified lease terms and different vendors may rotate in and out of the site. Vendor trucks/trailers will not be of a "gaudy" nature and will compliment the nature of the CRA District. No alcohol will be served. Regular clean up and maintenance will be performed on the site. There will be no on site parking (adequate parking is nearby).

The idea is to enhance the CRA and the Downtown by providing a "park-like", family setting for locals and visitors. Between the new Splash Park, Hunter's Springs, the local shops, pubs, restaurants and tour companies we feel this will provide folks with an enhanced opportunity explore and stay longer in the City of Crystal River bringing more dollars to the community while better utilizing the existing space and expanding the City's vision of a "walkable" community.

Although the project is not massive, it is no small undertaking. We will be spending a sizable amount on both the property and the improvements.

We need your help. We plan to petition the City of Crystal River to write and adopt an ordinance allowing the creation of a Food Truck Court in the Downtown. The City Council will have to vote on this matter.

Question: "If a suitable ordinance can be written, which enhances and protects the vision of Downtown Crystal River, it's residents and businesses and provides for the items outlined in this letter, would you support it?"

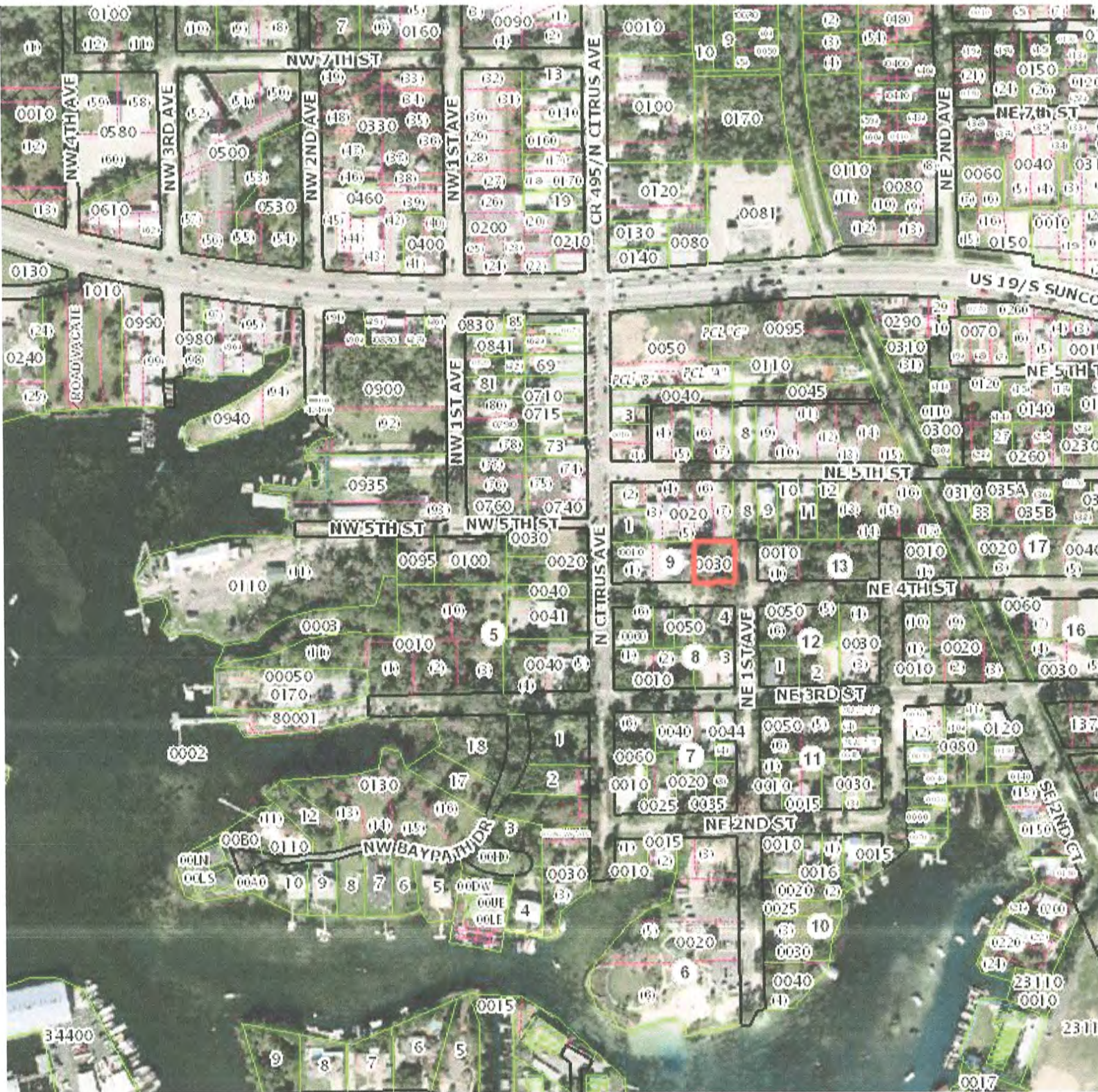
Sincerely,

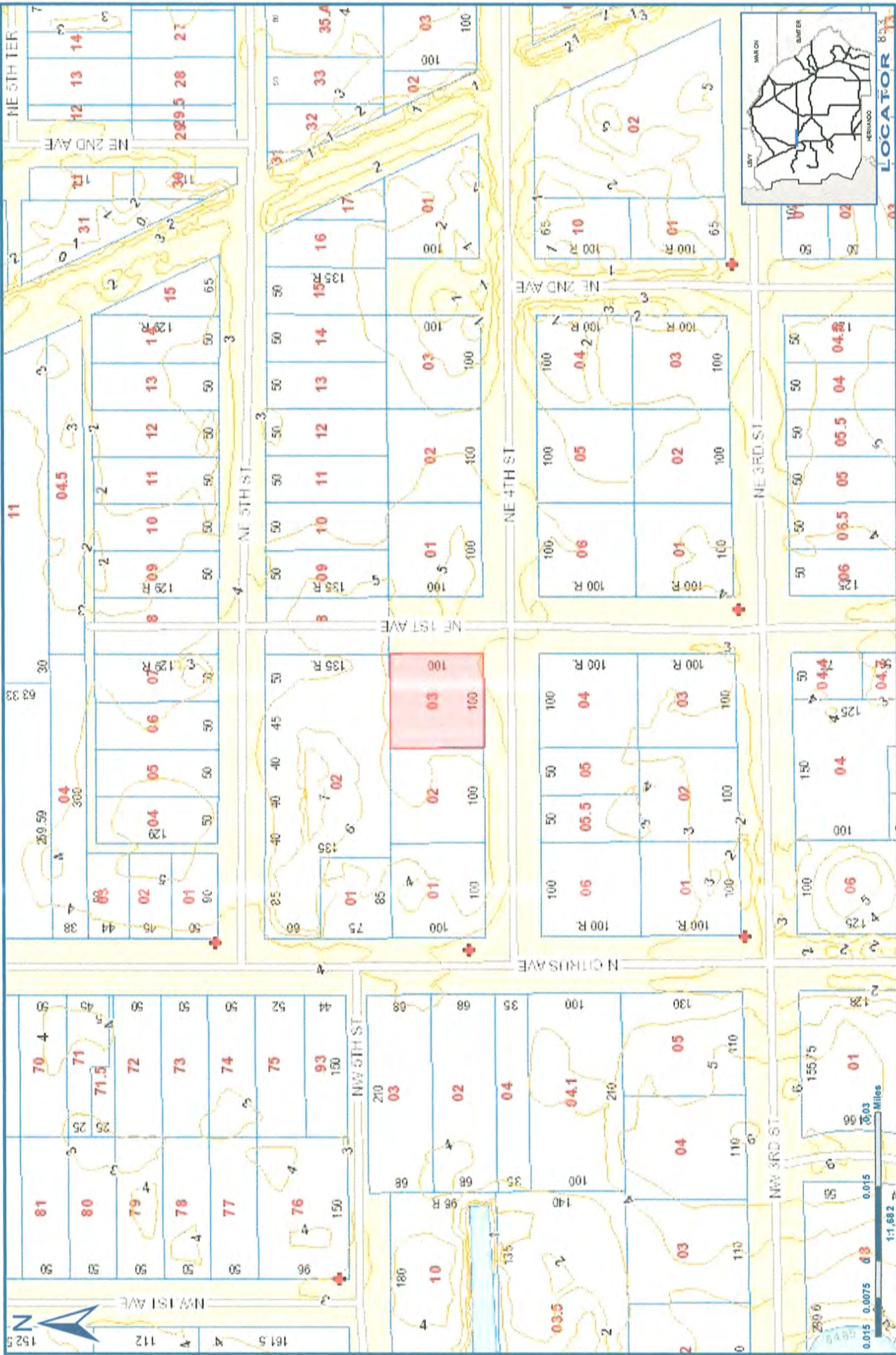
Chris A. Ensing

Southern Exposure Construction, Inc. / Ensing Properties, LLC

Footnote: We currently have a significant investment in properties in Downtown Crystal River. It is our hope that the City of Crystal River, it's residents & businesses can continue to thrive and prosper in a well thought out, well developed and maintained area.







Geographic Information Systems

Cynthia Skelhorn
Director

Prepared By : Web User

Date: 10/21/2021

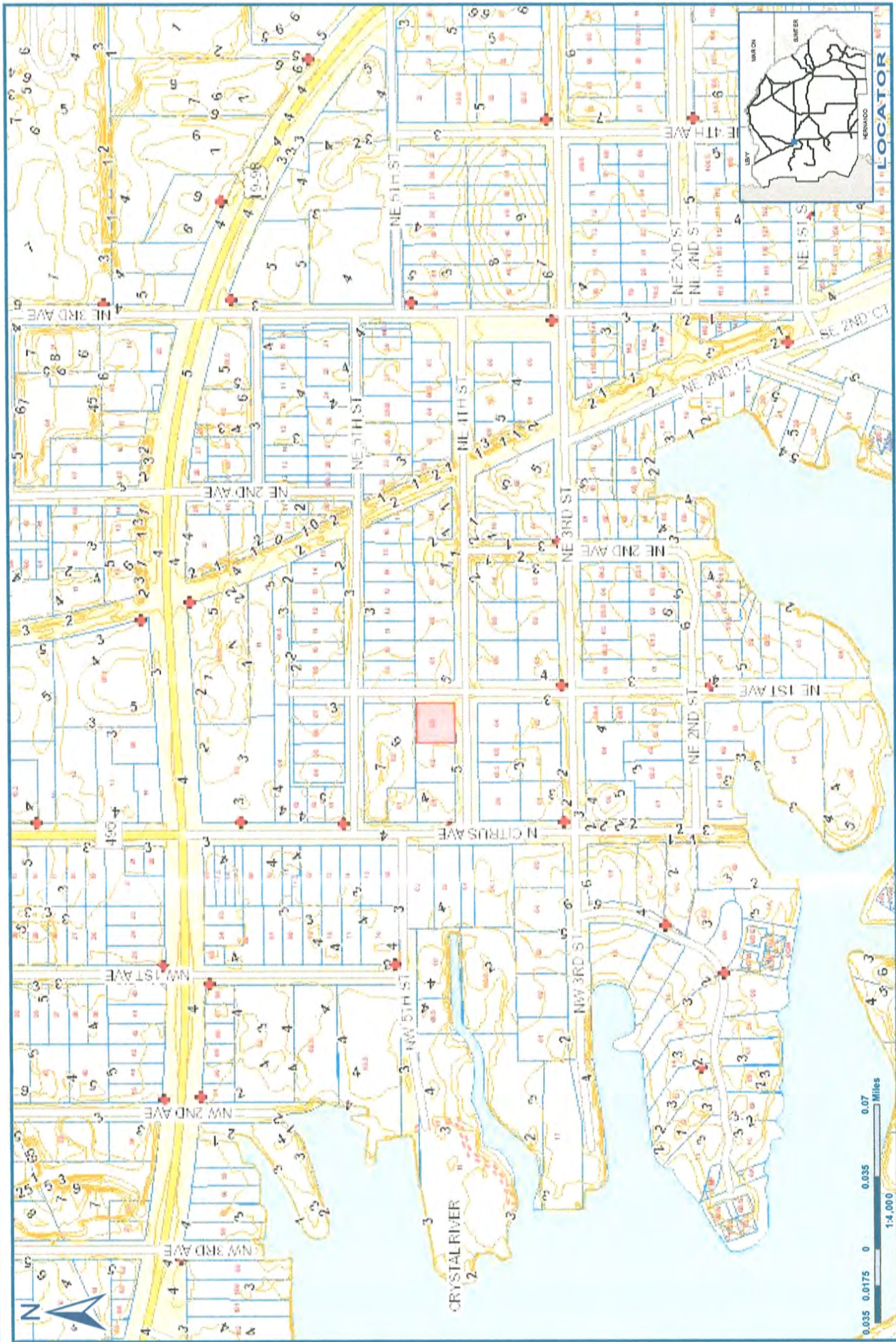
Source: Enterprise Geodatabase

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406 NE 1st Ave.



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Citrus County, 1000 W. Highway 1, Citrus, FL 32709
Phone: 352-853-1234, Fax: 352-853-1235, Email: GIS@citruscounty.com



Geographic Information Systems

Cynthia Skelton
Director

Prepared By : Web User

Date: 12/7/2021

Source: Enterprise Geodatabase

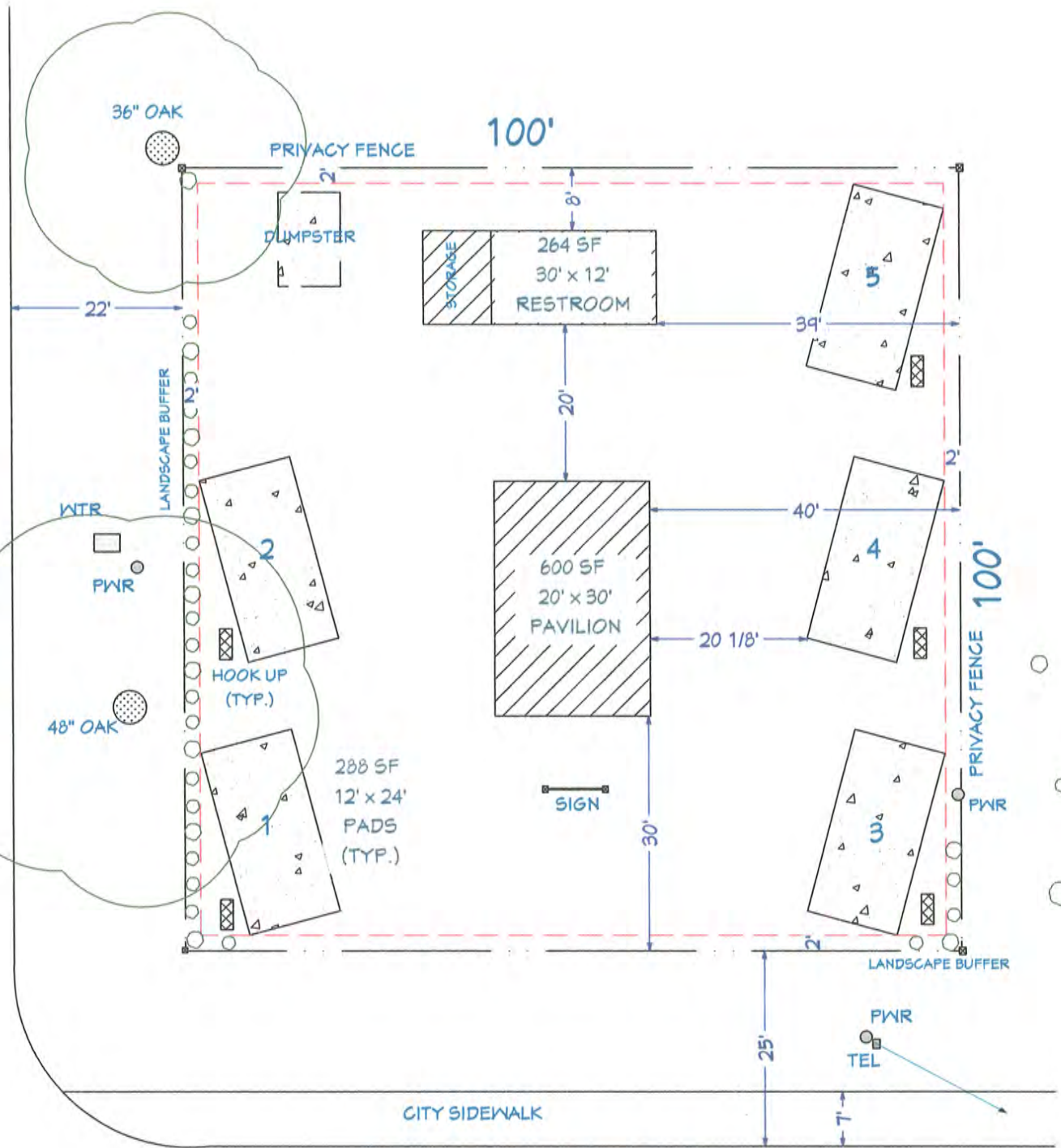
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406 NE 1st Ave.



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NE 4TH ST.



406 NE 1ST AVE.

FOOD TRUCK PLOT PLAN

SCALE: 1" = 20'



CRYSTAL CITY ADDITION
 TO CRYSTAL RIVER
 LOT 3 / BLK 9
 .23 ACRES
 ZONING: CG



Food Court
406 NIE 1st Ave



Prepared by and return to:
Jeri Lynn Diehl
Title USA, LLC
478 NE 3rd Street, Suite C
Crystal River, FL 34429
File Number: T20215679

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this 11th day of January, 2022, between Rita Fleming n/k/a Rita Ranieri, a married woman, whose post office address is 1629 SE 3rd Court, Crystal River, FL 34429, grantor, and Ensing Properties, LLC., a Florida limited liability company and James M. Byers, a married man, as joint tenants with full rights of survivorship, whose post office address is PO Box 995, Crystal River, FL 34423, grantee:

(Whenever 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, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the Citrus County, Florida, to-wit:

Lot 3, Block 9, CRYSTAL CITY ADDITION TO CRYSTAL RIVER, according to plat thereof as recorded in Plat Book 1, Page 25, of the Public Records of Citrus County, Florida.

Parcel Identification Number: 17E18S210070 00090 0030

Grantor hereby certifies that the property described herein is not her homestead as made and provided by the laws of the State of Florida, and is not now and never has been contiguous to Grantors homestead.

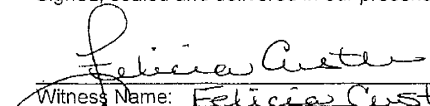
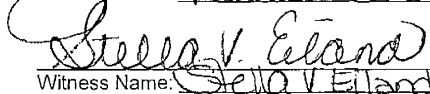
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said 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; that the grantor hereby fully 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 31, 2021.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

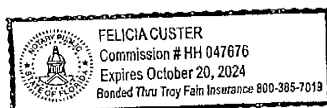

Witness Name: Felicia Custer

Witness Name: Stella V. Eiland

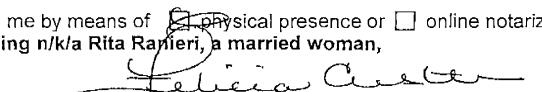

Rita Ranieri

STATE OF FLORIDA

COUNTY OF Citrus

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 11th day of January, 2022, by Rita Fleming n/k/a Rita Ranieri, a married woman,




(Signature of Notary Public - State of Florida)
Felicia Custer
(Print, Type, or Stamp Commissioned Name of Notary Public)

Altkey: 1074924
ENSING PROPERTIES LLC

Parcel ID: 17E18S210070 00090 0030
406 NE 1ST AVE , CRYSTAL RIVER

Citrus County Property Appraiser, Cregg E. Dalton

PC Code 1200 - STORE/OFF/RES
Bldg Counts Res 1 / MH 0 / Comm 0
Nbhd 0119 - HWY 19 CRYSTAL RIVER AREA
Tax District 000R - CITY OF CRYSTAL RIVER
Subdivision 001753 - SPRINGS ON KINGS BAY (0070)
Short Legal CRYSTAL CITY ADD TO CRYSTAL RIVER PB 1 PG 25
LOT 3 BLK 9
Est. Parcel Sqft 10,014
Est. Parcel Acres .23
Map SC-TW-RG 21-18S-17E

Mailing Address

Name ENSING PROPERTIES LLC
Mailing Address PO BOX 995
CRYSTAL RIVER FL 34423

All Owners

Name	Owner Type
ENSING PROPERTIES LLC	BU - Business
BYERS JAMES M	TC - Tenants In Common

Value History and Tax Amount

Year	Land Value	Impr Value	Just Value	Non-Sch. Assessed	Non-Sch. Exemptions	Non-Sch. Taxable	HX Cap Savings	Tax Estimate	Tax Link
2022	\$30,730	\$95,170	\$125,900	\$115,742	\$0	\$115,742	\$0	\$2,421.57	Link
2021	\$30,220	\$75,000	\$105,220	\$105,220	\$0	\$105,220	\$0	\$2,132.32	Link
2020	\$30,220	\$69,970	\$100,190	\$100,190	\$0	\$100,190	\$0	\$1,868.33	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.

Special Assessment

Project #	Description	Amount
CRDV	CRYSTAL RIVER RE-DEVELOPMENT	\$0.00

Sales

Sale Date	Sale Price	Book/Page	Instr Type	V/I
-----------	------------	-----------	------------	-----

01/11/2022	\$295,000	3246/1704	00-WARRANTY DEED	I
12/01/2004	\$180,000	1800/0838	00-WARRANTY DEED	I
06/01/2004	\$76,500	1734/1324	00-WARRANTY DEED	I
07/01/1986	\$27,000	0708/0557	00-WARRANTY DEED	I
08/01/1981	\$13,111	0582/0873	11-11	V

DISCLAIMER

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

Permit Summary

Permit Date	Permit Number	Description	Amount	Occupancy Date
02/07/2022	PD22-0001	DEMO HOUSE & GARAGE	\$8,000	
07/20/2010	BP100111	INSTALL ADDITIONAL FENCE	\$0	
10/02/2009	BP090146	STOCKADE FENCE	\$0	
06/01/1997	97170	REPAIR ROOF	\$5,517	
12/01/1983	3322	3 ADDITION	\$4,100	08/01/1983

Land & Agricultural

Line	Land Use	Type	Units	Frontage	Depth	Ag Flag	Classified Value	Just Value	Zoning
1	1000-COMMERCIAL OFF HWY	S-SQUARE FOOT	10,014.00	100.0	100			\$30,730	CG

Residential

Bldg Number	1
Class	R1 - RESIDENTIAL SINGLE FAMILY
Year Built	1946
Total FLA	1,409
Total Under Roof	1,553
Exterior Wall	29 - VINYL SIDING
Foundation	2 - CONCRETE BLOCK/STEM
HVAC	109 - HEAT PUMP
Stories	1
Floor System	02 - WOOD SUB-FLOOR
Roof Frame	02 - HIP
Roof Cover	03 - ASPHALT SHINGLE
Fuel	1 - ELECTRIC
Bedrooms/Full Baths/Half Baths	3/2/
Addl Fixtures	
FPL: Stacks/Openings	/
RCN	156,855
RCNLD	90,660

Additions to Base Area

Building	Description	Year Built	Area
1	MAIN BULDING	1946	1,409
1	OPEN PORCH FIN	1946	144

Miscellaneous Improvements

Building #	Line	Description	Year Built	L	W	Units	Area	Value
1	1	UTILY BLDG FIN WD/ALM W WOOD FLR-[1-SF]	2002	20	20	1	400	2,860
1	2	DECKING WOOD-[1-SF]	2004	8	8	1	64	240
1	3	WOOD PRIVACY FENCE-[1-SF]	2009			1	360	140
1	4	DECKING WOOD-[1-SF]	2009			1	264	1,010
1	5	WOOD PRIVACY FENCE-[1-SF]	2010			1	660	260

Total Misc Value							
4,510							



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	November 3, 2022	
APPLICATION NO. PZ22-0087/PZ22-0088 – Mary Street, LLC - Land Use/Zoning Amendment		
PROPOSED AMENDMENTS:	COMPREHENSIVE PLAN	Small-Scale Comprehensive Plan Amendment to change 39.17 acres +/- from Citrus County’s Professional Services/Office (PSO) and Low Density Residential (LDR) to the City’s Office/Services Commercial (O/SC) and Low Density Residential (LDR) on the Future Land Use Map.
	ZONING MAP	Amendment to the Official Zoning Map to change 39.17 acres +/- from Citrus County’s Professional Services/Office (PSO) and Low Density Residential (LDR) to the City’s General Commercial (CG) and Low Density Residential (R-1).
SUBJECT PROPERTY:	Section 16, Township 18 S, Range 17 E; specifically, Parcel 12300, which address is known as 3607 N Citrus Avenue, Crystal River. A complete legal description of the property is on file with the Planning & Development Services Department.	
PROPERTY OWNER:	Mary Street, LLC	
LAST OCCUPANT:	vacant	
ACREAGE	Approximately 1,706,245 square feet or 39.17 acres	
FLOOD ZONE:	According to the FEMA Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone AE with a Base Flood Elevation (BFE) of 10.00 feet, and Flood Zone AE with a BFE of 11.00, as found on FIRM Panel Number 12017C0187E. (Effective date: January 15, 2021).	
SURROUNDING AREA:	<p>North – Abutting is an unimproved commercial parcel that is wooded, and both, vacant (wooded) and improved residentially committed parcels, all located in the county’s jurisdiction.</p> <p>South – Across N Turkey Oak Drive is an unimproved commercial parcel that is wooded, and a public institutional parcel (Yeoman’s Park entrance).</p> <p>East – Abutting is vacant (wooded) residentially committed parcels, partially in the city and the county’s jurisdiction.</p> <p>West – Across N Citrus Avenue is improved commercial (retail, service and office uses), partially in the city and the county’s jurisdiction.</p>	
PREPARED BY:	Jenette Collins, AICP, Urban Planner, Planning and Community Development Services Department	

BACKGROUND INFORMATION:

These applications are brought forward by the City to amend the land use category and zoning district on a 39.17 acre +/- vacant parcel located on the northeast corner of N Citrus Avenue and N Turkey Oak Drive. The requests are made subject to a voluntary annexation petition filed by the property owner to be considered by the City Council at a scheduled public hearing on Monday, January 9, 2023. As a requirement of voluntary annexation (per section 171.044, Florida Statutes),

the subject parcel is contiguous to the corporate limits of the City of Crystal River, is reasonably compact, and the annexation will not result in the creation of enclaves.

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

The property owner has advised that the property is pending sale, and the buyer desires to be within the corporate limits of the City of Crystal River.

ANALYSIS: The proposed Comprehensive Plan amendment is required by Chapter 163, Florida Statutes which provides for the legal status of the comprehensive plan and future land use map, and that the land development regulations and zoning map are consistent with and implement the adopted comprehensive plan. The proposed classifications are comparable to the County’s designations.

Comprehensive Plan – Future Land Use Map Amendment – The proposed FLUM amendment will change the future land use designation on the first 400 feet of property lying parallel and adjacent to N Citrus Avenue from Citrus County’s Professional Services/Office (PSO) to the City’s Office/Service Commercial (O/SC) category, and the remaining property will be changed from Citrus County’s Low Density Residential (LDR) to the City’s Low Density Residential (LDR) category. The following comparison table is provided:

Comprehensive Plan FLUM Category:	From County ¹ : PSO & LDR		To City ² : O/SC & LDR	
	Category Description:	PSO, Professional Services/Office: Professional office development and multi-family up to 10 units per acre.	LDR, Low Density Residential: This category allows for residential density up to 6 dwellings per acre.	O/SC, Office/Service Commercial: Provides for professional offices, personal services, and limited retail uses.
Maximum Density:	4.0 units per acre; up to 10 units/acre with a PUD.	2.0 units per acre; up to 6.0 units/acre with a PUD.	None; 8.0-20.0 in CRA Overlay (CG)	4.0 units per acre; Up to 6.0 units/acre with a PUD.
Maximum FAR*	1.0	0.2	1.0	n/a

*FAR – Floor to Area Ratio; **CRA – Community Redevelopment Area (Note: The subject property is not in the CRA.)

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

The proposed O/SC and LDR land use categories are similar in density and intensity to the existing County land use categories, and will not increase the maximum density/intensity allowed per the existing County Comprehensive Plan.

Zoning Map Amendment – The proposed zoning map amendment will change the zoning on the first 400 feet of property lying parallel and adjacent to N Citrus Avenue from Citrus County’s Professional Services/Office (PSO) to the City’s General Commercial (CG) district, and the remaining

property will be changed from Citrus County’s Low Density Residential (LDR) to the City’s Low Density Residential (R-1) district.

Zoning District:	From County: PSO and LDR ¹		To: City CG & R-1 ²	
Allowed Use:	PSO, Professional Services/Office: Professional office development and multi-family up to 10 units per acre.	LDR, Low Density Residential: This category allows for residential density up to 6 dwellings per acre.	CG, General Commercial: Established for business, commercial, and institutional uses.	R-1, Low Density Residential: established for single-family residential use
Max Density:	4.0 units per acre; up to 10.0 with a PUD.	2.0 units per acre; up to 6.0 with a PUD.	None	3.0 units per acre
Max ISR*:	70%	35%	65% waterfront/ 85% non-waterfront	35% waterfront/ 45% non-waterfront
Max FAR:	1.0	0.2 non-res use	1.0	n/a

*ISR – Impervious Surface Ratio

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

The proposed CG Zoning District shall be used to implement the proposed O/SC FLUM land use category, and the proposed R-1 Zoning District shall be used to implement the proposed LDR FLUM land use category. Based on the proposed zoning districts, the allowed uses, maximum density, ISR and FAR are comparable to the County’s existing zoning allowances.

INFRASTRUCTURE:

Transportation (Ingress/Egress) – The subject property is located on the corner of N Citrus Avenue, a county maintained, a 2-lane major collector; and N Turkey Oak Drive, a county maintained, 2-lane major collector. Future driveway connections and auxiliary lanes (as may be warranted by the county) will require right-of-way utilization permits from Citrus County Government. Citrus Avenue is a designated evacuation route on the Citrus County Hurricane Evacuation Map.

Water – The City currently has adequate water supply to serve future development. Extension of utility lines constructed within the public roadway will require right-of-way utilization permits from Citrus County Government.

Sewer – The City currently has adequate sewer capacity to serve future development. Extension of utility lines constructed within the public roadway will require right-of-way utilization permits from Citrus County Government.

Stormwater Management – Stormwater management requirements must be approved as established by the Southwest Florida Water Management District (SWFWMD) for any intended commercial project or residential subdivision plat. All stormwater treatment systems shall meet the latest SWFWMD and State standards for water quality and peak discharge. This requires that the rate of post-development runoff conditions shall not exceed pre-development runoff conditions.

Other Items: The subject property is located in the Coastal High Hazard Area (CHHA¹). The proposed maximum allowed density and intensity is not being increased and is comparable to the existing County allowances.

Environmental Factors – The subject property is vacant and heavily wooded. According to the FEMA FIRM Map, elevation contours occur and vary from 1- to 6-foot above mean sea level (MSL). Development will be required to meet FEMA FIRM BFE as summarized in the introduction table above.

A review of the existing elevation contours indicates that a shallow depression indicative of wetlands runs north and south on the east side of the subject property which extends to a culvert under N Turkey Oak Drive. This is further supported by the soil type found on the east side of the property (see below).

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

- Approximately 84% of the site is classified as (28) Red level fine sand (parent material: sandy marine deposits over limestone), having a drainage class defined as somewhat poorly drains, and having a depth to water table of about 18 to 42 inches.
- Approximately 16% of the site (on the east side) is classified as (59) Cypress Lake fine sand, frequently ponded, 0 to 1 percent slopes (parent material: sandy and loamy marine deposits over limestone), having a drainage class defined as very poorly drained, and having a depth to water table of about 0 inches.

The LDC requires the submittal of a professionally prepared biological survey when there is presence of endangered, threatened, or of special concern of the development of environmentally sensitive lands (protected wetlands delineation). A Biological survey will be required at time of development permit in accordance with LDC standards.

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

Future Land Use Element

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

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

POLICIES:

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

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

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

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

The proposed amendments for the annexed lands are comparable to the existing County land use and zoning designations and are compatible with the existing land use patterns for the area. Adequate public facilities are currently available to service the subject area.

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

FINDINGS: As conveyed in Subsections (A.) and (B.) of section 8.02.03 of the Crystal River Zoning Ordinance, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding amendment of its adopted Comprehensive Plan, and amendments of the official zoning map (rezoning).

The following findings of fact are presented:

1. The request is a Small-Scale Amendment of the Comprehensive Plan for a 39.17 acres +/- parcel to change the future land use designation on the first 400 feet of property lying parallel and adjacent to N Citrus Avenue from Citrus County's Professional Services/Office (PSO) to the City's Office/Service Commercial (O/SC) category, and the remaining property will be changed from Citrus County's Low Density Residential (LDR) to the City's Low Density Residential (LDR) category.
2. The request is to re-zone 39.17 acres +/- on the Official Zoning Map by changing the zoning on the first 400 feet of property lying parallel and adjacent to N Citrus Avenue from Citrus County's Professional Services/Office (PSO) to the City's General Commercial (CG) district, and the remaining property will be changed from Citrus County's Low Density Residential (LDR) to the City's Low Density Residential (R-1) district.
3. The amendment requests are made concurrent to the annexation of said lands which necessitates a comprehensive plan amendment as required by Chapter 163, Florida Statutes, and that the official zoning map must be amended to be consistent with the Comprehensive Plan.
4. Adequate City public facilities are currently available to service the subject area.
5. No increase to density and/or intensity is proposed with these amendments as the proposed land use and zoning designations are comparable to the existing County designations.

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

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES:


Please see Staff's PowerPoint presentation.

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

1. PZ22-0087 Future Land Use Map Amendment
2. PZ22-0088 Zoning Amendment

ATTACHMENTS:

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

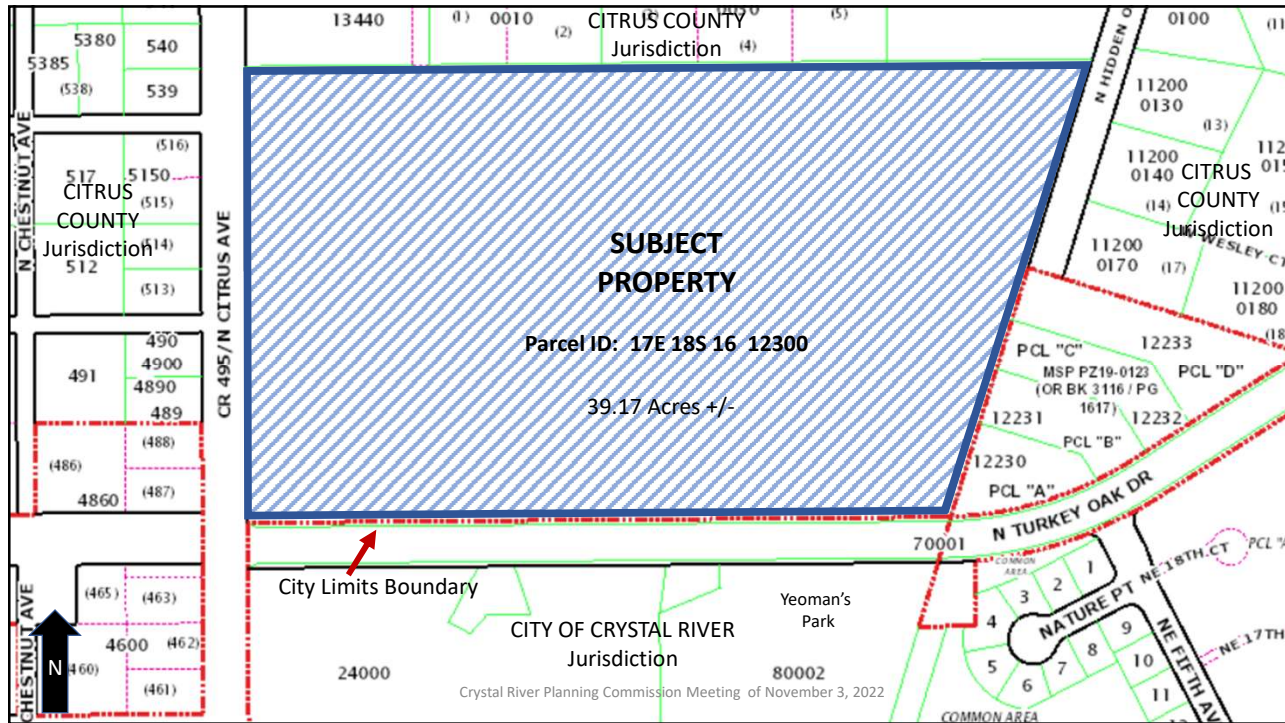


PZ22-0087 Future Land Use Amendment
PZ22-0088 Zoning Map Amendment
Mary Street LLC

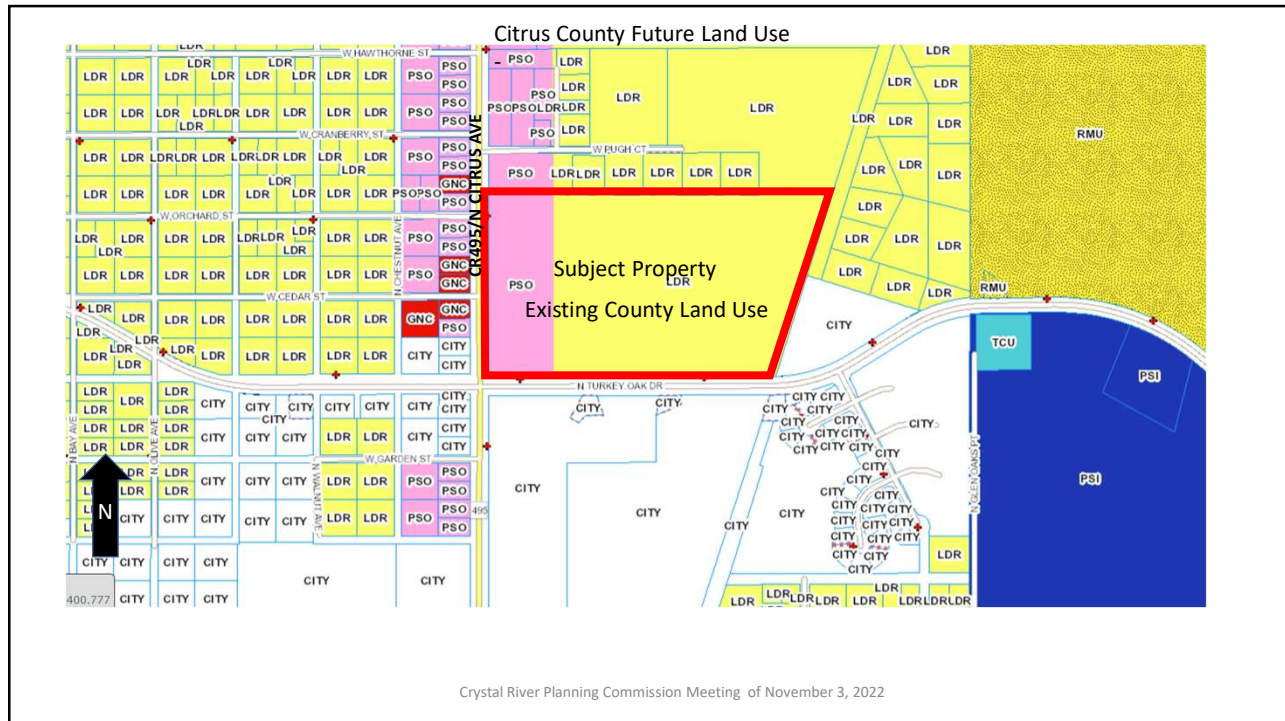
Crystal River Planning Commission Meeting of November 3, 2022

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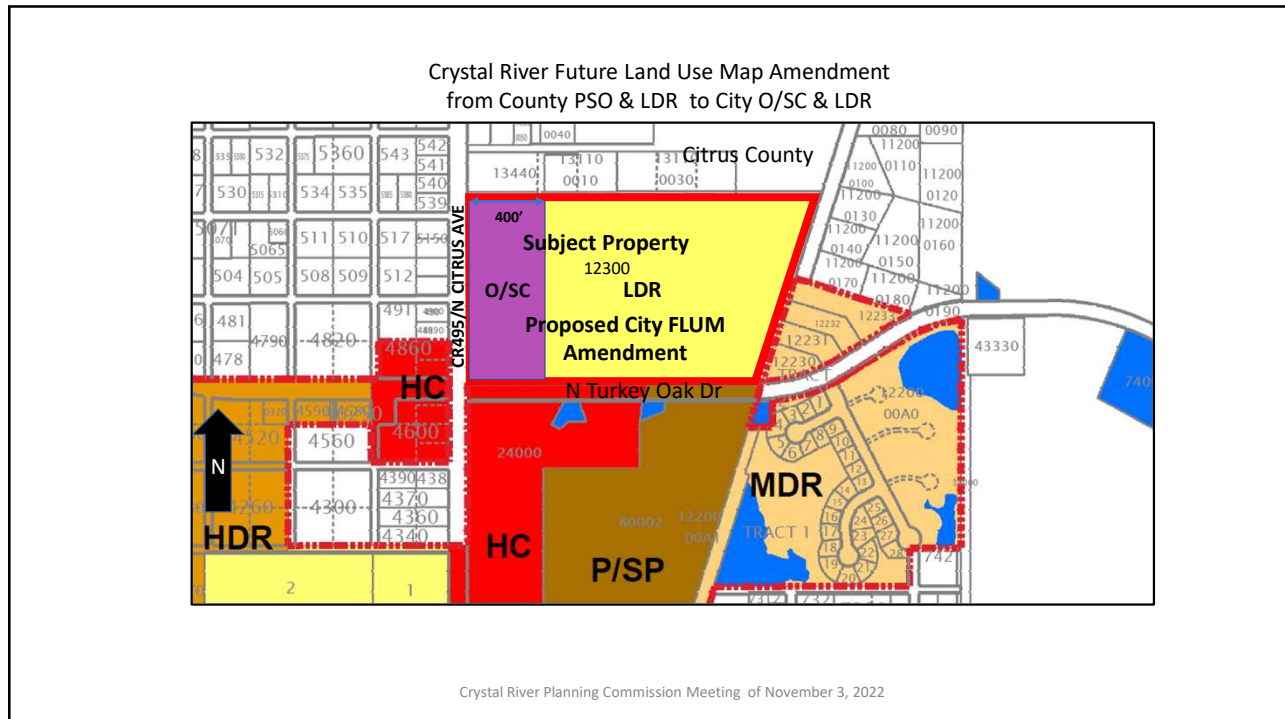
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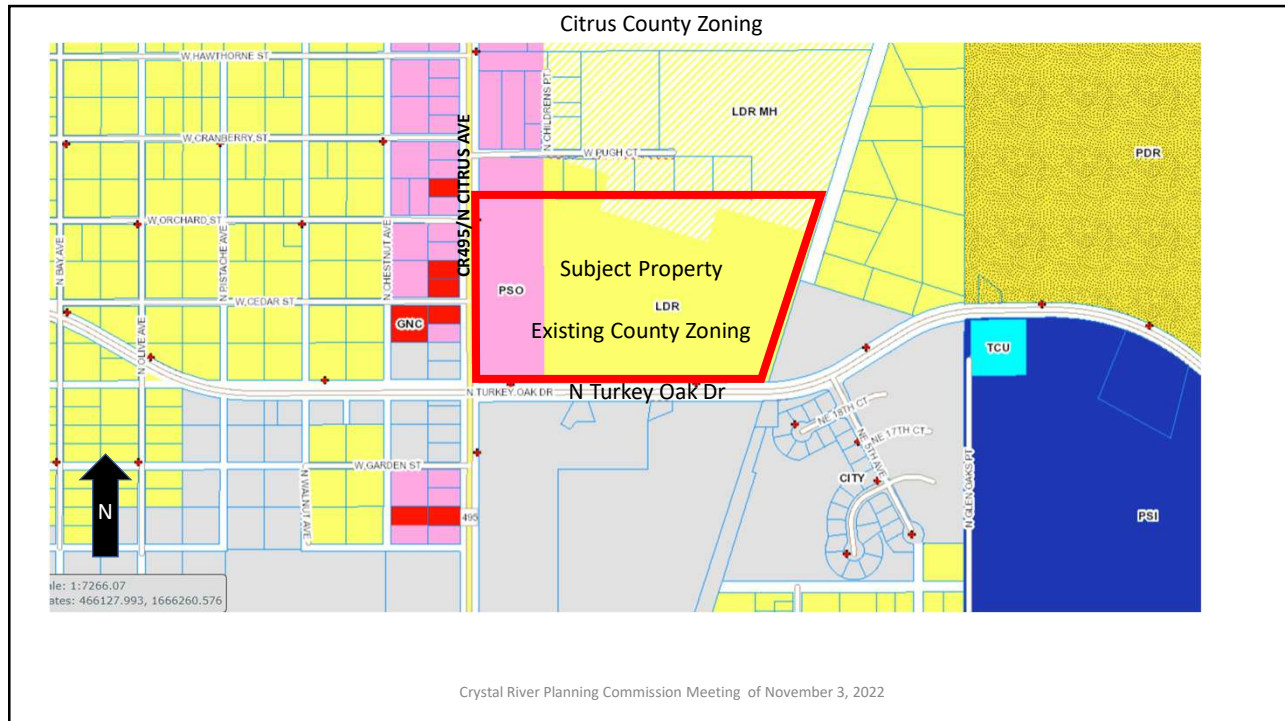
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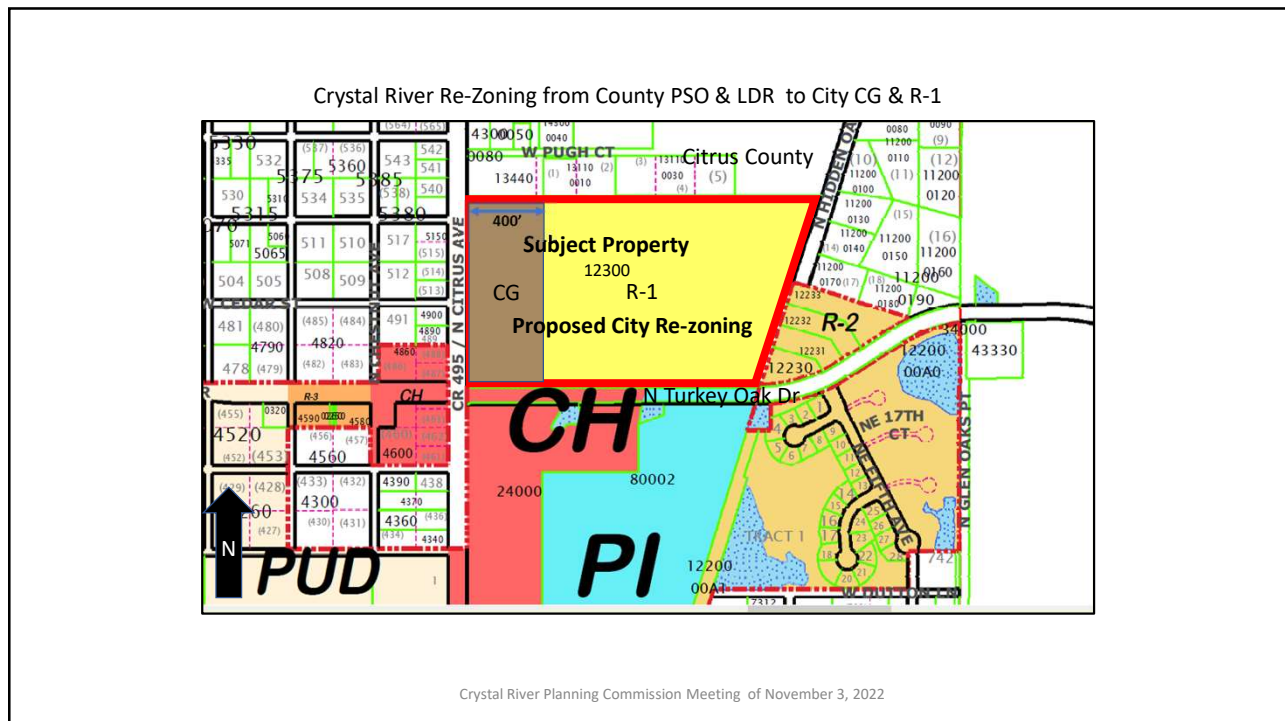
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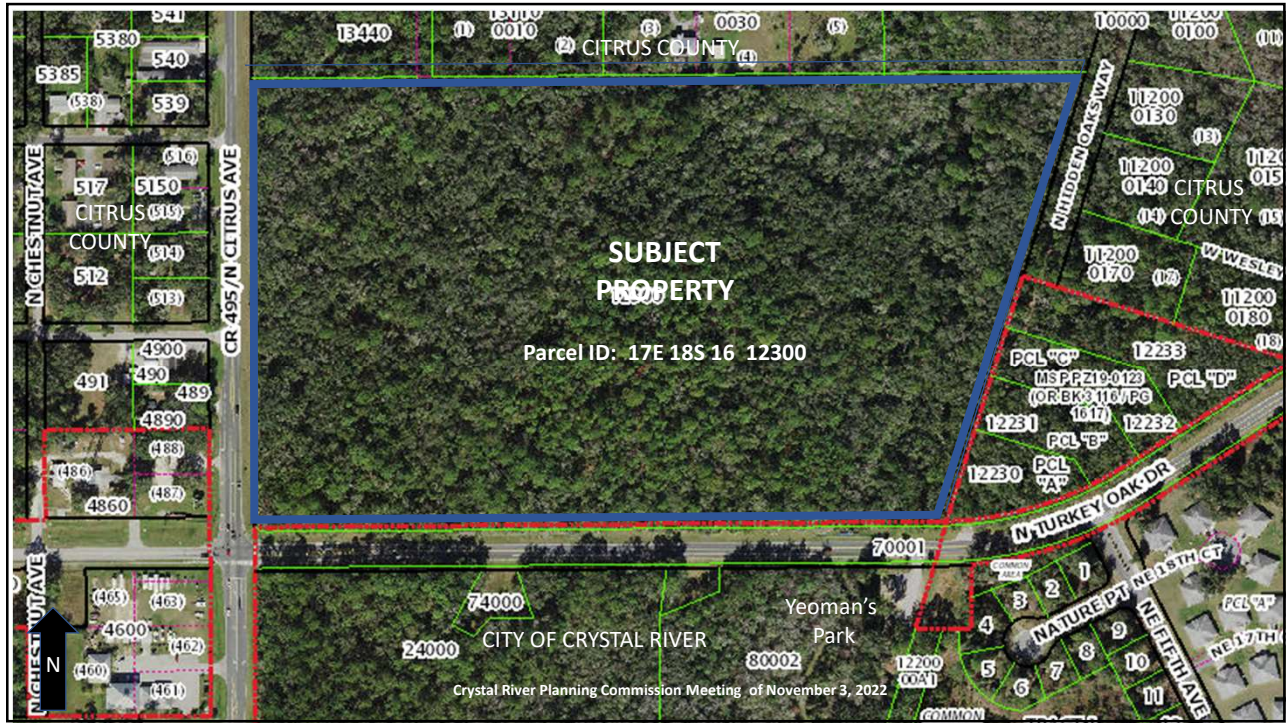
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12



QUESTIONS?

PZ22-0087 Future Land Use Amendment

PZ22-0088 Zoning Map Amendment

Mary Street, LLC

Crystal River Planning Commission Meeting of November 3, 2022

4

ORDINANCE NO. 23-O-03

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 (39.17 ACRES MOL) LYING IN SECTION 16, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY PARCEL ID: 17E18S6 12300 (ALT KEY 1058350) AS IDENTIFIED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY MARY STREET, LLC, FROM CITRUS COUNTY'S PROFESSIONAL SERVICES/OFFICE (PSO) AND CITRUS COUNTY'S LOW DENSITY RESIDENTIAL (LDR) TO CITY'S OFFICE/SERVICE COMMERCIAL (O/SC) AND CITY'S LOW DENSITY RESIDENTIAL (LDR) LAND USE CATEGORIES; 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 39.17 acres (MOL) owned by Mary Street, LLC by redesignating the Future Land Use from Citrus County's Professional/Service Office (PSO) and Low Density Residential (LDR) to the City's Office/Service Commercial (O/SC) and Low

Density Residential (LDR) 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. PZ22-0087 MARY STREET, 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 so that the first 400 feet of property lying parallel and adjacent to CR495 (A/K/A N Citrus Ave) is changed from Citrus County's Professional Services/Office (PSO) to the City's Office/Service Commercial (O/SC) category, and that the remaining property is changed from Citrus County's Low Density Residential (LDR) to the City's Low Density Residential (LDR) category on property legally described and as shown in **EXHIBIT "A"** attached hereto and incorporated herein by reference.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES

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

SECTION 5. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

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

SECTION 6. SEVERABILITY

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

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective thirty-one (31) days after adoption if no challenge is filed. If this Ordinance is challenged within thirty (30) days after adoption, small scale development amendments do not become effective until the State Land Planning Agency or the Administration Commission, respectively, issues a final order determining that the adopted small-scale development amendment is in compliance with the law.

No development orders, development permits, or land uses dependent on the Comprehensive Plan amendments set forth in this Ordinance may be issued or commence before it has become effective.

APPROVED after due public notice and public hearing on the _____ day of _____, 2023.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

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

VOTE OF COUNCIL:

Brown _____
Guy _____
Holmes _____
Fitzpatrick _____
Meek _____

Robert W. Batsel, Jr., City Attorney

EXHIBIT "A"
LEGAL DESCRIPTION FOR COMPREHENSIVE PLAN AMENDMENT
TO THE CRYSTAL RIVER FUTURE LAND USE MAP

For real property lying in Section 16, Township 18 South, Range 17 East, Citrus County, Florida, specifically Parcel ID: 17E18S16 12300 (Altkey: 1058350) as identified in the records of the Citrus County Property Appraiser, more particularly described as follows:

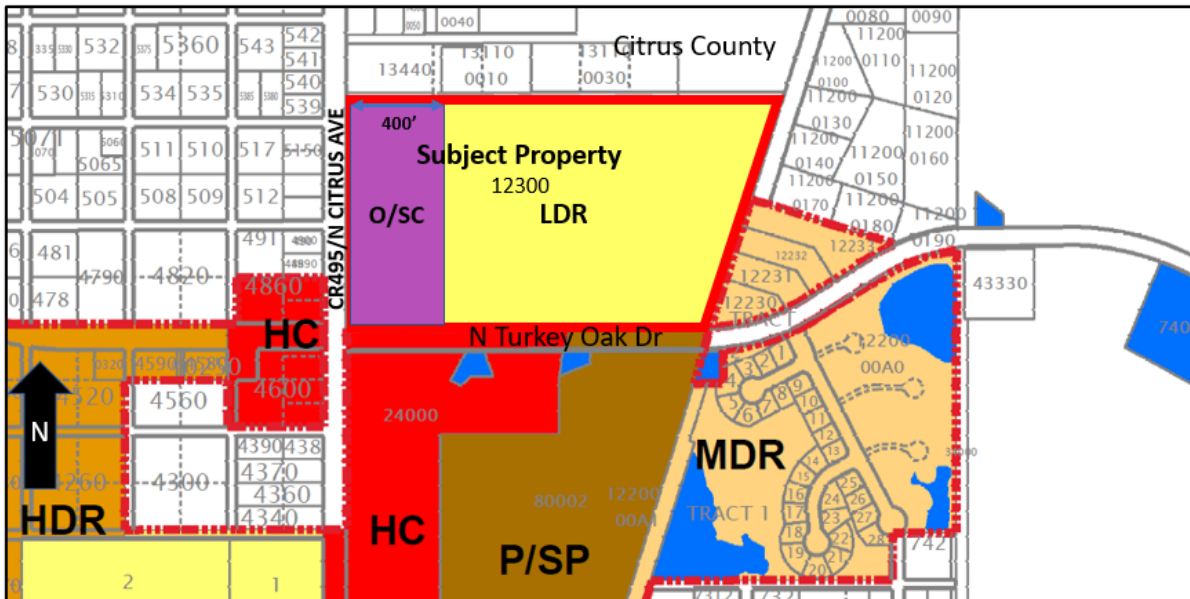
A tract of land in the South 1/2 of the NE 1/4 of Section 16, Township 18 South, Range 17 East, Described as follows: Commencing at the SW corner of the SW 1/4 of the NE 1/4 of said Section, run thence North 15.2 chains, thence East 28.18 chains, then SW along the Westerly boundary of the Atlantic Coast Line Railroad right-of-way 15.9 chains to the 1/2 section line, thence West along said line 23.94 chains, more or less to the POINT OF BEGINNING, said land also being known and described as various lots in the TOWNSITE OF CRYSTAL PARK, according to a plat thereof recorded in Plat Book 1, Page 2, Public Records of Citrus County, Florida.

LEGAL NOTE: 1 chain = 66 feet.

Comprising 39.17 Acres +/-

LOCATOR MAP

Crystal River Future Land Use Map Amendment
from County PSO & LDR to City O/SC & LDR



End of Exhibit "A"

ORDINANCE 23-O-04

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA BY REZONING PROPERTY (39.17 ACRES MOL) LYING IN SECTION 16, TOWNSHIP 18 SOUTH, RANGE 17 EAST, SPECIFICALLY PARCEL ID: 17E18S16 12300 (ALT KEY 1058350) AS IDENTIFIED IN THE RECORDS OF THE CITRUS COUNTY PROPERTY APPRAISER, AND OWNED BY MARY STREET, LLC, FROM CITRUS COUNTY'S PROFESSIONAL SERVICES/OFFICE (PSO) AND CITRUS COUNTY'S LOW DENSITY RESIDENTIAL (LDR) TO CITY'S GENERAL COMMERCIAL (CG) AND CITY'S LOW DENSITY RESIDENTIAL (R-1) ZONING DISTRICTS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 17, 2005, the City Council of the City of Crystal River, Florida, adopted the Crystal River Zoning Ordinance No. 05-O-08, and subsequent amendments, and

WHEREAS, certain rezonings are necessary to maintain consistency with the Crystal River Comprehensive Plan; and

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

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

WHEREAS, the City Council of the City of Crystal River, Florida, after publication of a notice of its consideration of this ordinance, held two readings of this ordinance and public hearings as required by law; and

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

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

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

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend the official zoning map of the City of Crystal River, Florida, by rezoning 39.17 acres (MOL) owned by Mary Street, LLC by redesignating the zoning from Citrus County’s Professional/Service Office (PSO) and Low Density Residential (LDR) to the City’s General Commercial (CG) and Low Density Residential (R-1) Districts for the reasons set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY

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

SECTION 3. ZONING MAP AMENDMENT

APPLICATION NO. PZ22-0088 MARY STREET, LLC

The official zoning map of the City of Crystal River is hereby amended to change the zoning designation so that the first 400 feet of property lying parallel and adjacent to CR495 (A/K/A N Citrus Ave) is changed from Citrus County’s Professional Services/Office (PSO) to the City’s General Commercial (CG) district, and that the remaining property is changed from Citrus County’s Low Density Residential (LDR) to the City’s Low Density Residential (R-1) district on property legally described and as shown in **EXHIBIT “A”** attached hereto and incorporated herein by reference.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES

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

SECTION 5. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

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

SECTION 6. SEVERABILITY

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

SECTION 7. EFFECTIVE DATE

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

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

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

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

APPROVED AS TO FORM AND LEGALITY:

VOTE OF COUNCIL:

Meek _____

Guy _____

Brown _____

Fitzpatrick _____

Holmes _____

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

EXHIBIT "A"

LAND DESCRIPTION FOR AMENDMENT TO THE CRYSTAL RIVER ZONING MAP

For real property lying in Section 16, Township 18 South, Range 17 East, Citrus County, Florida, specifically Parcel ID: 17E18S16 12300 (Altkey: 1058350) as identified in the records of the Citrus County Property Appraiser, more particularly described as follows:

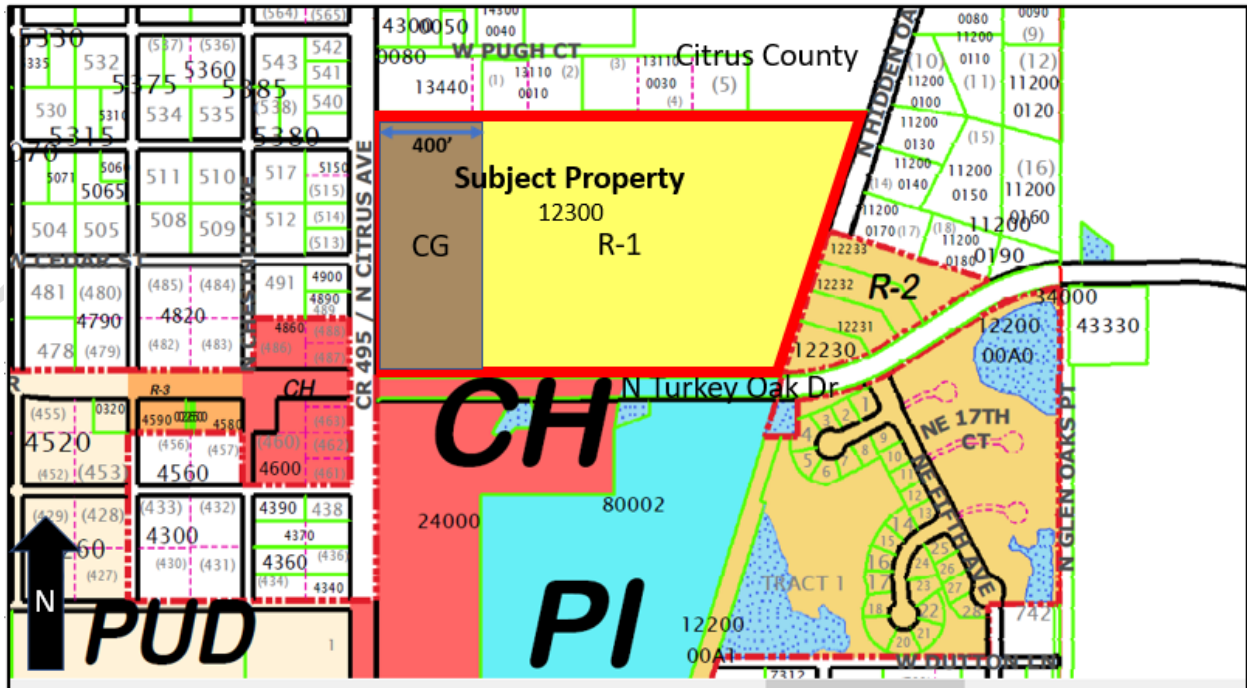
A tract of land in the South 1/2 of the NE 1/4 of Section 16, Township 18 South, Range 17 East, Described as follows: Commencing at the SW corner of the SW 1/4 of the NE 1/4 of said Section, run thence North 15.2 chains, thence East 28.18 chains, then SW along the Westerly boundary of the Atlantic Coast Line Railroad right-of-way 15.9 chains to the 1/2 section line, thence West along said line 23.94 chains, more or less to the POINT OF BEGINNING, said land also being known and described as various lots in the TOWNSITE OF CRYSTAL PARK, according to a plat thereof recorded in Plat Book 1, Page 2, Public Records of Citrus County, Florida.

LEGAL NOTE: 1 chain = 66 feet.

Comprising 39.17 Acres +/-

LOCATOR MAP

Crystal River Re-Zoning from County PSO & LDR to City CG & R-1





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 # Acres 39.17 AltKey: 1058350
Large Scale # Acres _____ Parcel #: 17E18S16 12300

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

Address of Petitioner(s): 123 NW Highway 19

City Crystal River State Florida Zip Code 34428

Phone # 352-795-4216, Ext. 340 Fax # _____ Cell # _____

Email Address: jcollins@crystalriverfl.org

Legal Description attached: Yes No Survey attached: Yes No

Street address of property (if applicable): 3607 N Citrus Ave, Crystal River, FL

Existing Land Use: County - PSO, Professional Services/Office & County - LDR Low Density Residential Proposed Land Use: City - O/SC, Office/Service Commercial & City - LDR, Low Density Residential

Reason for Request: The City has received a Voluntary Annexation request by the property owner. This Land Use Amendment, (to be processed simultaneous to the annexation) is required by Ch 163, F.S. and will amend the City's FLUM considerably similar to the County's existing future land use.

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

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

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

(check one)

 owner, or

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

Jenette Collins
Signature

123 NW Highway 19
Address

352-795-4216, Ext. 340
Phone Number

Crystal River, FL 34428
City, State, Zip Code

State of Florida

County of Citrus

The foregoing instrument was acknowledged before me this 15, day of September, 2022, by Jenette Collins, who is personally known to me or has produced FL DL as identification and who did/did not take an oath.

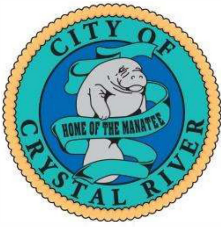
Zachary Ciciera
Notary Public

Commission No.: HH250215

Commission Expires: 4-6-2026



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



REZONING APPLICATION

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

Applicant Information:

Name: City of Crystal River, c/o Department of Planning and Development Services

Address: 123 NW Highway 19, Crystal River, FL 34428

Phone #: 352-795-4216, Ext. 340 Fax #: _____ Cell #: _____

Email Address: jcollins@crystalriverfl.org Contact Person: Jenette Collins, AICP

Property Description:

Parcel Account #: 17E18S16 12300 Alt. Key # 1058350

Street Address (or street & avenue location): 3607 N Citrus Ave, Crystal River, FL

Legal Description: Complete legal description is on file at the Department of Planning and Community Development Services, City of Crystal River

(or attachment)

Property Acreage: 39.17 Acres Sq. ft.: 1,706,245.2 s.f.

Present F.L.U.M. Designation: County - PSO & County LDR pending City FLUM Amend to O/SC & LDR

Present Zoning Designation: County - PSO, Professional Services/Office & County LDR, Low Density Res.

Requested Zoning Designation: To City CG, General Commercial and R-1, Low Density Residential

Reason for the Request: The City has received a Voluntary Annexation request by the property owner. This re-zoning (to be processed simultaneous to the annexation and FLUM amendment) is required by Ch. 163, F.S. to provide consistency with the FLUM.

Explain Consistency with the Future Land Use Plan: The request is considerably similar to the County's existing zoning, and meets the intent of S. 163.3202 to provide consistency and implement the City's adopted comprehensive plan and FLUM.

Additional Contact Information (other than Owner or Agent)

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

Address: same as applicant information above

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

Email Address: _____

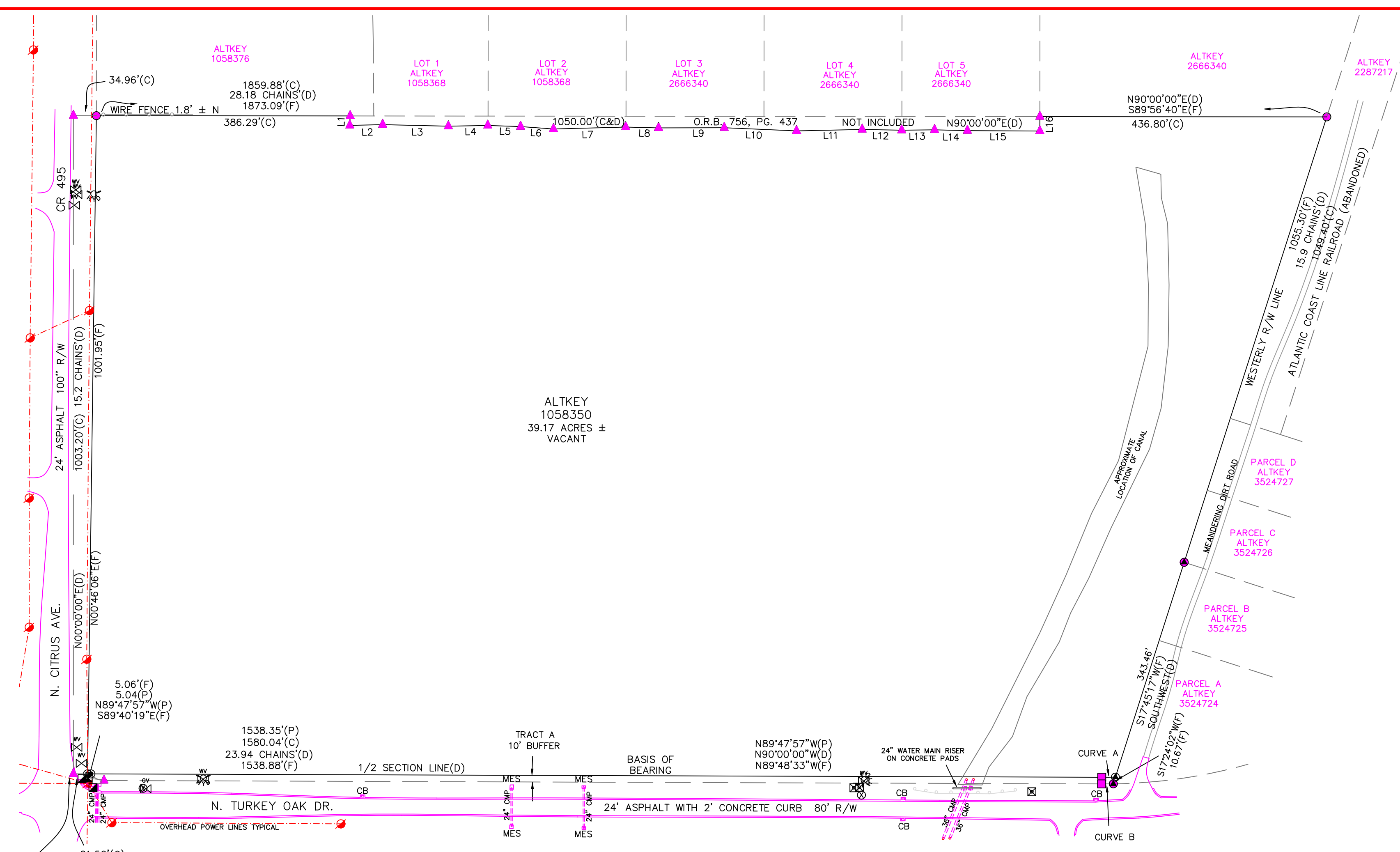
Fee: \$250 – To be paid at time of application

Attachments:

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

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

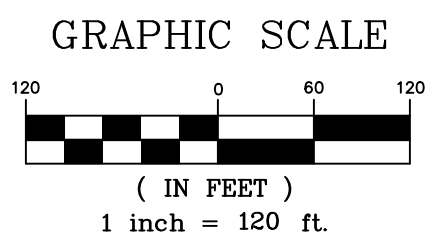
Check	Requirements (Sec. 10.01.06)
x	A. The application shall include a map of the area that can be found on the Citrus County Property Appraiser website (www.citruspa.org)
x	1. The current zoning district designations for the subject property and all adjacent properties. The zoning map can be found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



LEGAL DESCRIPTION:
 A tract of land in the South 1/2 of the NE 1/4 of Section 16, Township 18 South, Range 17 East, Described as follows: Commencing at the SW corner of the SW 1/4 of the NE 1/4 of said Section, run thence North 15.2 chains, thence East 28.18 chains, thence SW along the Westerly boundary of the Atlantic Coast Line Railroad right-of-way 15.9 chains to the 1/2 section line, thence West along said line 23.94 chains, more or less to the POINT OF BEGINNING, said land also being known and described as various lots in the TOWNSITE OF CRYSTAL PARK, according to a plat thereof recorded in Plat Book 1, Page 2, Public Records of Citrus County, Florida.

LEGAL NOTE: 1 chain = 66 feet.

- LEGEND:**
- FOUND 4"x4" CONCRETE MONUMENT (NO IDENTIFICATION) Except as noted.
 - FOUND 5/8" IRON ROD & CAP (PLS 2797) Except as noted.
 - ⊙ SET 5/8" IRON ROD & CAP (LB 7314)
 - ⊗ UNDERGROUND GAS MARKER
 - FOUND 5/8" IRON ROD & CAP (LB 7314) Except as noted.
 - ⬮ CROSS WALK SIGNAL
 - ▲ DESCRIPTIVE POINT (NOT FOUND, NOT SET)
 - ⊠ CONCRETE TRAFFIC LIGHT POLE
 - ⊠ TELEPHONE WIRE BOX
 - UTILITY POLE
 - GV GAS VALVE
 - WV WATER VALVE
 - ⊠ FIRE HYDRANT
 - CONCRETE
 - (C) CALCULATED
 - (P) PLAT OF NORTH TURKEY OAK DRIVE PLAT BOOK 15, PAGE 13-17, PRCCF
 - (D) DEED
 - (F) FIELD MEASURED
 - (LB) LICENSED BUSINESS
 - (R) RADIUS
 - (L) ARC LENGTH
 - (Δ) DELTA
 - (CHD) CHORD: BEARING & DISTANCE
 - (P.O.B.) POINT OF BEGINNING
 - (PG(S)) PAGE(S)
 - (R/W) RIGHT OF WAY
 - (MOL)(a) MORE OR LESS
 - (SEC.) SECTION
 - (TWP.) TOWNSHIP
 - (RNG.) RANGE
 - (P.B.) PLAT BOOK
 - (ALTKY) ALTERNATE KEY NUMBER
 - (MES) CONCRETE MITERED END SECTION
 - (CB) CATCH BASIN
 - (CMP) CORRUGATED METAL PIPE
 - (P.R.C.C.F.) PUBLIC RECORDS CITRUS COUNTY FLORIDA
 - METAL GUARD RAIL



P.O.B.
 SW CORNER OF THE SW 1/4
 OF THE NE 1/4 OF SEC. 16,
 TWP. 18 S., RNG. 17 E.

LINE	LENGTH	BEARING
L1 (D)	14.40'	N00°00'00"E
L2 (D)	50.02'	S88°23'46"W
L3 (D)	100.02'	N88°54'41"W
L4 (D)	60.02'	S88°39'48"W
L5 (D)	50.02'	N88°16'54"W
L6 (D)	50.12'	N86°06'36"W
L7 (D)	110.05'	S88°13'47"W
L8 (D)	50.01'	N88°51'15"W
L9 (D)	100.00'	S89°35'56"W
L10 (D)	110.08'	N87°45'41"W
L11 (D)	100.03'	S88°30'38"W
L12 (D)	60.19'	N89°14'18"W
L13 (D)	50.01'	N89°05'00"W
L14 (D)	50.01'	N88°51'15"W
L15 (D)	110.29'	N87°55'18"W
L16 (D)	22.00'	S00°00'00"E

SURVEYORS NOTES:

- The bearings shown hereon are assumed with the bearing of N 89°48'33" W along the South line of subject property.
- This survey is not intended to locate any underground foundations, underground encroachments or underground improvements including utilities, except as shown. Additional sub-surface utilities or structures may exist.
- 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.
- The land bound by this survey may be subject to other recorded or unrecorded easements, right of ways, conveyances, restrictions and reservations other than shown hereon.

FLOOD STATEMENT:

The land bound by this survey is located in Flood Zone AE with a base flood elevation of 10.0 and 11.0 feet NAVD 88, per Flood Insurance Rate Map number 12017C 0187E, EFFECTIVE DATE: 01-15-2021

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.

**BOUNDARY SURVEY FOR
 JAMES C. JENNINGS, JR.**

CITRUS COUNTY, FLORIDA

Project No.: 22240	Field Book: See File	DRAWN BY: CEB
Scale: 1" = 120'	Field Date: 04-29-2022	Sheet: 1 of 1

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

Altkey: 1058350
MARY STREET LLC

Parcel ID: 17E18S16 12300
3607 N CITRUS AVE , CRYSTAL RIVER

Citrus County Property Appraiser, Cregg E. Dalton

PC Code 1000 - VACANT COMM
Bldg Counts Res 0 / MH 0 / Comm 0
Nbhd 0095 - HWY 19 N TO POWER LINE EASEMENT
Tax District 0000 - COASTAL RIVERS BASIN
Subdivision 003630 - UNREC TRACTS IN 16-18S-17E
Short Legal A TR OF LAND IN THE S 1/2 OF THE NE 1/4 OF SEC 16
T18S R17EDESC AS FOLL: COM AT SW COR OF SW1/4
OF NE1/4 OF SD SEC, RUNTH N 15.2 CH, TH E 28.18 CH
TH SW AL WLY BDRY OF ACL RR R/W
Est. Parcel Sqft 1,707,911
Est. Parcel Acres 39.21
Map SC-TW-RG 16-18S-17E

Mailing Address

Name MARY STREET LLC
Mailing Address 2421 N LECANTO HWY
LECANTO FL 34461

All Owners

Name	Owner Type
MARY STREET LLC	BU - Business

2022 Preliminary Values

Year	Land Value	Impr Value	Just Value	Non-Sch. Assessed	Non-Sch. Exemptions	Non-Sch. Taxable	HX Savings
2022	\$225,000	\$0	\$225,000	\$225,000	\$0	\$225,000	\$0

Value History and Tax Amount

Year	Land Value	Impr Value	Just Value	Non-Sch. Assessed	Non-Sch. Exemptions	Non-Sch. Taxable	HX Cap Savings	Tax Estimate	Tax Link
2021	\$218,450	\$0	\$218,450	\$218,450	\$0	\$218,450	\$0	\$3,119.94	Link
2020	\$218,450	\$0	\$218,450	\$218,450	\$0	\$218,450	\$0	\$3,178.89	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.

Special Assessment

Project #	Description	Amount
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Sales

Sale Date	Sale Price	Book/Page	Instr Type	V/I
10/18/2019	\$100	3013/0804	01-CORRECTIVE/QC/TD/COT	V
10/11/2019	\$100	3011/1447	01-CORRECTIVE/QC/TD/COT	V
09/25/2019	\$200,000	3011/1535	00-WARRANTY DEED	V
09/06/2019	\$100	3002/2182	01-CORRECTIVE/QC/TD/COT	V
08/16/2019	\$100	2998/0531	01-CORRECTIVE/QC/TD/COT	V
12/01/1984	\$100	0676/0186	11-11	V

DISCLAIMER

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

Land & Agricultural

Line	Land Use	Type	Units	Frontage	Depth	Ag Flag	Classified Value	Just Value	Zoning
1	1795-OFFICE USE COUNTY ROAD 495	A-ACREAGE	8.20	.0				\$143,580	PSO
2	9908-ACREAGE NON-WATERFRONT	A-ACREAGE	31.00	.0				\$81,420	LDR

Total Misc Value



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	November 3, 2022	
APPLICATION NO. PZ22-0093/PZ22-0094 - Kings Bay (headwaters and upland islands)		
Land Use/Zoning Amendment		
PROPOSED AMENDMENTS:	COMPREHENSIVE PLAN - FUTURE LAND USE MAP	Large-Scale Amendment to change 47.02 acres (MOL) from Citrus County CON, Conservation and CL, Low Intensity Coastal and Lakes to City of Crystal River CON, Conservation on the Future Land Use Map; and the re-adoption of the Future Land Use Map to include the annexed area of 339.55 acres (MOL) comprising a portion of Kings Bay (headwaters of the Crystal River) together with certain upland islands.
	ZONING MAP	Amendment to change 47.02 acres (MOL) on the Official Zoning Map from Citrus County CL, Low Intensity Coastal and Lakes, and CL-MH, Low Intensity Coastal and Lakes (Manufactured Home Allowed) to City of Crystal River CON, Conservation.
SUBJECT PROPERTY:	Sections 28 and 29, Township 18S, Range 17E; specifically, a portion of Kings Bay (head waters of the Crystal River) together with certain real property (upland islands) known as Buzzard Island, Parkers Island, Banana Island, Warden Key, and other miscellaneous and unnamed islands . A complete legal description of the property is on file with the Planning & Development Services Department.	
PROPERTY OWNER:	United States of America (US Fish & Wildlife Service) for certain real property (upland islands having 47.02 acres MOL); and Florida Department of Environmental Protection for that portion of Kings Bay (sovereign submerged lands of the Crystal River having 292.53 acres MOL).	
LAST OCCUPANT:	Vacant islands and sovereign submerged lands	
ACREAGE	Comprising approximately 339.55 acres.	
FLOOD ZONE:	According to the Flood Insurance Rate Map (FIRM), the subject property is in Flood Zone VE with a Base Flood Elevation (BFE) of 11 feet, and Flood Zone CAZ with a Base Flood Element (BFE) of 13 feet, as found on FIRM Panel Number 12017C0188E. (Effective date: January 15, 2021)	
SURROUNDING AREA:	<u>North</u> – Kings Bay in the City of Crystal River. <u>South</u> – Residentially committed properties in Citrus County’s jurisdiction. <u>East</u> – Retail/resort (Port Paradise) and residentially committed properties in the City of Crystal River. <u>West</u> – Residentially and conservation committed properties in Citrus County’s jurisdiction.	
PREPARED BY:	Jenette Collins, AICP, Urban Planner, Planning and Community Development Services	

BACKGROUND INFORMATION: This application is brought forward by the City of Crystal River to amend the land use category and zoning district on several upland islands in the Kings Bay, and to update the Future Land Use Map (FLUM) through its re-adoption by adding the islands together with a portion of Kings Bay that were recently annexed into the City’s corporate limits. The

comprehensive plan amendment is required by Chapter 163, Florida Statutes, for annexed lands. In addition, the official zoning map must be amended to be consistent with the comprehensive plan amendment.

The subject area, comprising approximately 47.02 acres of real property (upland islands) and 292.53 acres of Kings Bay (sovereign submerged lands), were annexed into the City of Crystal River by the City Council on August 8, 2022, in a public hearing held pursuant to published notice and adopted via Ordinance No. 22-O-20. The voluntary annexation, authorized pursuant to Section 171.044, Florida Statutes, was petitioned by the Florida Department of Environmental Protection (FDEP) and the United States Department of Interior, Fish and Wildlife Services (USFWS) to vest the City with jurisdiction over the subject lands subject to the concurrent rights and jurisdiction of FDEP and USFWS. Citrus County Government consented to the voluntary annexation via an Interlocal Agreement (made and entered into on June 14, 2022), to vest the subject lands into the corporate limits of the City, providing for enforcement by one entity of a uniform code of ordinances throughout Kings Bay.

The subject lands serve as part of the Crystal River National Wildlife Refuge and the Kings Bay Manatee Refuge, which will remain as designated by federal rule.

ANALYSIS: The proposed Comprehensive Plan amendment is required by Chapter 163, Florida Statutes which provides for the legal status of the comprehensive plan and required future land use map, and that the land development regulations and zoning map are consistent with and implement the adopted comprehensive plan. The annexation requires that the City’s future land use map be amended by adding the subject area and by updating the future land use categories, and that the zoning map is amended for consistency with the future land use designation.

Comprehensive Plan – Future Land Use Map (FLUM) Amendment: The proposed FLUM amendment will change the annexed uplands island areas from the County’s category to the City’s category as described in the table below. The sovereign submerged lands (part of the Crystal River) annexed into the City do not have a FLUM category, but will be delineated on the FLUM as part of the City’s corporate boundaries.

Comprehensive Plan FLUM Category for upland islands:	From County ¹ : CON and CL		To City ² : CON
Category Description:	<u>CON, Conservation:</u> Reserved for public conservation lands	<u>CL, Low Intensity Coastal and Lakes:</u> This category designates those areas having environmental characteristics sensitive to development and therefore should be protected.	<u>CON, Conservation:</u> Land set aside for protection and/or preservation of natural resources; allows residential units a 1 unit per 2 acres and recreation.
Maximum Density or Intensity:	1.0 unit per lot, parcel, or tract of record.	Max. 1.0 unit per 20 acres. Max. 1.0 unit per 40 acres in FEMA V-Zone.	Max. 0.5 unit per acre
Maximum FAR*	n/a	0.2	n/a

*FAR – Floor to Area Ratio

Source: ¹Citrus County Comprehensive Plan, Future Land Use Element and ²Crystal River Comprehensive Plan, Future Land Use Element.

The proposed FLUM amendment is comparable to the County’s current FLUM designations to preserve and protect environmentally sensitive lands, and supports the conservation of the islands as part of the Crystal River National Wildlife Refuge.

Zoning Map Amendment: The proposed re-zoning will change the annexed upland islands from the County’s zoning district to the City’s zoning district as identified in the table below.

Zoning District for upland islands:	From: Citrus County CL, Low Intensity Coastal and Lakes, and CL-MH, Low Intensity Coastal and Lakes (Manufactured Home Allowed)¹	To: City CON, Conservation²
Allowed Use:	This category designates those areas having environmental characteristics sensitive to development and therefore should be protected. Where preservation is not possible, only the lowest intensity development shall be allowed.	The CON district is established for the protection and/or preservation of natural resources, recreation, and limited residential uses.
Max Density:	1 unit per 20 acres; or 1 unit per 40 acres within FEMA V-zone	0.5 unit per acre (per FLUE)
Max ISR:	35%	5% (waterfront); 10% (non-waterfront)
Max FAR:	0.2	n/a

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

The proposed amendment to rezone the subject lands to CON District will make the zoning consistent with the proposed FLUM amendment (to CON Category) to conserve and protect environmentally sensitive lands, and to recognize the upland islands’ conservation use as part of the Crystal River National Wildlife Refuge.

Other Items: Environmental Concerns – Based on the United States Department of Agriculture (USDA) Soil Survey, the soil type found on the upland islands is predominantly *Okeelanta muck* (parent material: herbaceous organic material over sandy marine deposits), defined as being very poorly drained, and having a depth to water table of about “0 inches.” The islands are best suited for conservation purposes. No development is proposed with this amendment.

INFRASTRUCTURE:

Transportation (Ingress/Egress) – The islands can be reached by boat on the Crystal River. No road rights-of-way are affected.

Water – The islands serve as part of the Crystal River National Wildlife Refuge for conservation purpose. Potable water is not available.

Sewer – The islands serve as part of the Crystal River National Wildlife Refuge for conservation purpose. Sewer facilities are not available.

Stormwater Management – No development is proposed with this amendment.

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

Coastal Management Element:

GOAL 8: Coastal Redevelopment – Eliminate inappropriate and unsafe development in the coastal areas of the City of Crystal River when opportunities arise.

OBJECTIVE 8.2: To encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property within the City from flood zone designations established by the Federal Emergency Management Agency

POLICY: A) The City shall consider preservation of flood-prone areas for open space purposes where opportunities become available through designation of conservation areas or by partnering with State of Florida conservation efforts of public lands

Future Land Use Element:

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

POLICY: B) The following land use categories are adopted into the FLUM to implement the City of Crystal River Comprehensive Plan: (excerpt of CON...)

B-11: Conservation (CON). The purpose of this land use category is for lands owned by local, federal, state, or regional entities where management objectives are directed towards the protection and conservation of sensitive land, water, and other natural resources. These areas may also support resource-based recreational development, public water supply wellfields and ancillary facilities essential to their primary purposes. In the event that privately owned property is designated as conservation, it may be developed at a density of one dwelling unit per two acres, or not to exceed one dwelling unit per lot, parcel, or tract of record as of the date of adoption of the Plan. Maximum impervious surface shall not exceed 10 percent

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

FINDINGS: As conveyed in Subsections (A.) and (B.) of section 8.02.03 of the Crystal River Zoning Ordinance, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding amendment of its adopted Comprehensive Plan, and amendments of the official zoning map (rezoning).

The following findings of fact are presented:

1. The request is a Large-Scale Amendment of the Comprehensive Plan to change 47.02 acres (upland islands) on the Future Land Use Map from County CON, Conservation and CL, Low Intensity Coastal and Lakes to City of Crystal River CON, Conservation; and the re-adoption of

- the Future Land Use Map to include the annexed area of 339.55 acres (MOL) comprising a portion of Kings Bay (headwaters of the Crystal River) together with the upland islands.
2. The request is to re-zone 47.02 acres (upland islands) on the Official Zoning Map from Citrus County CL, Low Intensity Coastal and Lakes, and CL-MH, Low Intensity Coastal and Lakes (Manufactured Home Allowed) to City of Crystal River CON, Conservation.
 3. The request is made following the annexation of said lands (upland islands and sovereign submerged lands) into the City of Crystal River which necessitates a comprehensive plan amendment as required by Chapter 163, Florida Statutes, and that the official zoning map must be amended to be consistent with the Comprehensive Plan.
 4. The subject lands serve as part of the Crystal River National Wildlife Refuge and the Kings Bay Manatee Refuge.
 5. The request to amend the upland islands to CON on both the FLUM and Zoning Map is appropriate and consistent with the Comprehensive Plan to preserve and protect environmental resources, and supports the conservation of the islands as part of the Crystal River National Wildlife Refuge.

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

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES:

Please see Staff’s PowerPoint presentation.


PLANNING COMMISSION ACTION:

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

1. PZ22-0093 – Future Land Use Map Amendment
2. PZ22-0094 – Zoning Map Amendment

ATTACHMENTS:

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



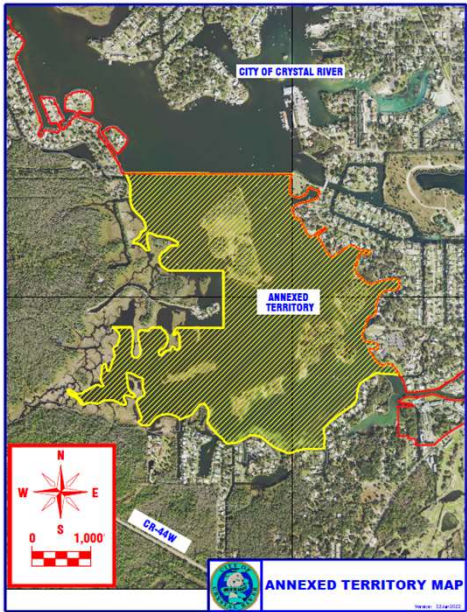
**PZ22-0093/PZ22-0094 Kings Bay
Large-Scale Comprehensive Plan
FLUM Amendment; and Re-zoning
CITY OF CRYSTAL RIVER**

Crystal River Planning Commission Meeting of November 3, 2022

1

1

The voluntary annexation of the headwaters of Kings Bay and certain upland islands was passed and adopted by the City Council on August 8, 2002 (Ord No. 22-O-20).

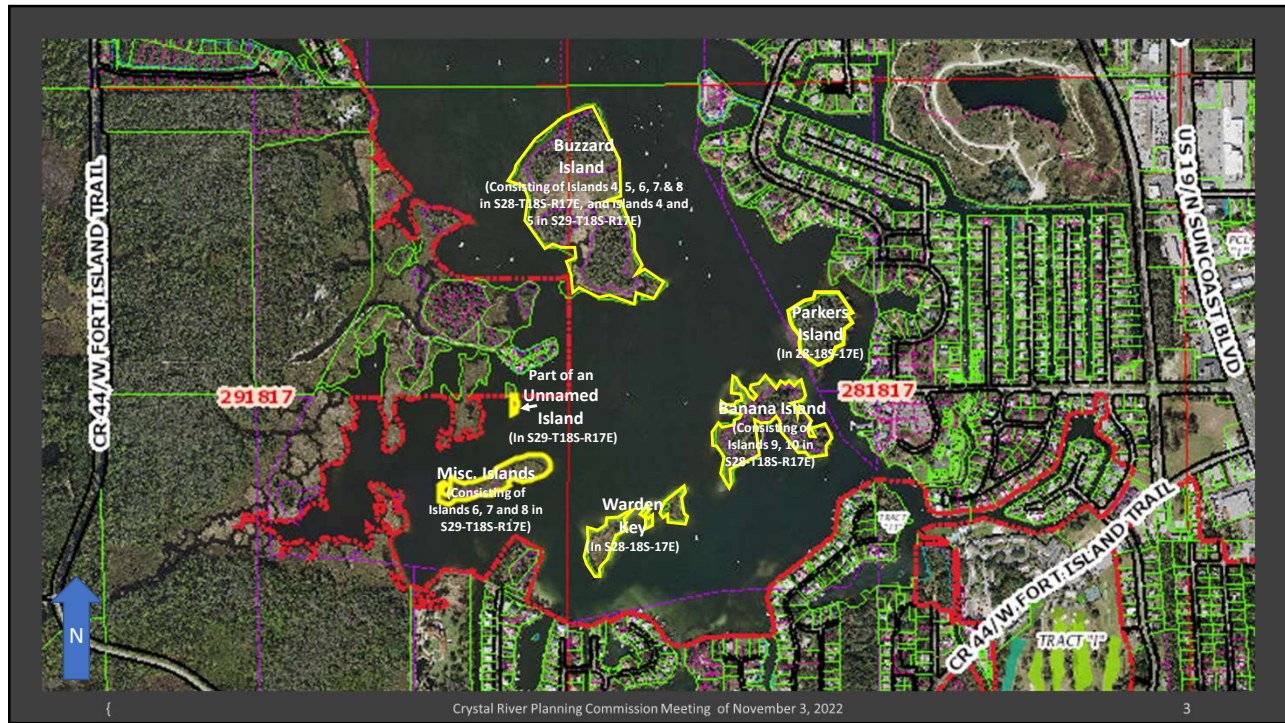


ANNEXED TERRITORY MAP

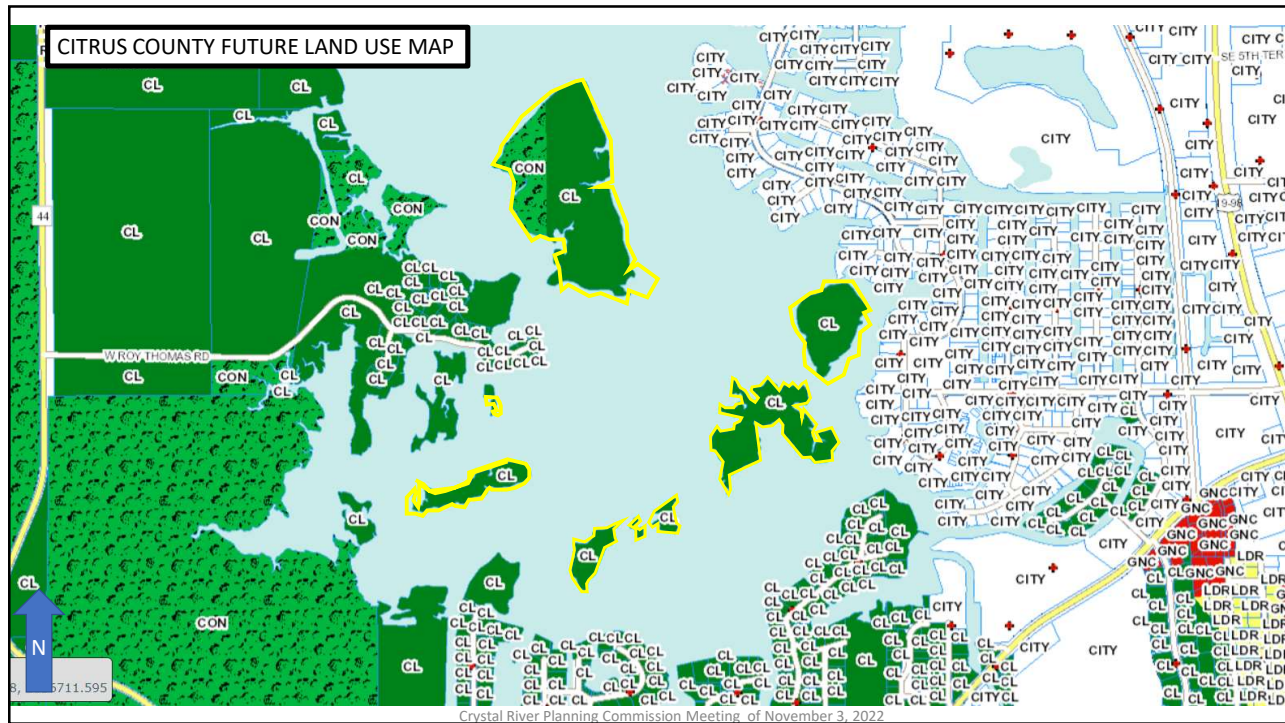
Crystal River Planning Commission Meeting of November 3, 2022

2

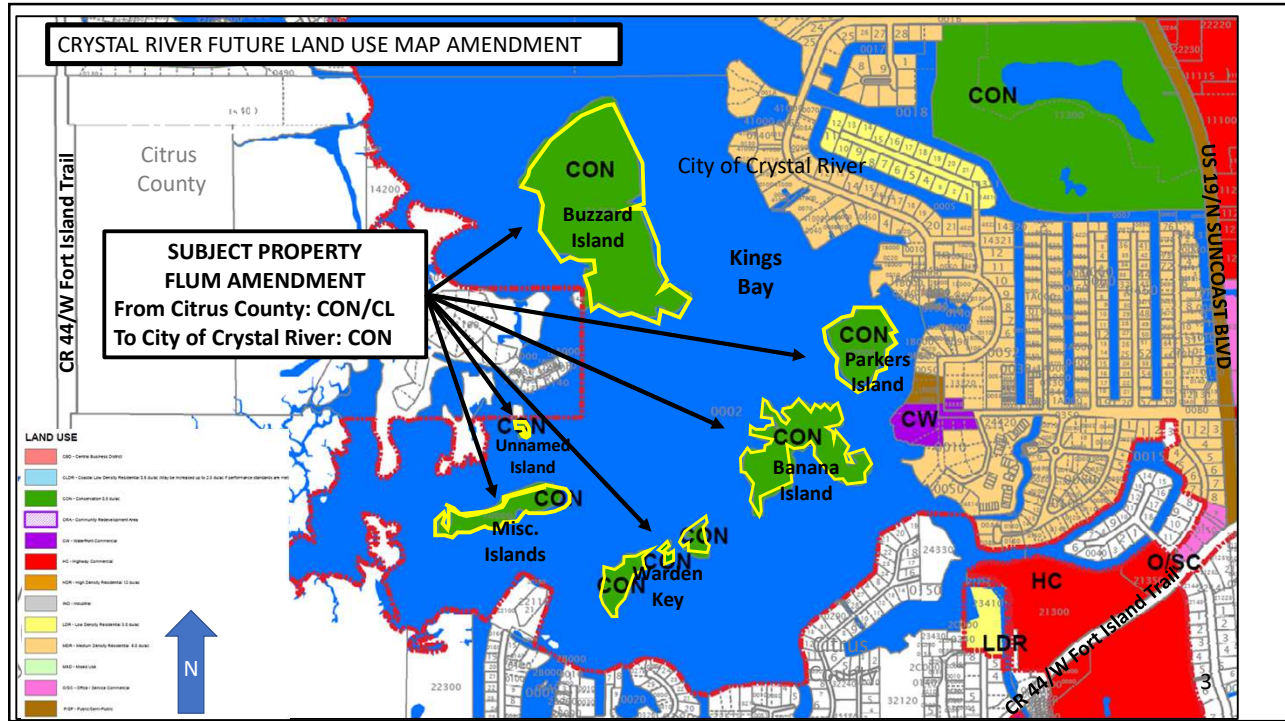
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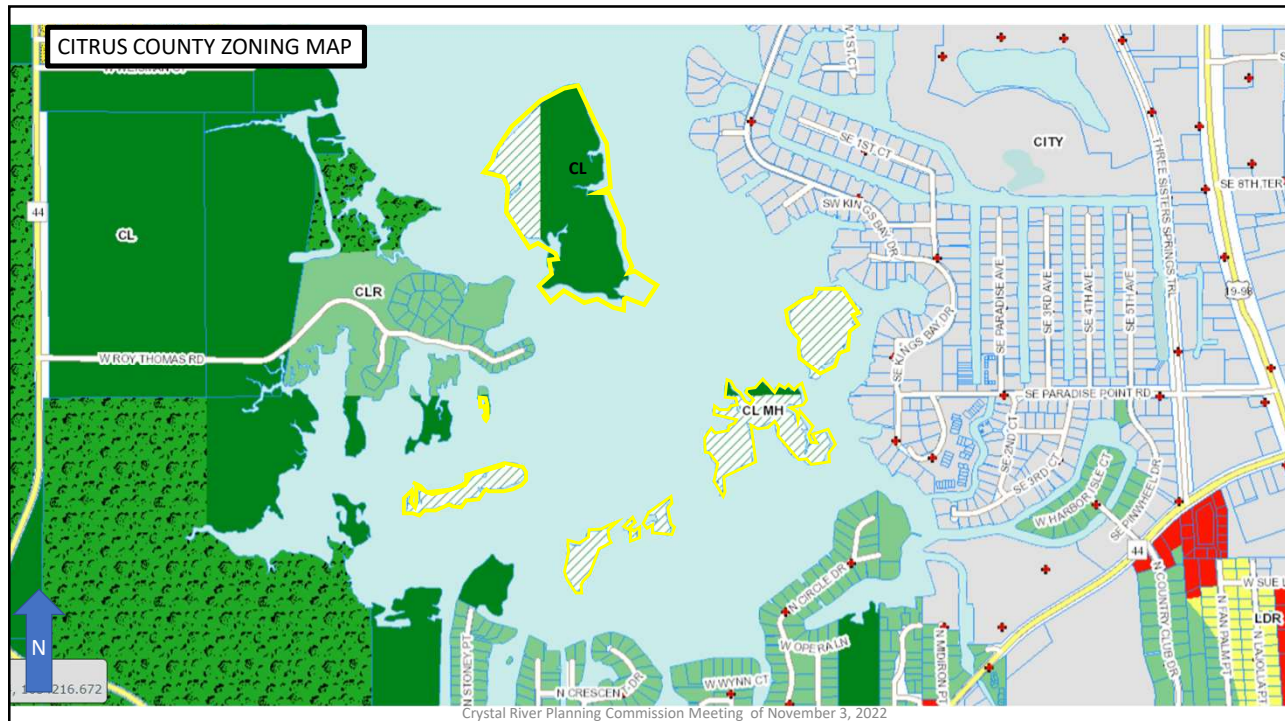
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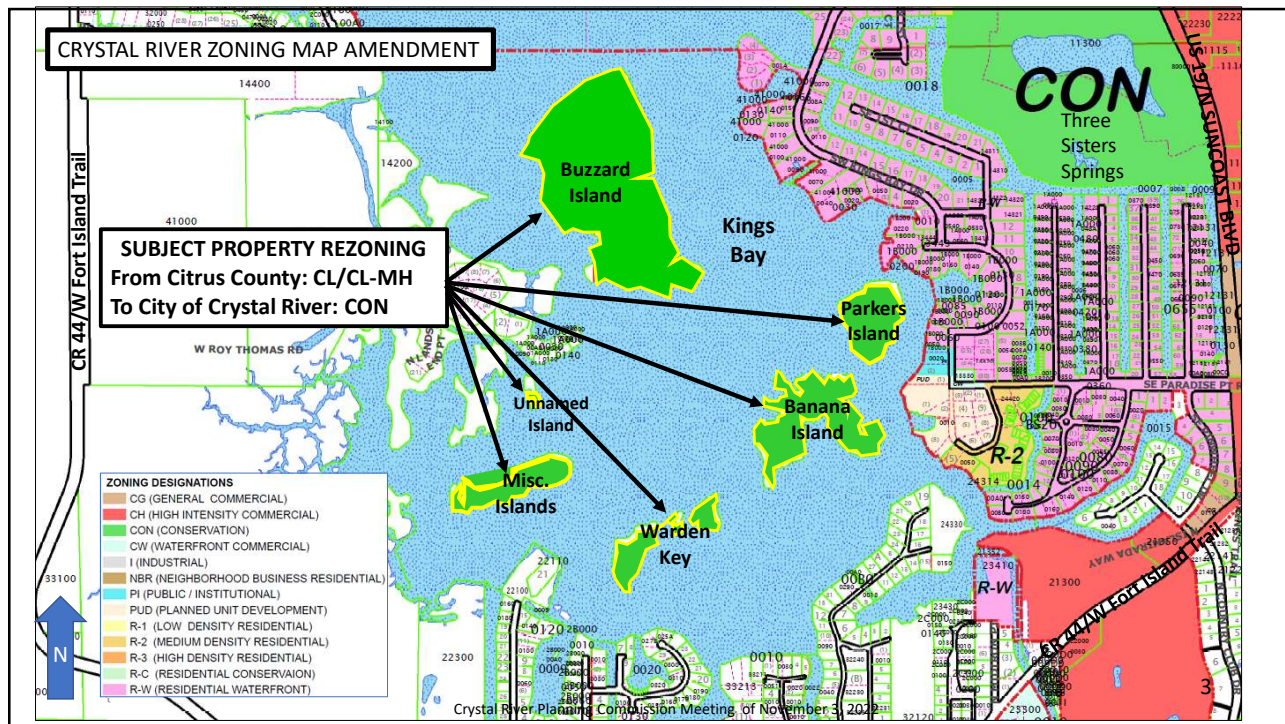
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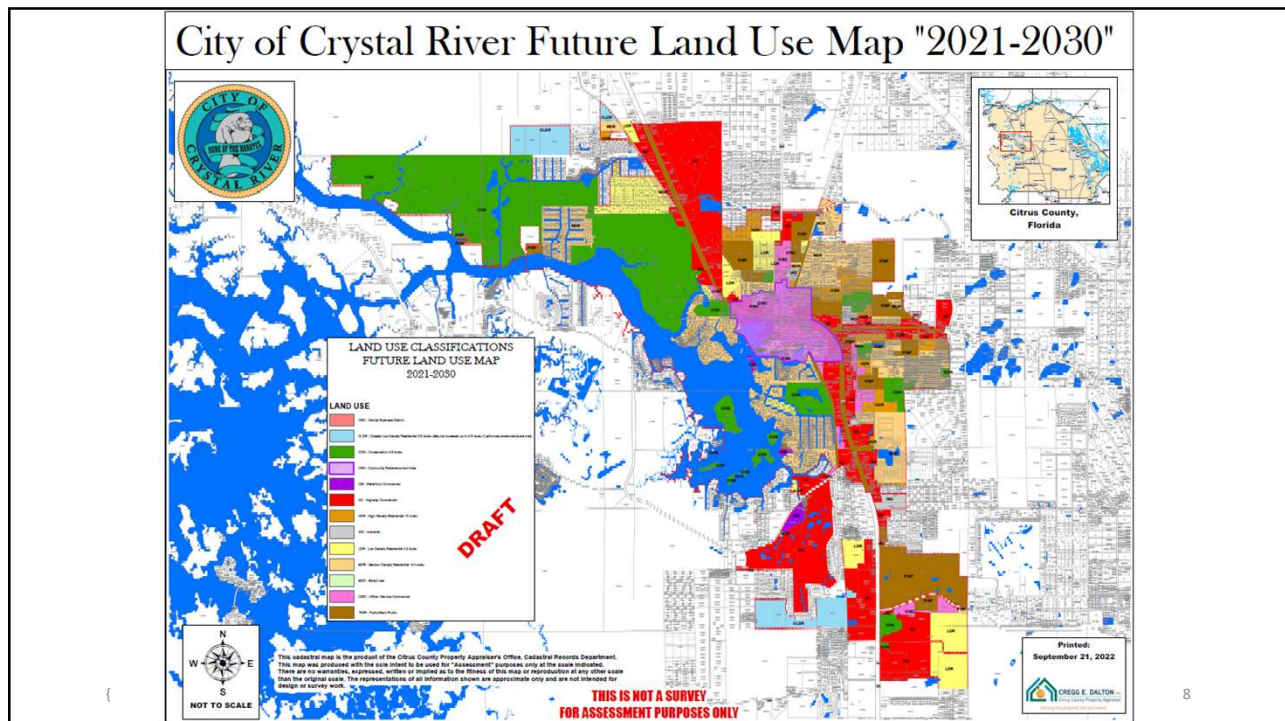
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6



7



8



QUESTIONS?

**PZ22-0093/PZ22-0094 Kings Bay
Large-Scale Comprehensive Plan
FLUM Amendment; and Re-zoning**

CITY OF CRYSTAL RIVER

Crystal River Planning Commission Meeting of November 3, 2022

4

ORDINANCE NO. 23-O-05

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, PROVIDING FOR A LARGE-SCALE AMENDMENT TO THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN BY REDESIGNATING THE FUTURE LAND USE FOR 47.02 ACRES (MOL) FROM CITRUS COUNTY CONSERVATION (CON) AND LOW INTENSITY COASTAL AND LAKES (CL) TO CITY OF CRYSTAL RIVER CONSERVATION (CON) FOR CERTAIN REAL PROPERTY KNOWN AS BUZZARD ISLAND, PARKERS ISLAND, BANANA ISLAND, WARDEN KEY, AND OTHER MISCELLANEOUS AND UNNAMED ISLANDS; PROVIDING FOR THE RE-ADOPTION OF THE FUTURE LAND USE MAP TO INCLUDE THE ANNEXED AREA 339.55 ACRES (MOL) COMPRISING OF A PORTION OF KINGS BAY (HEADWATERS OF THE CRYSTAL RIVER) TOGETHER WITH CERTAIN REAL PROPERTY (UPLAND ISLANDS); PROVIDING FOR TRANSMITTAL; 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, on August 8, 2022, the City Council of the City of Crystal river, in a public hearing conducted pursuant to published notice, adopted Ordinance No. 22-O-20, for the annexation of a portion of Kings Bay together with certain real property (upland islands) as referenced and described herein; and

WHEREAS a large-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 large-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 large-scale amendment to the Future Land Use Map of the Comprehensive Plan of the City of Crystal River, Florida, for 47.02 acres (MOL) by redesignating the Future Land Use from Citrus County's CON, Conservation and Low Intensity Coastal and Lakes (CL) to the City of Crystal River's CON, Conservation, and to readopt the Crystal River Future Land Use Map to include an annexed area comprising 339.55 acres (MOL) of a portion of Kings Bay (headwaters of the Crystal River) together with certain real property 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. LARGE-SCALE AMENDMENT OF THE FUTURE LAND USE MAP

APPLICATION NO. PZ22-0093

The Future Land Use Map of the Comprehensive Plan of the City of Crystal River is hereby amended to change the Future Land Use Designation from Citrus County's CON, Conservation and Citrus County's CL, Low Intensity Coastal and Lakes to the City of Crystal River's CON, Conservation on certain real property (upland islands) described in **Exhibit "A,"** attached hereto and incorporated herein by reference.

SECTION 4. RE-ADOPTION OF THE FUTURE LAND USE MAP

The Future Land Use Map of the Comprehensive Plan of the City of Crystal River is hereby re-adopted in its entirety as depicted in **Exhibit "B"** to include that boundary area as annexed by City of Crystal River's Ordinance 22-O-22 of a portion of Kings Bay (head waters of the Crystal River) together with certain real property (upland islands) comprising approximately 339.55 acres and as legally described in **Exhibit "C,"** which exhibits are attached hereto and incorporated herein by reference.

SECTION 5. TRANSMITTAL

The City Clerk is hereby directed that within ten (10) working days after initial public hearing, to transmit the amendments of the current Comprehensive Plan to the Department of Economic Opportunity as a PDF document through the online portal, and one copy in any format to the Tampa Bay Regional Planning Council; Southwest Florida Water Management District; Department of Environmental Protection; Department of State; Department of Transportation; Citrus County Board of County

Commissioners; and to any other unit of local government who has filed a written request for a copy, and within ten (10) working days after adoption, in accordance with Florida Statutes and the Florida Administrative Code.

SECTION 6. REPEAL OF CONFLICTING ORDINANCES

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

SECTION 7. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

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

SECTION 8. 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 9. EFFECTIVE DATE

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is timely challenged pursuant to Section 163.3184(5), Florida Statutes, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on these amendments may be issued or commence before it has become effective.

UPON MOTION DULY MADE AND CARRIED, the foregoing ordinance was approved and adopted in a regular meeting of the City Council, this ____ day of _____, 20____.

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

DRAFT

EXHIBIT "A"
**PROPERTY DESCRIPTION FOR COMPREHENSIVE PLAN AMENDMENT
TO THE CRYSTAL RIVER FUTURE LAND USE MAP**

The following real property comprising certain upland islands as recorded in the Warranty Deed between the Nature Conservancy and the United States of America, OR Book 624, Page 1927, and being more particularly described as follows:

Buzzard Island consisting of Islands 4, 5, 6, 7 and 8 in Section 28, Township 18S, Range R17E, and Islands 4 and 5 in Section 29, Township 18S, Range 17E, that are known as part of Parcel ID: 17E18S28 31400 (ref: Altkey 1091209) as identified in the records of the Citrus County Property Appraiser (26.0 Acres MOL);

Parkers Island which lies in Section 28, Township 18S, Range 17E, that is known as Parcel ID: 17E18S28 42000 (ref: Altkey 2323566) as identified in the records of the Citrus County Property Appraiser (4.67 Acres MOL)

Banana Island consisting of Islands 9 and 10 in Section 28, Township 18S, Range 17E, that are known as part of Parcel ID: 17E18S28 31400 (ref: Altkey 1091209) as identified in the records of the Citrus County Property Appraiser (9.63 Acres MOL);

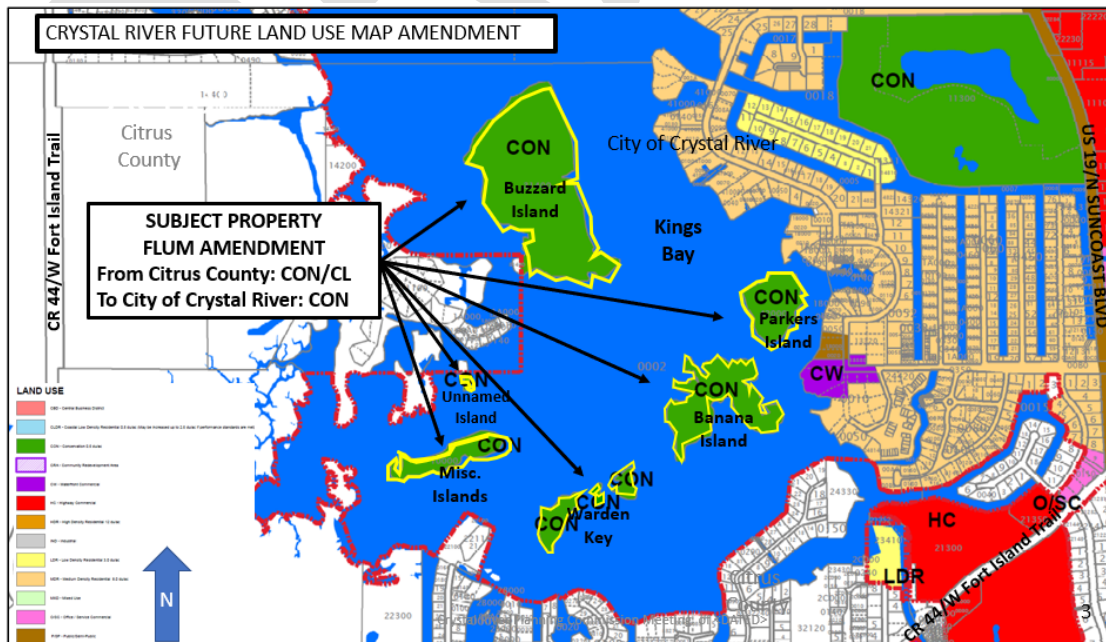
Warden Key which lies in Section 28, Township 18S, Range 18E, that is known as part of Parcel ID: 17E18S28 31400 (ref: Altkey 1091209) as identified in the records of the Citrus County Property Appraiser (3.0 Acres MOL);

Miscellaneous Islands consisting of Islands 6, 7 and 8 in Section 29, Township 18S, and Range 17E, that are known as part of Parcel ID: 17E18S29 10000 (ref: Altkey 3526189) as identified in the records of the Citrus County Property Appraiser (3.63 Acres MOL); and

Part of an Unnamed Island which lies in Section 29, Range 18S, Range 17E, that is known as part of Parcel ID: 17E18S29 10000 (ref: Altkey 3526189) as identified in the records of the Citrus County Property Appraiser (0.09 Acre MOL).

COMPRISING APPROXIMATELY 47.02 ACRES

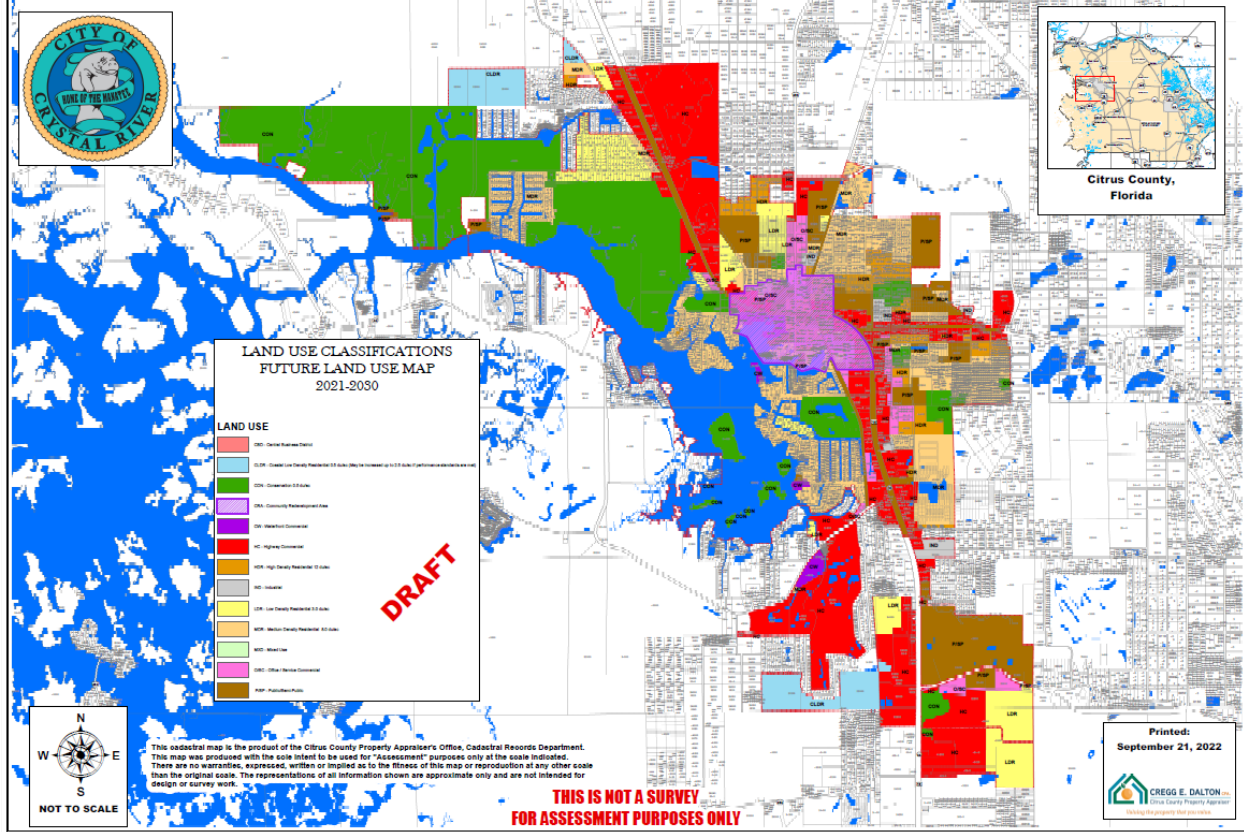
LOCATOR MAP



End of Exhibit "A"

EXHIBIT "B"

City of Crystal River Future Land Use Map "2021-2030"



END OF EXHIBIT "B"

EXHIBIT "C"
LEGAL DESCRIPTION OF ANNEXED AREA
TO BE INCLUDED IN THE CRYSTAL RIVER FUTURE LAND USE MAP

That portion of KING'S BAY (Head Waters of the Crystal River) lying at or below the Mean High Water Line lying in Section 28, Township 18 South, Range 17 East, Citrus County, Florida;

AND

That portion of KING'S BAY (Head Waters of the Crystal River) lying at or below the Mean High Water Line lying in Section 29, Township 18 South, Range 17 East, Citrus County, Florida;

AND

The following real property as described as parcels 2(Parker's Island), 3, 4(Buzzard Island), 5 (Banana Island) and Islands 6, 7, 8, and 9 (Warden Key) as recorded in the Warranty Deed between the Nature Conservancy and the United States of America, OR Book 624, Page 1927.

LESS AND EXCEPT ALL OF THE FOLLOWING:

Those waters at or below the Mean High Water south of the bulkhead line shown on the Palm Springs Villas Addition, Plat Book 4, Page 60;

AND

Those waters at or below the Mean High Water south of a line commencing at the Northeast corner of lot 1 to the northwest corner of lot 7 and a line commencing at the northeast corner of lot 8 to the northwest corner of lot 27 of Palm Springs Subdivision, Plat Book 3, Page 16;

AND

Those waters at or below the Mean High Water south of a line commencing at the Northeast corner of Palm Springs Lot 21 Palm Springs Subdivision, Plat Book 3, Page 16 ending at the northwest corner of that parcel described OR Book 1732, Page 86;

AND

Those waters at or below the Mean High Water south of a line commencing at the Northwest corner of Lot 5 to the Northwest corner of lot 8, Woodward Park Plat Book 2, Page 70;

AND

Those waters at or below the Mean High Water south of a line commencing at the Northeast corner of Lot 19 Sunset Shores Addition To Woodward Park Plat Book 2 Page 140 to the Southwest corner that property described in OR BK 2894, Page 201;

AND

Those waters at or below Mean High Water lying within the South 1000' of the Northeast ¼ of Section 29, Township 18 South, Range 17 East, lying and being within Citrus County, Florida.

COMPRISING APPROXIMATELY 339.55 ACRES.

END OF EXHIBIT "C"

ORDINANCE 23-O-06

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CRYSTAL RIVER, FLORIDA BY REZONING 47.02 ACRES (MOL) FROM CITRUS COUNTY LOW INTENSITY COASTAL AND LAKES (CL) AND LOW INTENSITY COASTAL AND LAKES - MANUFACTURED HOME ALLOWED (CL-MH) TO CITY OF CRYSTAL RIVER CONSERVATION (CON) FOR CERTAIN REAL PROPERTY KNOWN AS BUZZARD ISLAND, PARKERS ISLAND, BANANA ISLAND, WARDEN KEY, AND OTHER MISCELLANEOUS AND UNNAMED ISLANDS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on May 17, 2005, the City Council of the City of Crystal River, Florida, adopted the Crystal River Zoning Ordinance No. 05-O-08, and subsequent amendments, and

WHEREAS, on August 8, 2022, the City Council of the City of Crystal river, in a public hearing conducted pursuant to published notice, adopted Ordinance No. 22-O-20, for the annexation of a portion of Kings Bay together with certain real property as referenced and described herein; and

WHEREAS, certain rezonings are necessary to maintain consistency with the Crystal River Comprehensive Plan; and

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

WHEREAS, the City of Crystal River Planning Commission on <DATE>, voted <0-0> 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, by rezoning 47.02 acres (MOL) from Citrus County's High Intensity Coastal and Lakes (CL) and High Intensity Coastal and Lakes – Manufactured Home Allowed (CL-MH), to City of Crystal River's Conservation (CON) Zoning for the reasons set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY

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

SECTION 3. ZONING MAP AMENDMENT

APPLICATION NO. PZ22-0094

The official zoning map of the City of Crystal River is hereby amended to change the zoning designation from Citrus County's High Intensity Coastal and Lakes (CL) and High Intensity Coastal and Lakes – Manufactured Home Allowed (CL-MH), to City of Crystal River's Conservation (CON) Zoning on property described in **Exhibit "A,"** attached hereto and incorporated herein by reference.

SECTION 4. REPEAL OF CONFLICTING ORDINANCES

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

SECTION 5. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

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

SECTION 6. SEVERABILITY

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

the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 7. EFFECTIVE DATE

This Ordinance shall become effective upon its passage and adoption, according to law.

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

PASSED AND ADOPTED on second reading at the regular meeting of the Crystal River City Council held on the ____ day of _____, 2023.

ATTEST:

CITY OF CRYSTAL RIVER, FLORIDA

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

**APPROVED AS TO FORM
AND LEGALITY:**

VOTE OF COUNCIL:

Meek _____

Guy _____

Brown _____

Fitzpatrick _____

Holmes _____

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

EXHIBIT "A"
PROPERTY DESCRIPTION FOR AMENDMENT TO THE CRYSTAL RIVER ZONING MAP

The following real property comprising certain upland islands as recorded in the Warranty Deed between the Nature Conservancy and the United States of America, OR Book 624, Page 1927, and more particularly described as follows:

Buzzard Island consisting of Islands 4, 5, 6, 7 and 8 in Section 28, Township 18S, Range R17E, and Islands 4 and 5 in Section 29, Township 18S, Range 17E, that is known as part of Parcel ID: 17E18S28 31400 (ref: Altkey 1091209) as identified in the records of the Citrus County Property Appraiser (26.0 Acres MOL);

Parkers Island which lies in Section 28, Township 18S, Range 17E, that is known as Parcel ID: 17E18S28 42000 (ref: Altkey 2323566) as identified in the records of the Citrus County Property Appraiser (4.67 Acres MOL);

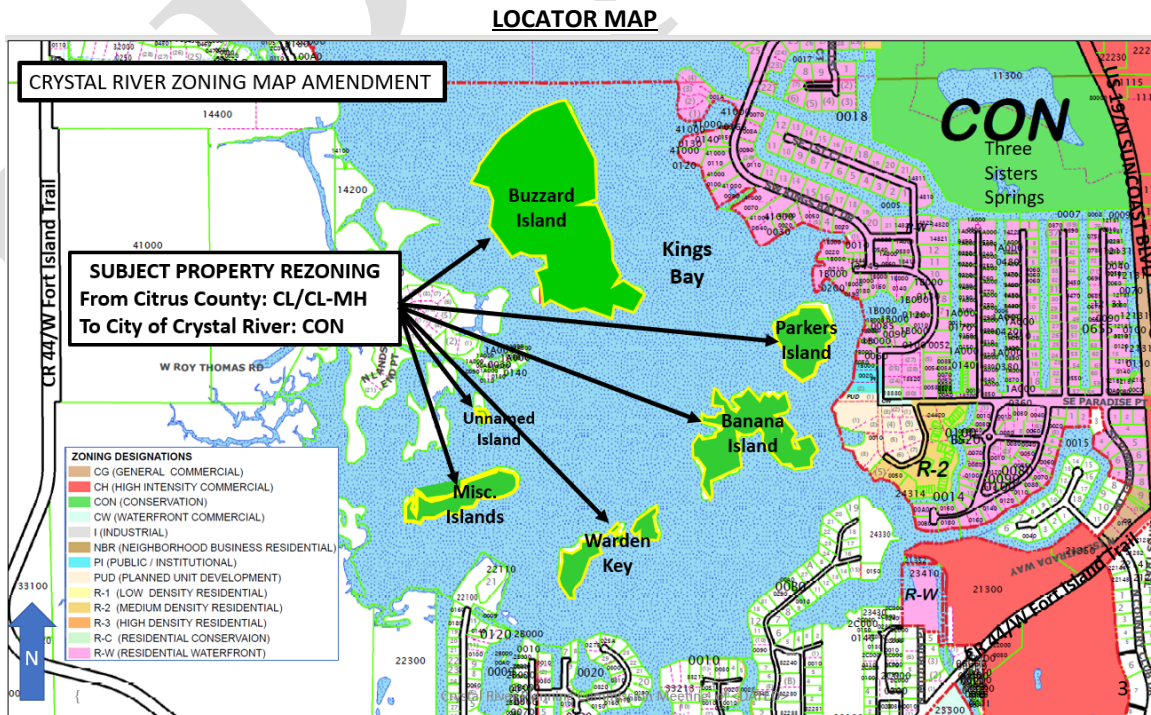
Banana Island consisting of Islands 9 and 10 in Section 28, Township 18S, Range 17E, that is known as part of Parcel ID: 17E18S28 31400 (ref: Altkey 1091209) as identified in the records of the Citrus County Property Appraiser (9.63 Acres MOL);

Warden Key which lies in Section 28, Township 18S, Range 18E, that is known as part of Parcel ID: 17E18S28 31400 (ref: Altkey 1091209) as identified in the records of the Citrus County Property Appraiser (3.0 Acres MOL);

Miscellaneous Islands consisting of Islands 6, 7 and 8 in Section 29, Township 18S, and Range 17E, that is known as part of Parcel ID: 17E18S29 10000 (ref: Altkey 3526189) as identified in the records of the Citrus County Property Appraiser (3.63 Acres MOL); and

Part of an Unnamed Island which lies in Section 29, Range 18S, Range 17E, that is known as part of Parcel ID: 17E18S29 10000 (ref: Altkey 3526189) as identified in the records of the Citrus County Property Appraiser (0.09 Acre MOL).

COMPRISING APPROXIMATELY 47.02 Acres





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

PZ22-0093

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

Check One: Small Scale _____ # Acres _____ AltKey: 2323566, 3526189, 1091209, & 3526187
Large Scale x # Acres 47.02 LAND/339.55 TOTAL WITH KINGS BAY Parcel #: VARIOUS - SEE ATTACHED PA RECORDS

Name of Petitioner(s): City of Crystal River, c/o Department of Planning and Development Services
123 NW Highway 19, Crystal River, FL 34428
Contact Person: Jenette Collins, AICP, Urban Planner

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

City _____ State _____ Zip Code _____

Phone # 352-795-4216, Ext. 340 Fax # _____ Cell # _____

Email Address: jcollins@crystalriverfl.org

Legal Description attached: Yes x No _____ Survey attached: Yes _____ No x

Street address of property (if applicable): VARIOUS ISLANDS AND ANNEXED PORTION OF KINGS BAY

Existing Land Use: County CON, Conservation & CL, Low Intensity Coastal & Lakes Proposed Land Use: City CON, Conservation

Reason for Request: Comprehensive Plan Amendment required by Chapter 163, F.S. following annexation of subject properties by City Ord No. 22-O-20 on August 8, 2022.

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

- X Deed or Proof of Ownership
- ____ 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.)
- City n/a Paid application fee

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

(check one)

_____ owner, or

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

Jenette Collins
Signature

123 NW Highway 19
Address

352-795-4216, Ext. 340
Phone Number

Crystal River, FL 34428
City, State, Zip Code

State of Florida

County of Citrus

The foregoing instrument was acknowledged before me this 5, day of October, 2022, by Jenette Collins, who is personally known to me or has produced FL DL as identification and who did/did not take an oath.

Zachary Ciera
Notary Public

Commission No.: _____

Commission Expires: _____



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



REZONING APPLICATION

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

P222-0094

Applicant Information:

Name: City of Crystal River, c/o Department of Planning and Development Services
 Address: 123 NW Highway 19, Crystal River, FL 34428
 Phone #: 352-795-4216, Ext. 340 Fax #: _____ Cell #: _____
 Email Address: Contact: Jenette Collins, AICP at jcollins@crystalriverfl.org

Property Description:

Parcel Account #: various islands Alt. Key # 2323566, 3526189, 1091209
 Street Address (or street & avenue location): various islands - 1550 Kings Bay (Parker Isl), 1575 Kings Bay (misc isl), and 1600 Kings Bay (Banana Isl, Buzzard Isl, & Warden Key)
 Legal Description: VARIOUS - SEE ATTACHED PA RECORDS

(or attachment)

Property Acreage: 47.02 upland islands Sq. ft.: _____
 Present F.L.U.M. Designation: County CON & CL subject to pending City FLUM Amend to CON
 Present Zoning Designation: County CL, Low Intensity Coastal and Lakes, and CL-MH, Low Intensity Coastal and Lakes - Mobile Home Allowed

Requested Zoning Designation: City CON, Conservation

Reason for the Request: Zoning must be consistent with Comprehensive Plan FLUM under simultaneous amendment required by Chapter 163 F.S. following annexation of subject properties by City Ord.No. 22-O-20 on August 8, 2022. Islands are part of federal wildlife refuge.

Explain Consistency with the Future Land Use Plan: under simultaneous review with proposed City FLUM Amendment to Con, Conservation.

Additional Contact Information (other than Owner or Agent)

Name: Jenette Collins, AICP, Urban Planner, City of Crystal River, Dept of P & DS
 Address: 123 NW Highway 19, Crystal River, FL 34428
 Phone #: 352-795-4216, Ext. 340 Fax #: _____ Cell #: _____
 Email Address: jcollins@crystalriverfl.org

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

Attachments:

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

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

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