



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	September 2, 2021
APPLICATION #:	PZ21-0085 – Text Amendment to Land Development Code
PROPERTY OWNER:	PINGAWEAR LLC – 255 SE US Highway 19, Unit 1, Crystal River, Fl. 24429
PROPOSED ZONING TEXT AMENDMENT:	<ol style="list-style-type: none">1. Add <i>Craft Breweries, Wineries, and Distilleries</i> as a “Supplemental” (S) Land Use in Table 2.03.02. Permitted Uses; and2. Add <i>Craft Breweries, Wineries, and Distilleries</i> to Section 5.05.17 Supplemental Standards for Specific Uses.
PROJECT MANAGER:	Brian Herrmann, CNU-A, LEED AP, Director, Planning and Community Development Services Department

BACKGROUND INFORMATION:

The applicant is requesting an amendment to the text of the City of Crystal River’s Land Development Code to establish a new Land Use within the **Retail and Restaurants** category of the **Table of Permitted Uses (2.03.02)**.

The title of the new use shall be **Craft Breweries, Wineries, and Distilleries**.

This will be a Supplemental Use, meaning that it is permissible, subject to compliance with the standards of the zoning district, and the supplemental standards specified for the use. Such standards are in alphabetical order and located within section **5.05.00 Supplemental Standards for Specific Uses**.

Specifically, the supplemental standards for this new use shall be allocated to sub-section **5.05.17 – Craft Breweries, Wineries, and Distilleries**.

ANALYSIS:

Currently, a brewery, winery, or distillery within the City of Crystal River may only contain “Industrial” uses and must be in an Industrial zoning district. In the past, this was appropriate, as these facilities were often large manufacturing and processing uses that were purposely located away from downtown and the City’s commercial areas.

While these uses are still appropriate, a new, smaller scaled, mixed-use form of brewery, winery, and distillery has been emerging as a common use throughout America. The so-called “craft” brewery or distillery is now commonplace in many communities throughout Florida. In fact, there is growing interest to establish and accommodate such uses within the commercial zoning districts or downtown areas of Crystal River.

As previously conveyed, “Industrial” uses are only permitted within an Industrial zoning district. Similarly, OFFICES and SERVICES and RETAIL and RESTAURANT uses are not permitted within an Industrial zoning district. As such, the City’s current USE TABLE does not permit one to locate a truly mixed-use brewery, winery, or distillery within a commercial or downtown area.

PROPOSED AMENDMENTS:

This amendment would establish *Craft Breweries, Wineries and Distilleries* as a type of “mixed use” facility that falls under the **RETAIL and RESTAURANTS** section of the City’s USE TABLE. However, it is critical to note that the use may also include office, service, recreation, education, public assembly, infrastructure, and industrial components as well. And while the **INDUSTRIAL** functions are a primary aspect of this use, they are just one portion of the overall “mix” that comprises such a site.

2.03.00. - Land uses permitted in each zoning district.

2.03.01. - How to read the table of uses.

- A. Within the following table the letter "P" indicates that the land use is permissible, subject to compliance with the standards of the zoning district.
- B. The letter "S" indicates that the land use is permissible, subject to compliance with the standards of the zoning district, and the supplemental standards specified for the use. Supplemental standards are contained in section 5.05.00.

Table 2.03.02. Permitted Uses.

	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD
P = Permitted S = Supplemental														
RETAIL & RESTAURANTS														
Bars, taverns, lounges, nightclubs, and dance halls								P	P					
Building supply and lumber, farm and garden supply									P	P				
Commercial centers							S	S	S	S				
<u>Craft brewery, winery, or distillery</u>						<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>				
Drive-thru establishments (such as, but not limited to, banks; drug stores; and restaurants)									P					

A Craft Brewery, Winery and Distillery is proposed as a Supplemental Use in each district in which the use is permitted. This is an appropriate means for managing a rather complex function that can occur in a variety of sizes, contexts, and zones with as few regulations as necessary. It allows the Staff to apply the appropriate policies necessary to manage both on and off-site impacts while also ensuring that the establishment is compatible with its surroundings.

The proposed use shall adhere to the following Supplemental Standards:

5.05.00 – Supplemental standards for specific uses.

5.05.17 – Craft Breweries, Wineries, and Distilleries.

A facility or group of buildings in which the primary function is the low intensity manufacturing of beer, wine, or spirits for consumption. The daily operational characteristics of such a facility may include a combination of assembly, packaging, warehousing, and shipping activities as well as on-site sales, tastings, tours, public exhibitions, dining, and ancillary retail sales. A craft brewery includes the primary processing of beer. A craft winery may include primary fruit processing or bulk fermentation. The amount of alcoholic beverage manufactured on-site per calendar year as well as the sale of alcoholic beverages shall adhere to State of Florida Statutes. Operational impacts shall have no discernable effect upon neighboring properties, structures, or occupants. As a mixed-use facility, the allocation of each function shall be conveyed based on its presence on the site. Typical uses include Offices & Services, Retail & Restaurants, Lodging, Industrial, etc.

A craft brewery, winery, or distillery with a mix of on-site activities shall adhere to the following provisions:

1. Craft breweries, wineries, and distilleries are permitted in the following zoning districts:
 - a. High Intensity Commercial (CH)
 - b. General Commercial (CG)
 - c. Waterfront Commercial (CW)
 - d. Industrial (IND)
2. The tasting room for a craft distillery shall not exceed 75% of the gross square footage of the building.
3. Parking shall be based on the mix of uses and the square footage that is present on the site. Parking requirements in the CRA shall adhere to the standards provided for the district. The Urban Land Institute's (ULI) Shared Parking standards (table) is appropriate for a site with a mix of uses and may be utilized when calculating the total amount of parking that is necessary.
4. Site related traffic and deliveries shall be typical of the area and shall not disrupt vehicle or bicycle operation as well as pedestrian activity.
5. Operations shall be managed such that by-products are contained and disposed of in a manner that does not generate spillover effects onto adjacent property, public spaces, or public right-of-way.
6. Mitigation of environmental effects including but not limited to noise, odors, insects, and reuse of water resources shall be addressed.

State of Florida Statutes limit the amount of alcoholic beverage that may be sold and consumed both on site and off site. In addition, shipping orders are not permitted to be made to individual consumers but are limited to commercial distributors. These standards help to ensure that this use is unique and easily differentiated from one that is primarily intended to provide alcohol sales to its patrons (i.e., a liquor store).

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.

A Craft Brewery, Winery, or Distillery is defined as a type of LAND USE that promotes a mixed-use facility and gathering spot. This is consistent with **Goal 2** of the Comprehensive Plan, which states:

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

In fact, **Objective 2.8**, goes on to say:

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

While the proposed LAND USE adheres to this statement, it also reinforces and promotes that which is found in **Policy A**:

“All land development regulations, including zoning districts and regulations shall be consistent with the Crystal River Comprehensive Plan.”

In addition, the proposed LAND USE reinforces that which is conveyed under **Goal 3** of the Comprehensive Plan:

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

The proposed land use is needed and will help to promote the type of multi-use, single site, walkable and bikeable locations that are often described in the Comprehensive Plan, but rarely built anew in Crystal River, especially as part of a single project.

SUMMARY OF PUBLIC COMMENTS:

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

PLANNING COMMISSION RESPONSIBILITIES:

As conveyed in Subsection (B. #2) of 8.02.03 of the Crystal River Land Development Code, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding applications to amend the text of the LDC (Land Development Code).

STAFF RECOMMENDATION:

The Craft Brewery, Winery, or Distillery land use will allow for new, smaller scaled, mixed-use facilities to locate within the heart of downtown as well as the commercial and industrial areas outside of the City’s core. This will help to promote the type of pedestrian and bicycle friendly, multi-use, single site locations discussed within the City’s Comprehensive Plan and during the Civic Master Plan Charrette. This use is both appropriate and needed. Therefore, Staff recommends approval of the proposed request as conveyed.

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES:

Please see Staff’s PowerPoint presentation.

PLANNING COMMISSION RECOMMENDATION:

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

CITY COUNCIL ACTION:

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

ATTACHMENTS:

1. Staff PowerPoint Presentation
2. Applicant’s Submittal with Supporting Documents



Crystal River Land Development Code

Text Amendment: PZ21-0085

Craft Breweries, Wineries, and Distilleries

PINGAWEAR LLC.

**225 S.E. U.S. Highway 19, Unit 1,
Crystal River, Fl. 24429**

A BREWERY, WINERY, or DISTILLERY in the City may only contain “**INDUSTRIAL**” uses and must be in an **INDUSTRIAL ZONING DISTRICT**.

This is appropriate, as these facilities are **LARGE MANUFACTURING and PROCESSING USES** that are located away from downtown and the City’s commercial areas.

However, a **NEW, SMALLER-SCALED, MIXED-USE** form of **BREWERY, WINERY, and DISTILLERY** has been emerging as a common use across America.....the so-called “**CRAFT**” **BREWERY, WINERY, or DISTILLERY**.



Full-Size Distillery – Industrial Zoning District



Craft Brewery



Craft Winery



Craft Distillery

The City wishes to maintain the standards for larger **“MANUFACTURING and PROCESSING”** facilities.

However, the applicant is proposing to establish a **NEW “CRAFT” BREWERY, WINERY, and DISTILLERY USE** within the City’s **COMMERCIAL ZONING DISTRICTS** and **DOWNTOWN AREAS**.

The new **LAND USE** will be located in the **RETAIL and RESTAURANTS** section of the **TABLE of PERMITTED USES (2.03.02)**.

The title shall be **“CRAFT BREWERIES, WINERIES, and DISTILLERIES”**.

It will be a **SUPPLEMENTAL USE**....meaning that it must comply with the standards for the zoning district as well as the **SUPPLEMENTAL STANDARDS** located in sub-section **5.05.17: CRAFT BREWERIES, WINERIES, and DISTILLERIES**.



P = Permitted S = Supplemental	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	M
RETAIL & RESTAURANTS														
Bars, taverns, lounges, nightclubs, and dance halls								P	P					
Building supply and lumber, farm and garden supply									P	P				
Commercial centers							S	S	S	S				
<u>Craft brewery, winery, or distillery</u>						<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>				
Drive-thru establishments (such as, but not limited to, banks; drug stores; and restaurants)									P					

A CRAFT BREWERY, WINERY & DISTILLERY will be a **SUPPLEMENTAL USE** where PERMITTED. This is an appropriate means for managing complex functions that can occur in a variety of SIZES, CONTEXTS, and ZONES with as few REGULATIONS as necessary. It allows staff to apply APPROPRIATE POLICIES to manage both ON and OFF-SITE IMPACTS while also ensuring that an ESTABLISHMENT is COMPATIBLE with its surroundings. The proposed use shall adhere to the following SUPPLEMENTAL STANDARDS:

5.05.00 – Supplemental standards for specific uses.

5.05.17 – Craft Breweries, Wineries, and Distilleries.

A facility or group of buildings in which the primary function is the low intensity manufacturing of beer, wine, or spirits for consumption. The daily operational characteristics of such a facility may include a combination of assembly, packaging, warehousing, and shipping activities as well as on-site sales, tastings, tours, public exhibitions, dining, and ancillary retail sales. A craft brewery includes the primary processing of beer. A craft winery may include primary fruit processing or bulk fermentation. The amount of alcoholic beverage manufactured on-site per calendar year as well as the sale of alcoholic beverages shall adhere to State of Florida Statutes. Operational impacts shall have no discernable effect upon neighboring properties, structures, or occupants. As a mixed-use facility, the allocation of each function shall be conveyed based on its presence on the site. Typical uses include Offices & Services, Retail & Restaurants, Lodging, Industrial, etc.

A craft brewery, winery, or distillery with a mix of on-site activities shall adhere to the following provisions:

- 1. The tasting room for a craft distillery shall not exceed 75% of the gross square footage of the building.**
- 2. Parking shall be based on the mix of uses and the square footage that is present on the site. Parking requirements in the CRA shall adhere to the standards provided for the district. The Urban Land Institute’s (ULI) Shared Parking standards (table) is appropriate for a site with a mix of uses and may be utilized when calculating the total amount of Site related traffic and deliveries shall be typical of the area and shall not disrupt vehicle or bicycle operation as well as pedestrian activity.**
- 3. parking that is necessary.**
- 4. Operations shall be managed such that by-products are contained and disposed of in a manner that does not generate spillover effects onto adjacent property, public spaces, or public right-of-way.**
- 5. Mitigation of environmental effects including but not limited to noise, odors, insects, and reuse of water resources shall be addressed.**

The proposed land use is needed and will help to promote the type of multi-use, single site, walkable and bikeable locations that are often described in the **Comprehensive Plan**, but rarely built anew in Crystal River, especially as part of a single project.



QUESTIONS ?

Crystal River Land Development Code

Text Amendment: PZ21-0085

Craft Breweries, Wineries, and Distilleries

PINGAWEAR LLC.

**225 S.E. U.S. Highway 19, Unit 1,
Crystal River, Fl. 24429**

ORDINANCE NO. 21-O-14

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING ORDINANCE NUMBER 05-O-09, APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, AS AMENDED; ESTABLISHING STANDARDS FOR CRAFT BREWERY, WINERY, OR DISTILLERY USE BY AMENDING SECTION 2.03.00 LAND USES PERMITTED IN EACH ZONING DISTRICT, TABLE 2.03.02 PERMITTED USES; BY ADDING SECTION 5.05.17. CRAFT BREWERIES, WINERIES, AND DISTILLERIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND SCRIVENER’S ERRORS; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

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

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

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

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend Appendix A, Land Development Code of the Crystal River, Florida, Code of Ordinances, by amending various Sections for reasons set forth in the above “WHEREAS” clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY.

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

SECTION 3. AMENDMENTS TO VARIOUS SECTIONS OF THE LAND DEVELOPMENT CODE.

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

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

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

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

SECTION 5. CONDIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

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

SECTION 6. SEVERABILITY.

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

SECTION 7. MODIFICATION.

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

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective as per Florida law.

DONE AND ADOPTED in a regular meeting of the City Council of the City of Crystal River, Florida, this _____ day of _____, 2021.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

NOTICE published on _____

PASSED on First Reading _____

PASSED on Second and Final Reading _____

**APPROVED FOR CORRECTNESS
AND FORM:**

VOTE OF COUNCIL:

Meek: _____

Brown: _____

Guy: _____

Fitzpatrick: _____

Holmes: _____

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

APPENDIX "A"

TEXT AMENDMENT #1 – THAT SECTION 2.03.00 LAND USES PERMITTED IN EACH ZONING DISTRICT, TABLE 2.03.02 PERMITTED USES, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED BY ADDING CRAFT BREWERY, WINERY, OR DISTILLERY USE AS FOLLOWS:

P = Permitted S = Supplemental	R-C	R-W	R-1	R-2	R-3	NBR	CW	CG	CH	IND	CON	PI	PUD	MXD
RETAIL & RESTAURANTS														
Bars, taverns, lounges, nightclubs, and dance halls								P	P					
Building supply and lumber, farm and garden supply									P	P				
<u>Craft brewery, winery, or distillery</u>						<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>				
Commercial centers							S	S	S	S				
Drive-thru establishments (such as, but not limited to, banks; drug stores; and restaurants)									P					
Drug stores, health and personal care (without drive-thru windows)							P	P	P					
Fishery, commercial and retail fish houses							P							
Food stores, specialty (bakery, deli)						P	P	P	P					
Gasoline sales and service, combination gasoline sale and foodmarts or restaurants									S					
Grocery stores, supermarkets									P					
Marina, commercial							S							
Permanent roadside produce stands (must meet design requirements)									P				See Section 4.04.00	See Section 4.06.01 and 4.06.03
Restaurants (without drive-thru windows)							P	P	P					
Retail department stores and malls									P					
Retail shops (such as, but not limited to, gift; antique; art shops; and video/DVD rental)							P	P	P					

for a site with a mix of uses and may be utilized when calculating the total amount of parking that is necessary.

4. Site related traffic and deliveries shall be typical of the area and shall not disrupt vehicle or bicycle operation as well as pedestrian activity.
5. Operations shall be managed such that by-products are contained and disposed of in a manner that does not generate spillover effects onto adjacent property, public spaces, or public right-of-way.
6. Mitigation of environmental effects including but not limited to noise, odors, insects, and reuse of water resources shall be addressed.

End of Exhibit "A"

DRAFT



CITY OF CRYSTAL RIVER PLANNING COMMISSION

STAFF REPORT

Planning and Community Development Services Department

MEETING DATE:	September 2, 2021
APPLICATION #:	PZ21-0086 – Text Amendment to Land Development Code
APPLICANT:	City of Crystal River, 123 NW US Highway 19, Crystal River, Fl. 24429
PROPOSED ZONING TEXT AMENDMENT:	Multiple text amendments to the City’s Land Development Code are proposed that will: <ol style="list-style-type: none">1. Improve the ability of Staff to provide customer service to residents and developers within the City; or2. Impart new regulations within the zoning ordinance that will bring the City into compliance with Federal and State regulations; or3. Impart new regulations that update or improve upon the City’s existing zoning while benefitting the citizens that live, work, and recreate in the community; or4. Improve upon the City’s built environment. These amendments are supported by the City’s Comprehensive Plan.
PROJECT MANAGER:	Brian Herrmann, CNU-A, LEED AP, Director, Planning and Community Development Services Department

BACKGROUND INFORMATION:

The staff is requesting a series of amendments to the text of the City of Crystal River’s Land Development Code. The proposed changes are found in a variety of chapters within the ordinance. There are four primary goals associated with these changes:

1. Improve the ability of Staff to provide customer service to residents and developers within the City; or
2. Impart new regulations within the zoning ordinance that will bring the City into compliance with Federal and State regulations; or
3. Impart new regulations that update or improve upon the City’s existing zoning while benefitting the citizens that live, work, and recreate in the community; or
4. Improve upon the City’s built environment.

PROPOSED AMENDMENTS:

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

- #1 Section 4.03.04 – Lighting
- #2 Section 4.07.09 – Uses: Residential Accessory Dwelling Units in the CRA
- #3 Section 4.07.10 – Administration: Administrative Waivers in the CRA
- #4 Section 5.01.05 – Accessory Dwelling Units in R-W, R1, R2, R3, NBR, CW, CG, IND, CON, PI
- #5 Section 5.01.06 – Accessory Dwelling Units in IND, CON, PI zoning districts
- #6 Section 5.01.11 – Fences, Walls, and Hedges
- #7 Section 5.01.16 – Accessory Dwelling Units in CG zoning districts
- #8 Section 6.04.02 – Access and Driveway Design Requirements
- #9 Table 6.04. – Parking Space Requirements
- #10 Section 8.02.02 – Membership and Terms (Planning Commission)
- #11 Section 9.03.01 – Authority and Limitations (Administrative Waivers)
- #12 Section 10.00.06 – Combining Lots
- #13 Section 10.02.01 – Generally (Notice Requirements)
- #14 Section 10.02.03 – Mailed Notice Requirements

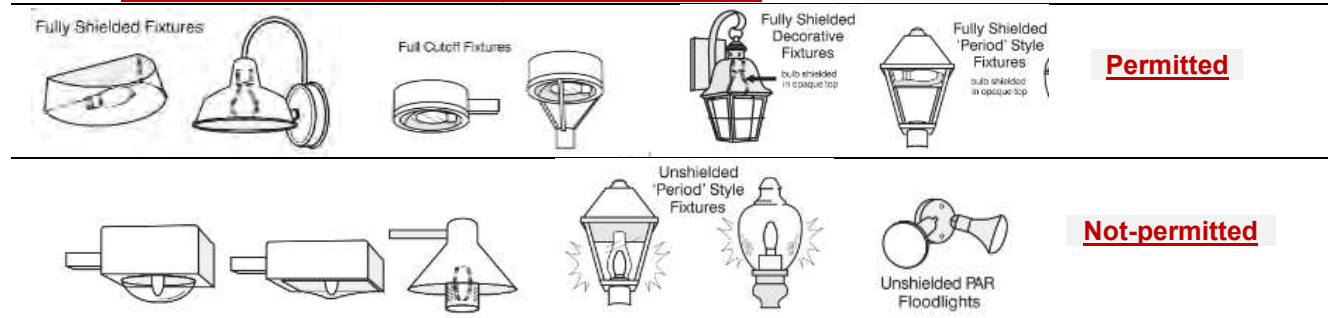
TEXT AMENDMENT #1

4.03.04. – Lighting.

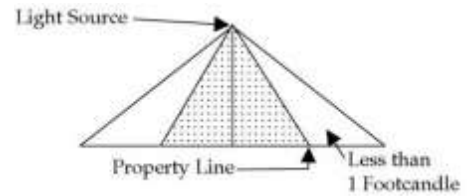
Lighting

GENERAL

- General.** The provisions of this Section shall apply to all development in the City.
- Outdoor Light Fixtures** are defined as outdoor artificial illuminating devices, outdoor fixtures, lamps, and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot or flood lights for: Buildings and Structures, Residences, Landscape Lighting, Sign Lighting, Parking Lot Lighting, Thoroughfare Lighting, and Recreational and Performance areas.
- Shielding.** All exterior illuminating devices, except those that are exempt shall be fully or partially shielded.
 - “Full Cutoff”** shall mean that those fixtures so designated shall be shielded in a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point of the fixture where light is emitted.
 - “Partial Cutoff”** shall mean that those fixtures so designated shall have a light distribution in which the candlepower per 1,000 lamp lumens does not numerically exceed 25 lumens (2 and ½ percent) at an angle of 90 degrees above Nadir (horizontal), and 100 lumens (ten percent) at a vertical angle of 80 degrees above Nadir. This applies to any lateral angle around the luminaire.



- Light Spillage.** Continuous light spillage onto neighboring properties shall not exceed (1) foot-candle as measured at the lot line (see diagram).
- Exemptions.**
 - Low Intensity Fixtures:** Any outdoor lighting fixture which has a max. candle power of less than 1,000 candelas is exempt.
 - Required safety lighting for towers (i.e. cellular) is exempt.
- Illumination Types.** Those lighting types listed below in (a-g) shall be allowed. The same type of lighting should be utilized for all fixtures and light sources on the site.
 - Incandescent
 - Metal Halide (filtered)¹
 - Noble Gas Tube
 - LED
 - Quartz
 - Fluorescent (filtered)¹
 - Color Correct H. Pressure Sodium
- Wall Packs.** Lights shall be fully shielded, limited to ancillary entrances, and not directly visible from the street.
- Other Illumination Sources.** Other sources of Illumination that minimize undesirable light into the night sky, demonstrate architectural merit, or are energy efficient may be approved by the Supervisory Planner.
- Sign Lighting.** Externally illuminated signs shall use a “fully shielded” light directed solely at the sign.
 - Goose Neck Lighting.** Goose neck lighting fixtures are strongly encouraged.
 - Reserved.**



Light Poles. Light poles should be placed 2 ft. from the back of the curb or street surface and may include brackets for decorative or graphic attachments.

Notes: ¹ Those outdoor light fixtures requiring a filter shall have glass, acrylic, or translucent enclosures (Quartz Glass is excluded).

REASON FOR THE CHANGE:

This is an amendment that was contemplated for the entire City when the CRA standards were re-written and adopted in 2020. However, because of the topic, it was decided that the City could wait to amend this section. Staff believes that the time has come to do so. We reside in an environmentally sensitive area. Unfortunately, the CRA ordinance fails to extend far enough to include many of these locations. However, with some simple changes, current issues such as light pollution, wildlife and ecosystems, energy waste, and crime and safety can be addressed throughout the entire community. In addition, the standards have been calibrated to ensure that they will appropriately address lighting in both our commercial and residential areas without overreaching in either. As such, staff believes that this is a positive and much needed step.

TEXT AMENDMENT #2

4.07.09.- Uses.

RESIDENTIAL

Accessory Dwelling Unit (ADU)

An auxiliary dwelling unit located on the same lot as the principal building that may be attached by a back-building or contained within a stand-alone outbuilding. Examples include but are not limited to: a dwelling unit in a guest house, pool house, and above or beside a garage.

Supplementary Standards

3. An Accessory Dwelling Unit (ADU) shall comply with the following Supplemental Use Standards:
 - a. **Number of Units.** One ADU shall be permitted per lot.
 - b. **Size.**
 - i. ~~The maximum footprint for a Freestanding ADU – Each floor of the main body of the ADU shall not exceed: 720 square feet or the footprint of the principal dwelling.~~
 - Width: 30 feet max.
 - Depth: 30 feet max.
 - ii. The maximum footprint of an ADU located within the principal building shall not exceed twenty-five (25) percent of the total floor area of a single floor within the principal building.

REASON FOR THE CHANGE:

The provision currently allows for a unit to be either 720 square feet or the same size as “the footprint of the principal unit.” This number was established by considering an ADU that is 30 feet in width and 24 feet in depth (total equals 720 sf.). While it is true that some vehicles are smaller than ever, others are actually bigger (or longer) than ever before. In fact, many pick-up trucks range from 18-22 feet in length. Such a vehicle would provide very little space for a human to move around a garage that is just 24 feet in length.

In order to reach an appropriate compromise, Staff is proposing to increase the maximum size limit of a detached ADU to 900 square feet. This is done by simply allowing a:

- maximum width of 30 feet; and
- maximum depth of 30 feet

As mentioned, this ensures that an occupant can still move around the space even when two 22-foot-long vehicles are parked inside. While this is certainly not required, it provides the option to the owner. In addition, a provision has been added to establish a maximum size for ADU's that are located within the principal building. This type of ADU is already addressed

outside of the CRA. This provision will simply ensure that residents of the CRA have the same rights as those that live elsewhere in the City.

TEXT AMENDMENT #3

4.07.10 – Administration Review Process

5. **Administrative Waiver.** Administrative waivers are specified deviations from otherwise applicable development standards.
 - a. **Applicability.**
 - i. For all numerical standards set forth in the overlay zoning of Section 4.07.00 through Section 4.08.02, the supervisory planner shall have authority to authorize an administrative waiver of up to ~~40~~20 percent.
 - b. **Adjustment Criteria.**
 - i. To approve an application for an administrative waiver, the supervisory planner shall make an affirmative finding that the following criteria are met:
 - (a) That granting the administrative waiver will ensure the same general level of land use compatibility as the otherwise applicable standards;
 - (b) That granting the administrative waiver will not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate screening, setbacks, and other land use considerations;
 - (c) That granting the administrative waiver will not adversely affect property values in any material way; and
 - (d) That granting the administrative waiver will be generally consistent with the purposes and intent of this overlay code.
 - ii. Reserved.

REASON FOR THE CHANGE:

This change provides for a relatively small increase to the overall percentage that the Supervisory Planner may administratively amend a standard by. The provisions will continue to require:

1. the same general level of land use compatibility;
2. the same level of screening, setbacks, and other land use considerations;
3. no adverse impacts to property values; and
4. consistency with the purpose and intent of the chapter and the section of the LDC.

TEXT AMENDMENT #4

5.01.05.- Accessory dwellings in R-W, R1, ~~R2, R3, and~~NBR, ~~CW, CG, IND, CON, and PI~~ zoning districts.

Accessory apartments, detached guesthouses, and helper quarters shall be permissible in compliance with the following standards:

- A. An accessory dwelling unit (ADU): is intended to provide not for hire housing for relatives, guests, or domestic helpers. An accessory dwelling unit shall not be considered as an apartment, hotel, or any other kind of multifamily use and shall not be used as a rental unit.
 1. Is intended to provide housing for relatives, guests, domestic helpers, caretakers, security personnel, park rangers, or renters. An accessory dwelling unit shall not be considered as an apartment, hotel, or any other kind of multifamily use and shall not be used as a rental unit.

2. May not have its main entrance through the garage doors, but may be located toward a side street, alley, or internal to the lot. If the unit is located within the principal building, a separate door (from the garage doors) shall be used.
 3. Shall not require additional parking, except in the case of guest room(s) for a Bed & Breakfast, which shall be calculated as part of the required parking. Parking may be accessed from an alley, side street, or front street. However, parking may only be accessed from the front when there is no alley or side street present.
- B. Accessory dwellings within a principal building shall comply with the following standards:
1. An accessory dwelling shall not be construed to be located within a principal building when it is connected to the principal building only by a breezeway or roofed passageway.
 2. No more than one (1) accessory dwelling shall be permitted.
 3. An accessory dwelling shall not be permissible within a nonconforming principal building.
 4. An accessory dwelling shall not be permissible where a variance or waiver is necessary in order to allow the accessory dwelling.
 5. An accessory dwelling shall not occupy more than twenty-five (25) percent of the total floor area of a single floor of the principal building.
- C. Freestanding accessory dwellings shall comply with the following standards:
1. ~~The floor area shall not exceed four hundred fifty (450) square feet. Each floor of the main body of the ADU shall not exceed:~~
 - Width: 30 feet max.
 - Depth: 30 feet max.
 2. An accessory dwelling unit shall be located only within a rear yard. However, an accessory dwelling unit may be located within the side yard of a lot that is 100 feet wide with the permission of the Supervisory Planner.
 3. A separate water meter shall be provided for a freestanding accessory dwelling.
 4. An accessory dwelling shall comply with all standards set forth in sections 5.01.02 and 5.01.04, except for any restrictions on building height, which may not exceed two stories and the maximum height for the zoning district (Table 4.02.02.C. Standards for Building Heights and Setbacks).

REASON FOR THE CHANGE:

Currently, the City has four unique sections within the LDC that contain standards which specifically address Accessory Dwelling Units (ADU's). Each section is applicable to just a few zoning districts, while one applies directly to the CRA. Not only is this excessive, but it is almost unheard of.

While ADU's are extremely popular in other parts of the Country, it is somewhat interesting to note that despite all the variations in the standards, the use is not very popular in Crystal River nor Citrus County. While it is unlikely that the abundance of standards (or over-regulation of the use) is the reason for this, it is an interesting side note.

Staff is proposing to keep the CRA's provisions nearly identical to what currently exists. The language will simply be updated to ensure that all units will be similar throughout the City.

The other three sets of standards will be combined into one set. These will be applicable to all permitted zoning districts within the City.

- This new set of provisions allows for both detached ADU's (separate from the principal house) as well as an ADU that is located within the principal house.

- The maximum size limit for a detached ADU is proposed at 900 square feet. This is an ideal maximum size for both smaller and larger residences. The standard is conveyed as:
 - Width: 30 feet max.
 - Depth: 30 feet max.
- The maximum size of an ADU that is located within the principal house shall not exceed 25% of the total floor area of a single floor within the building.
- Finally, a unit may have a maximum height of two stories. This is comparable to the CRA District; however, the unit may not to exceed the height that is permitted in each zoning district.

TEXT AMENDMENT #5

~~5.01.06. – Accessory dwellings in IND, CON, and PI zoning districts.~~

~~Housing or quarters for caretakers, security personnel, or park rangers shall be permissible in compliance with the following standards:~~

- ~~A. — An accessory dwelling is intended to provide housing for a caretaker, security person, or ranger. Accessory dwellings permissible under this section shall be subordinate to the principal use and shall not be used as a rental unit or for any purpose other than security, caretaker, or park ranger personnel required to live on the premises of the principal use.~~
- ~~B. — An accessory dwelling shall be located in compliance with the standards set forth in section 5.01.02.~~
- ~~C. — An accessory dwelling may be either site-built or a manufactured home.~~
- ~~D. — No more than one (1) accessory dwelling shall be permitted on any lot.~~
- ~~E. — There shall be a minimum separation of seven (7) feet between principal and accessory structures on the same lot.~~
- ~~F. — The separation between buildings shall be measured from the nearest edge of the eaves of each building.~~
- ~~G. — An accessory dwelling shall not exceed twenty-five (25) feet in height.~~
- ~~H. — An accessory dwelling shall not exceed one thousand five hundred (1,500) square feet in gross floor area.~~

~~(Ord. No. 05-0-08, §§ 1, 2, 5-17-2005)~~

REASON FOR THE CHANGE:

Currently, the City has four unique sections within the LDC that contain standards that specifically address Accessory Dwelling Units (ADU’s). Each section is applicable to a few zoning districts (in this case **IND, CON, and PI**), while one section applies only to the CRA. Not only is this excessive, but it is almost unheard of. Staff is proposing to keep the standards that are part of the CRA, while updating the language to ensure that all ADU’s will be similar throughout the City. The other three sets of ADU standards will be combined into one set and will be applicable to all permitted zoning districts throughout the City (except for the CRA).

TEXT AMENDMENT #6 – Staff is proposing to remove the entire Section (below) and replace it.

~~5.01.11. – Fences, hedges, and walls.~~

- ~~A. — All fences shall comply with the Florida Building Code. Wooden posts shall be pressure-treated and shall be resistant to decay, corrosion, and termite infestation.~~
- ~~B. — Fences or hedges may be located in any front, side, and rear yard setback areas.~~
- ~~C. — No fences or hedges shall exceed four (4) feet in height when placed in the front yard.~~
- ~~D. — Each fence or hedge located in the side and rear yard shall not exceed the height of six (6) feet, except as set forth in subsection I. below.~~

- ~~E.— In areas where the property faces two (2) roadways or is located in any other area construed to be a corner lot, no fence shall be located in the vision triangle, as described in section 6.04.04.~~
- ~~F.— All fences shall be placed with the finished side facing the adjoining property or the right-of-way.~~
- ~~G.— Any fence or wall that provides structural support to a building shall be considered part of the building and shall be required to meet the building setback standards.~~
- ~~H.— A fence may tie in to a building to complete the enclosure of a yard, where such fence does not provide support as set forth in subsection G. above.~~
- ~~I.— No barbed wire or electric fences in any form shall be permitted in any zoning district. However, a security fence in an industrial zoning district may use barbed wire, provided that the fence shall not exceed eight (8) feet in height and the barbed wire on top of the fence shall not exceed an additional one (1) foot. A commercial zoning district may apply for the same type fencing with approval by the city manager.~~
- ~~J.— No fence or hedge shall be constructed or installed in such a manner as to interfere with stormwater management facilities or to impede drainage on the site.~~
- ~~K.— All fences, hedges, and walls shall be continually maintained for safety and appearance, consistent with the requirements of the LDC.~~
- ~~L.— Classification of fences on vacant properties (properties within the CRA district must comply with chapter 4 of the Land Development Code for appearance.)~~
- ~~A.— On lots with a main structure that has a vacant adjacent lot under the same ownership, the fence must meet all applicable codes. No accessory structure other than a fence may be constructed on an adjacent vacant property. The maximum height in the front cannot exceed four (4) feet from grade, must be a minimum of fifty (50) percent transparent and the fence must be constructed along the entire vacant lot (all sides). Adjacent vacant lot must be maintained at all times.~~
- ~~B.— Vacant lots (stand-alone): Four (4) foot maximum height measured from grade. Materials must meet fencing criteria for fifty (50) percent transparency. No accessory structure or use other than a fence is allowed on stand-alone vacant properties. The property must be maintained at all times.~~
- (Ord. No. 05-0-08, §§ 1, 2, 5-17-2005; Ord. No. 18-O-01, § 2, 8-29-2018)

NEWLY PROPOSED SECTION FOR FENCES, WALLS, AND HEDGES IS FOUND BELOW:

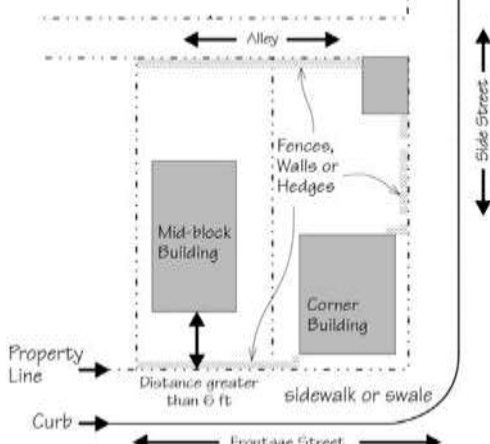
5.01.11. - Fences, walls, and hedges.

A. Fence, wall, and hedge location.

1. Fences, walls, and hedges are permitted:
 - a. On the property line between two or more parcels of land held in private ownership.
 - b. On a property line adjacent to, but outside a public right of way.
 - c. On a property when utilized to delineate different portions of the lot.
 - d. Underground, for the electronic control of domestic animals.
2. **Visibility clearance.** Fences, walls, and hedges shall be placed outside of required sight triangles or areas needed for visibility (see 6.04.04).
3. **Near fire hydrants.** Fences, walls, and hedges shall not be located where they would prevent immediate view of, or access to, fire hydrants or other fire-fighting water supply devices.
4. **Utility easements.** Fences, walls, and hedges shall be prohibited within utility easements except where constructed by the City, the utility, or if permission is granted by the Supervisory Planner. This provision shall not be construed to prevent fencing around stormwater retention or detention facilities.

5. **Drainage areas.** No fence, wall, or hedge shall be installed so as to interfere with stormwater management facilities or block or divert drainage flow onto the site or any other land; except where permission is granted by the Supervisory Planner.
- B. **Maintenance.** All fences, walls, hedges, and associated landscaping shall be maintained in good repair and in a safe and attractive condition—including, but not limited to, the repair or replacement of missing, decayed, or broken structural and decorative elements.
- C. **Classification of fences on vacant properties.**
1. On lots with a main structure that has a vacant adjacent lot located to either side on the same block-face that is under the same ownership, a fence may be installed on the vacant lot that complies with all applicable codes. No accessory structure other than a fence may be constructed on an adjacent vacant property. The maximum fence height cannot exceed four (4) feet from grade and shall meet the opacity criteria for the type of fence or be fifty (50) percent opaque. The fence shall be constructed along all sides of the vacant lot, except in the side yard that connects the two parcels (if the lot with the main structure contains a fence along this side) or where a side will front a canal or waterway. Chain link fences are prohibited. The vacant lot shall be maintained.
 2. Vacant lots (stand-alone): Four (4) foot maximum height measured from grade. Opacity must be 50% or meet the criteria for the type of fence. The fence shall be constructed along all sides of the vacant lot, except where a side will front a canal or waterway. No accessory structure or use other than a fence is allowed on stand-alone vacant properties. Chain link fences are prohibited. The property must be maintained at all times.
- D. **Changes in Character and Intensity with Zone.**
1. Table 5.01.11.A. (Fence, Wall and Hedge Design) conveys the types of fences, walls, and hedges that are most often associated with each zoning district.
 2. Table 5.01.11.B. (Fences Walls and Hedges: Changes in Character and Intensity with Zone) provides photographic examples of the fences, walls, and hedges identified in Table A and demonstrates how their character and intensity changes with district. These photographs are illustrative only and are not intended to be regulatory.
- E. **Materials and Height.**
1. Table 5.01.11.A. (Fence, Wall, and Hedge Design) conveys the:
 - a. Permitted height for fences, walls, and hedges as measured from natural grade, for each district.
 - b. Permitted and prohibited materials for fences, walls, and hedges.
 2. **Height Exemptions.**
 - a. **Pergolas, Arbors, Trellises.** Architectural features that are both functional and compatible with the fence, wall, or hedge are exempt from the height restrictions of this Section.
 - b. **Recreational Fencing.** Customary fencing provided as a part of a permitted tennis court, athletic field, or other recreational facility shall be exempt from the height restrictions of this Section. The typology of such fencing may be chain link or similar.
 - c. **Public Safety Use Fences and Walls.** Major utilities, wireless communication towers, government facilities, and other public safety uses shall be allowed to increase maximum fence or wall heights to 8 feet in front, side, and rear yards, unless further increased through an approved security plan (see Subsection d. below). Where visible from the street a wall shall be fronted by a hedge row or similar vegetative landscaping.
 - d. **Security Plan for Fences and Walls.** A property owner may submit a site security plan to the Administrator that proposes an 8 foot fence or wall with or without an additional 1 foot of barbed or concertina wire atop the fence or wall. The use of barbed or concertina wire shall be limited to the (I) Industrial and (PI) Public Institutional zoning districts. The Administrator may approve, or approve with conditions, the site security plan if:

- (1) The condition, location, or use of the land, or the history of activity in the area, indicates the land or any materials stored or used on it are in significantly greater danger of theft or damage than surrounding land; and
- (2) The proposed taller fences or walls, or use of barbed or concertina wire, will not have a significant adverse effect on the security, functioning, appearance, or value of adjacent lands or the surrounding area as a whole.

Table 5.01.11.A						
Zoning District	Permitted Fences, Walls, and Hedges	Permitted Height			Permitted and Prohibited Materials	
		Front Yard	Side and Rear Yard	Side and Rear Yard Adj. to ROW		
CON RC	FENCE TYPES 1. Privacy fence 2. Split Rail fence 3. Post & Rail fence 4. Living fence WALL & HEDGE TYPES 1. Hedge Wall	Min 48" Max 60"	Max 72"	Min 48" Max 60"	PERMITTED <ul style="list-style-type: none"> Treated or rot-resistant wood Plants and vines Wrought Iron Brick Stone Concrete Masonry Units with Stucco (C.B.S. – if primary structure is masonry). Reinforced Concrete with Stucco (if primary structure is masonry). PROHIBITED <ul style="list-style-type: none"> Plastic, Sheet Metal, Vinyl Plywood, Junk, and Waste. Barbed Wire, Concertina Wire, and above ground Electrified Fences not associated with agricultural activities or an approved security plan, (see Section 5.01.11.D.2.d.) 	GENERAL REMARKS 1. Fences, Walls, and Hedges are strongly encouraged and if constructed shall be sited along a right-of-way that abuts a street or alley, as conveyed in the associated standards as well as the above diagram and this Table. 2. The more “finished” side of a fence or wall shall face the perimeter of the lot. 3. The name assigned to Fences, Walls, & Hedges is based on common industry terminology. 4. Differing fence and wall types may be integrated so long as they comply with this Section (e.g. a fence in front of a hedge or a wrought iron fence on top of a wall). FENCES 1. “Permitted Height” addresses the height for the “body” of a fence. Fence posts may extend a maximum of 12” above the body of the fence. 2. Fence opacity shall not exceed 50% max. except: a. Privacy and Living Fences may be 100% max. b. Split Rail, Post & Rail, Chain Link, lattice, and Wrought Iron shall not exceed 25% max. 3. Fence Types may be finished in various “styles” (e.g., “Gothic” or “Dog Ear” Picket Fence). 4. Chain Link shall not be permitted in the Front Yard, or Side and Rear Yard adjacent to a ROW. 5. Split Rail and Post and Rail fences may use “hog wire” fill. 6. A “Living Fence” consists of wood posts with “hog wire” infill and a board rail on top. 7. Wood pickets or balusters shall be rectangular or round. Spacing shall not exceed 1 ½ inches. 8. Vertical posts on Wrought Iron fences shall be a minimum of 5/8” thick, spaced b/t 4 & 6 inches. WALLS 1. Reserved. HEDGES 1. Hedge Walls shall be a minimum of 8” thick.
RW R1	FENCE TYPES 1. Privacy fence 2. Split Rail fence 3. Post & Rail fence 4. Living fence 5. Chain Link fence 6. Lattice fence 7. Picket or Baluster fence with Corner Posts WALL & HEDGE TYPES 1. Hedge Wall 2. Hedge Wall with Brick Posts 3. Garden Wall	Min 42" Max 48"	Max 72"	Min 42" Max 48"		
R2 R3 IND PI NBR CW CG CH MXD CRA DISTRICT	FENCE TYPES 1. Privacy fence 2. Living fence 3. Chain Link fence (Not permitted in CRA) 4. Lattice fence 5. Picket fence or Baluster fence with Corner Posts 6. Wrought Iron fence 7. Wrought Iron fence w/ Brick Posts WALL & HEDGE TYPES 1. Hedge Wall 2. Hedge Wall with Brick Posts or Picket Gate 3. Garden Wall 4. Garden Wall with Wrought Iron Fence	Min 36" Max 48"	Max 72"	Min 36" Max 48"		

Notes:
 1 Area in front of the primary structure (porches, balconies, includes porches).
 2 Side and Rear Yard (behind the front plane of the primary structure).
 3 Side and Rear Yard (behind the front plane of the primary structure) that abuts a side street Right of Way.

Table 5.01.11.B			
CON, RC	RW, R1	R2, R3, IND, PI, NBR, CW, CG, CH, MXD, CRA	
Select from below only	Select from left and below	Select from both columns found below	
			
Privacy Fence	Lattice Fence	Privacy Fence	Wrought Iron Fence
			
Split Rail Fence	Picket or Baluster Fence	Living Fence	Hedge Wall
			
Post & Rail Fence	Hedge Wall	Lattice Fence	Hedge W. w/ Picket Gate
			
Living Fence	Garden Wall	Picket or Baluster Fence	Garden Wall

REASON FOR THE CHANGE:

This is an amendment that was contemplated in 2020 when all of the standards for the CRA were consolidated, re-written and adopted. Staff reviewed the City's standards for Fences, Walls, and Hedges and concluded that they were lacking when compared to many cities. However, given the size and scope of the original amendments the Staff concluded that it was appropriate to hold off on these changes at the time. One and a half years has passed since the CRA provisions were adopted. Therefore, Staff feels as though these amendments are now appropriate and necessary.

As stated, the City's current standards for Fences, Walls, and Hedges are drastically insufficient when compared with many cities. These provisions utilize a somewhat unique format in that they attempt to classify our City's zoning districts into a rural to urban spectrum. Each zoning district is assigned to one of three categories, with one set clearly "rural" in its form (CON, RC), another set "sub-urban" in its form (RW), (R1), and the final set being "urban" in its form (R2), (R3), (IND), (PI), (NBR), (CW), (CG), (CH), (MXD), and (CRA). This approach ensures that each applicant is provided with a large palate of choices, ranging from rural to sub-urban to urban. These are not only appropriate to their location, but they include some overlap. They simply choose which "type" they prefer.

While the new standards are comprehensive, they should not result in non-conformities, as the permitted heights for fences, walls, and hedges in the front, side, and rear yard includes a range that extends up to the current height that is currently permitted in these locations.

In summary, the applicant is provided with additional choices, or types of fences, walls, and hedges that are suitable for the site, while the community is ensured that they are getting an appropriate form given the location.

TEXT AMENDMENT #7

~~5.01.16.— Accessory dwellings CG zoning districts.~~

~~Accessory apartments, detached guesthouses, and helper quarters shall be permissible in compliance with the following standards.~~

- ~~A.— An accessory dwelling in the CG zoning district is intended to provide housing within or attached to a principle structure.~~
- ~~B.— An accessory dwelling unit may be considered as an apartment and rented or leased separate from the principle structure.~~
- ~~C.— Accessory dwellings within a principal building shall comply with the following standards:~~
 - ~~1.— An accessory dwelling shall not be construed to be located within a principal building when it is connected to the principal building only by a breezeway or roofed passageway.~~
 - ~~2.— No more than one (1) accessory dwelling shall be permitted.~~
 - ~~3.— An accessory dwelling shall not be permissible within a nonconforming principal building.~~
 - ~~4.— An accessory dwelling shall not be permissible where a variance or waiver is necessary in order to allow the accessory dwelling.~~
 - ~~5.— An accessory dwelling shall not occupy more than forty-five (45) percent of the total floor area of the principal building.~~
 - ~~6.— There shall be designated parking on-site for the accessory dwelling unit.~~

REASON FOR THE CHANGE:

Currently, the City has four unique sections within the LDC that contain standards which specifically address Accessory Dwelling Units (ADU's). Each section is applicable to a few zoning districts (in this case **CG**), while one section applies directly to the CRA. Not only is this excessive, but it is almost unheard of. Staff is proposing to keep the standards that are part of the CRA, while updating the language to ensure that all ADU's will be similar throughout the City. The other three sets of ADU standards will be combined into one set and will be applicable to all permitted zoning districts throughout the City (except for the CRA).

TEXT AMENDMENT #8

6.04.02.- Access and driveway design requirements.

The following standards shall apply to all driveways or access points from a lot or parcel onto a public street:

F. Accessways and driveways shall comply with the following standards:

~~1. Residential driveways shall be a maximum of ten (10) feet in width at the lot line and may increase to a maximum of twenty (20) feet in width.~~

1. Residential Driveways:

a. Residential driveways in which a sidewalk is present within the ROW on the same side of the street (or planned and funded to be constructed within the ROW on the same side of the street) shall not exceed a maximum of twelve (12) feet in width within the ROW. Any paved area not connected to a sidewalk shall be bounded by grass.

i. If the sidewalk is located (or planned) at the back of the ROW, immediately adjacent to the property line then the first three (3) feet of driveway located on the parcel shall be paved and not exceed a maximum of twelve (12) feet in width. This paved area shall be bordered by grass.

ii. Reserved.

If no sidewalk is present or planned, then the width of the driveway may be a minimum of twelve (12) feet and a maximum of twenty (20) feet within the ROW.

b. A residential driveway may be a minimum of twelve (12) feet in width and a maximum of twenty (20) feet in width when located between the lot line and the carport, garage, or parking area under the house.

i. A paved garage apron, or the final four (4) feet of driveway (depth) providing access to, and located directly in front of the garage(s) may extend up to 24 feet in width, or the width of the garage door opening(s), whichever is less, when measured from the outer edges of:

- A "two car" garage with one garage door opening, or
- A "two car" garage with two individual garage door openings that are separated by a minimum of six (6) inches of fiber cement, wood, brick, stucco or vinyl siding;

Landscaping material, not pavement shall be located on the ground surface in front of the fiber cement, wood, brick, stucco, or vinyl siding that comprises the sides of the garage(s).

ii. Reserved.

c. This provision (c.) shall be applicable throughout the entire City, including the Community Redevelopment Area (CRA):

i. Residential driveways shall be paved with a material that supports the anticipated load and context.

ii. Pervious or semi-pervious paving materials are required in the CRA and strongly encouraged elsewhere. Where possible, such materials shall be used in combination with on-site stormwater control devices.

- d. One parking pad may be installed in the front or side yard adjacent to an approved standard driveway. The pad shall be no wider than ten (10) feet and no longer than twenty (20) feet. It shall be set back a minimum of ten (10) feet from the front property line and shall extend outward from the driveway on the side. An additional “paved” area may be established to provide vehicular access from the street side at a rate of two feet (out) and one foot (up) toward the pad (area equals 10’ in width by 5’ in depth). The access is purposefully tight. An alternative paving material (brick, asphalt, stone) is strongly encouraged for use on the parking pad.
 - e. A house that is raised and wishes to provide parking underneath the unit may do so. As with a garage the driveway that provides access to the area shall be limited to 20 feet in width and all other provisions shall apply (a paved “garage apron” shall not be permitted unless a garage is present). Parking areas under the house shall be shown on the development plan.
2. Non-residential accessways shall not exceed eighteen (18) feet in width. When a landscaped median is provided, each one-way access shall not exceed eleven (11) feet in width.
 3. The minimum effective curb radius shall be utilized. No part of the turning radius shall extend over the property line.
 4. Non-residential curb-cuts / driveways for newly developed parcels or existing parcels in which the use changes:
 - a. Vehicular access that is provided by a curb-cut that exceeds the width currently allowed by code and / or FDOT standards shall be reduced so as to adhere to the provisions of the ordinance or FDOT standards.
 - b. A parcel with two or more curb cuts providing vehicular access (ingress and egress) to the frontage shall be redesigned and / or closed so that only one vehicular access (providing both ingress and egress) remains to the use’s frontage. Front and side access shall be treated similarly for a corner lot.

REASON FOR THE CHANGE:

Urban designers frequently say, “a driveway that is wider than 12 feet, but less than 20 feet is essentially a waste of space.” This is because it is too wide for one vehicle, but not large enough for two vehicles. As such, the City is updating its current standards to appropriately reflect this range. In doing so, we have set up the provisions so that they work from the street towards the house.

Sidewalks are almost always located within a city ROW. Therefore, if a sidewalk is either present (or planned) for a street, then the portion of the driveway that is located within the ROW may be no larger than 12 feet in width. This protects the pedestrians, including the elderly and children who use these. However, if no sidewalk is present (or planned) then the entire driveway (including the portion in the ROW) may once again be built at a width of 20 feet.

The City is also establishing a provision that will allow for additional driveway width directly in front of a garage. On occasion residents will establish a two-car garage in which the width of the doors exceeds 20 feet. The provision allows the driveway to extend in width (if necessary) to the outermost edge of the garage door or doors (not to exceed 24 feet).

Provisions have been added to allow for one “side” parking pad adjacent to the driveway. It may extend up to 10 feet in width and 20 feet in length (a city parking space is 9 x 18 feet) and contain an additional paved area on the street side for access.

Pervious and semi-pervious driveway materials are also addressed. These are ideal for residential driveways as well as a side parking pad.

In addition, parking under a raised house is addressed for the first time. Given the recent changes by FEMA this type of design is likely to occur more often than in the past and should be examined.

Finally, language has been added for non-residential curb cuts and driveways. This language ensures that new “non-residential” uses (or sites that change their primary use) will not have more

than one driveway per street frontage. This language is already in the City's code. This is an effort to reinforce that which already exists, and to do so in a section that is applicable.

TEXT AMENDMENT #9

Table 6.04.07(A). Parking space requirements.

Type of use or activity	Minimum number of spaces
Assembly places (religious facilities, funeral homes, schools, theaters, auditoriums, arenas, civic centers, and facilities with an auditorium, sanctuary, or gathering place, whether fixed seats or open area)	1 space per 5 seats; 1 per 300 gsf (no fixed seats) ¹
Clubs and lodges (including fraternities, sororities, and other social or civic membership organizations)	1 space per 5 seats in the largest assembly area; 1 per 300 gsf (no fixed seats)
Commercial activities, including retail sales, and business activities not otherwise specified	1 space per 400 sf. of gross floor area
Day-care, child care	1 per employee plus 1 per 6 persons of maximum occupancy
Private schools	1 per 4 persons of maximum occupancy
Other Drive-thru establishments	1 space per 150 s.f. of gross floor area <u>As required for the type of use or activity</u>
Eating, drinking, or entertainment establishments (without a drive-thru facility) ies	1 space per 150 s.f. of gross floor area
<u>Eating or entertainment establishments (with a drive-thru facility)</u>	1 space per 150 <u>250</u> s.f. of gross floor area
Gasoline service stations and small vehicle repair	1 space per 500 s.f. of floor area
Group lodging, including nursing homes, rest homes, convalescent homes, assisted care facilities, and other similar facilities	1 space per 2 beds
Hospitals and other medical facilities providing overnight accommodations	1 space per 3 beds plus 1 space per 4 employees on the largest shift
Hotels, motels, and other similar lodging and accommodations establishments, without restaurants or lounges	1 space per sleeping room
Hotels, motels, apartment hotels, and other similar lodging and accommodations establishments, with restaurants or lounges	Parking required for the lodging facility plus one-half parking required for the restaurant
Industrial uses	1 space per 1,000 s.f. of gross floor area
Marinas	1 space per 5 boat berths (wet slips or dry storage), plus 1 space per employee on the largest shift
Medical offices and clinics	1 space per 400 s.f. of gross floor area
Mini-warehouse or self-storage facilities	1 space per 500 s.f. of office space. No spaces are required for storage facilities, provided that an off-street loading space is provided for each storage unit.
Multi-family dwellings	< 1000 sf. = 1 per unit min. 1000 sf. to 1500 sf. = 1.5 per unit min. > 1500 sf. = 2 per unit min.

Recreation facilities	1 space per 1,000 s.f. feet of active use area
Offices (general, professional, or government)	1 space per 400 s.f. of gross floor area
Single-family dwellings	1 per unit
Vehicles sales	1 per 3,000 s.f. of open or enclosed sales area
¹ The number of seats shall be the maximum occupancy load established for the building by the building official.	

REASON FOR THE CHANGE:

Since the COVID pandemic many uses throughout the USA have experienced increases in their drive thru traffic. In some cases, the pandemic dramatically changed the way that people were behaving and as a result, the way that cities were regulating. For example, by the end of 2019 Minneapolis, MN; Fair Haven, N.J.; Creve Coeur, Mo. Orchard Park, NY; and an additional 27 municipalities in Canada had banned the construction of new restaurant drive-thrus. However, as independent restaurants struggled to adapt to new Covid-19 safety protocols the drive-thru made a comeback. In fact, within the U.S. drive thru traffic has seen an increase of 26% to 42%. This includes restaurants, pharmacies, and other uses. As a result, fewer patrons are parking their vehicles and walking inside the store.

This is a proposed amendment to the City’s Parking Space Requirement Table. It attempts to break two categories of uses into three categories.

- Any use other than an **Eating, Drinking, or Entertainment Establishment** that contains a drive thru will now assign the required parking total based on the underlying function. For example, a pharmacy with a drive thru would simply apply the number of parking spaces that are required for a pharmacy use, regardless of the drive thru. The assumption is that the drive-thru (in and of itself) does not add any additional patrons to the use’s parking lot. If anything, it decreases the number of patrons that will be parking and entering the store. Therefore, the parking spaces that are required for the store alone will be sufficient.
- A local **Eating or Entertainment Establishment** that has a drive thru is likely to be doing significant business via the drive thru. In fact, a visit to a local fast-food chain will demonstrate that over 50% of the parking lot is empty. The fact that a facility has a drive-thru does not add any additional patrons to the use’s parking lot. Rather, it decreases the number of patrons that will be parking and entering the store. Therefore, Staff believes that the number of required parking spaces for this use can be lowered to one space per 250 s.f. of gross floor area (Drinking establishments have been removed from this use).
- Finally, an **Eating, Drinking, or Entertainment Establishment** that **does not** have a drive-thru shall continue to provide one space per 150 s.f. of gross floor area. Staff sees no reason to change this requirement at this time.

Many Cities throughout the U.S. are removing parking minimums from their use tables. There is significant data showing that the local market adjusts to ensure that parking is still provided, but only to the degree to which it is needed. This is a market-based approach. In fact, to date, the impact has been positive, with very little negative feedback. While the City is not proposing this approach, this data does support the fact that many communities are over-parked (contain too many parking spaces based on actual demand).

TEXT AMENDMENT #10

8.02.00 Planning Commission.

8.02.02 Membership and Terms.

D. Terms shall be staggered such that no more than three (3) terms expire simultaneously. The initial appointment of members of the planning commission shall be as follows:

1. Two (2) members shall be appointed for one (1) year.
2. Two (2) members shall be appointed for two (2) years.
3. Three (3) members shall be appointed for three (3) years.
4. All subsequent appointments shall be for the full term of three (3) years.
5. No member may serve more than two successive three (3) year terms. Thereafter, members may be appointed only after they have been off of the Planning Commission for at least one year. Service for a partial term of less than one and a half years shall not constitute a term of service for purposes of this paragraph.

REASON FOR THE CHANGE:

This Amendment allows members of the City's Planning Commission to serve two (2) three-year terms (back-to-back) prior to stepping down from the Commission for a minimum of one year. After a year has passed, they may once again serve on the Commission. This provision was previously conveyed in the City's Land Development Code but was removed during a slow period in which the City struggled to find Commissioners. It was intended that the standard would be reinserted into the ordinance, but this never occurred. This is a common provision that is applicable to nearly all Planning Commissions in nearly every City across the U.S. It should be added back into the City's ordinance.

TEXT AMENDMENT #11

9.03.00 Administrative Waivers

9.03.01 Authority and limitations

Administrative waivers are specified deviations from otherwise applicable development standards. These standards are applicable to all Sections of the Land Development Code except for Section 4.07.00 through Section 4.08.02 where administrative waivers are currently authorized at the discretion of the City's supervisory planner. ~~all other administrative waivers shall be at the discretion of the City manager.~~ Upon an affirmative finding that the following criteria have been met, the Supervisory Planner ~~City manager~~ may permit an application for an administrative waiver of up to 4020 percent for any development standard of this LDC:

- A. That granting the administrative waiver will ensure the same general level of land use compatibility as the otherwise applicable standards;
- B. That granting the administrative waiver will not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate screening, setbacks, and other land use considerations;
- C. That granting the administrative waiver will not adversely affect property values in any material way; and
- D. That granting the administrative waiver will be generally consistent with the purpose and intent of each chapter and/or section of this LDC.

REASON FOR THE CHANGE:

This change allows the Supervisory Planner, as opposed to the City Manager to allow for a relatively small increase to the overall percentage that the Supervisory Planner, as opposed to the City Manager may administratively amend a standard by. The provisions will continue to require:

1. the same level of land use compatibility;
2. the same level of screening, setbacks, and other land use considerations;
3. no adverse impacts to property values; and
4. consistency with the purpose and intent of the chapter and the section of the LDC.

TEXT AMENDMENT #12

10.00.06.- Combining lots.

- A. When two (2) or more lots are combined for development purposes, such lots shall be platted or re-platted to create a single lot under one (1) ownership.
- B. ~~Reserved. When two (2) or more lots are developed under unified control and design, all such lots shall have the same zoning district classification.~~

REASON FOR THE CHANGE:

Currently, this provision eliminates the ability for an applicant (or applicant's) to establish a mixed-use development in which various parcels have different zoning districts assigned to them (for example CH, CG, R3, and R1, and including MXD). The standard is applicable within the CRA as well as outside of the CRA. Such a standard contradicts nearly every aspect of smart growth, which promotes mixed-use neighborhoods in which one can live in one location (or zoning district), walk, bicycle, drive, or take transit to work (in another zoning district), visit children that are learning or recreating (in yet another zoning district), and shop or dine in the final zoning district. Staff strongly recommends that this provision be removed.

TEXT AMENDMENT #13

10.02.00. – Notice requirements.

10.02.01.- Generally.

- D. Notice shall be provided a minimum of ~~fifteen (15)~~ ten (10) days before the applicable public hearing.

REASON FOR THE CHANGE:

This amendment ensures that the City is consistent with State of Florida Statutes regarding notice for a public hearing. Staff may use the additional five (5) days to prepare and make appropriate edits prior to the public hearing.

TEXT AMENDMENT #14

10.02.03.- Mailed Notice Requirements.

- A. Notice of a required public hearing shall be ~~mailed, certified return receipt, sent by first class mail~~ to all owners of real property located within three hundred (300) feet of the exterior lot lines of the subject property which is subject to the application.

REASON FOR THE CHANGE:

This ensures that the City is consistent with State of Florida Statutes while reducing unnecessary costs and returned mailings.

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.

Each of the proposed amendments shall address one or more of the following items:

1. Improve the ability of Staff to provide customer service to residents and developers within the City; or
2. Impart new regulations within the zoning ordinance that will bring the City into compliance with Federal and State regulations; or
3. Impart new regulations that update or improve upon the City's existing zoning while benefitting the citizens that live, work, and recreate in the community; or
4. Improve upon the City's built environment.

In addition, each of these amendments is consistent with numerous Goals, Objectives, and Policies of the Comprehensive Plan. These include:

Goal 2 of the Comprehensive Plan, which states:

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

Standards regarding Fencing, Lighting, Accessory Dwelling Units, Driveways, Parking, and Administrative Waivers address items which impart new regulations that update or improve upon the City's existing zoning while benefitting the citizens that live, work, and recreate here. One result will be an improved built environment. All of this will help to create a more balanced and well-planned community.

Objective 2.8 of the Comprehensive Plan, which states:

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

Standards regarding Fencing, Lighting, Accessory Dwelling Units, Driveways, and Parking address items that will improve the ability of Staff to provide customer service to residents and developers within the City. These provisions impart new regulations that update or improve upon the City's existing zoning while benefitting the citizens that live, work, and recreate in the community. This will improve upon the City's built environment and help to ensure that development in Crystal River remains consistent with the Comprehensive Plan.

Goal 3 of the Comprehensive Plan, which states:

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

Standards regarding Fencing, Lighting, Accessory Dwelling Units, Driveways, Parking, and Administrative Waivers all promote and maintain the character of community through consistent land use.

Objective 3.1 of the Comprehensive Plan, which 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.*

Standards regarding Lighting and Accessory Dwelling Units specifically address innovation and compatibility within the Community Redevelopment Area. This is a form-based zoning district. Provisions are laid out in such a way as to improve the ability of Staff to provide customer service to both residents and developers. In addition, the provisions impart new regulations that update or improve upon the City's existing zoning while benefitting the citizens that live, work, and recreate here. Therefore, the form-based district is a giant step in the right direction that benefits the residents of the community as well as the built environment equally.

Objective 3.2 of the Comprehensive Plan, which states:

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

Standards regarding Fencing, Lighting, Accessory Dwelling Units, Driveways, Parking, and Administrative Waivers impart new regulations that update or improve upon the City's existing zoning while benefitting the citizens that live, work, and recreate in the community. This promotes the character and quality of existing residential neighborhoods, including maintenance and upgrades.

Policy A of the Comprehensive Plan, which states:

*The City will permit only residential developments, **residential accessory uses, and limited specified uses which are compatible with residential uses in residential neighborhoods.** Limited specified uses will be allowable only for those uses which meet the supplemental standards of being residential support uses, or uses which are compatible with residential character of the surrounding neighborhoods and otherwise consistent with the comprehensive plan. Compatibility shall be determined by intensity of use as well as similarity in scale, bulk, and other aspects of site design.*

The standards regarding Fencing, Accessory Dwelling Units, and Driveways improve upon the City's built environment while promoting uses that are compatible with the residential uses in these neighborhoods and are therefore consistent with the Comprehensive Plan.

Policy C of the Comprehensive Plan, which states:

New residential developments will provide two on-site parking spaces for each unit.

New standards regarding Residential Driveways promote uses that are compatible with this Policy of the Comprehensive Plan.

SUMMARY OF PUBLIC COMMENTS:

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

PLANNING COMMISSION RESPONSIBILITIES:

As conveyed in Subsection (B. #2) of 8.02.03 of the Crystal River Land Development Code, the Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding applications to amend the text of the LDC (Land Development Code).

STAFF RECOMMENDATION:

Reasons why each of the aforementioned text amendments has been proposed, as well as the potential benefits to the City should the changes be made are included with the analysis that follows each item (SEE: Reason For The Change). The Staff recommends that all fourteen (14) of these amendments be made to the text of the City's Land Development Code. As conveyed, each amendment is supported by the City's Comprehensive Plan, and will improve the ability of Staff to

provide customer service to residents and developers within the City, impart new regulations within the zoning ordinance that will bring the City into compliance with Federal and State regulations, update or improve upon the City's existing zoning while benefitting the citizens that live, work, and recreate in our community, and improve upon the City's built environment. As such staff recommends that all fourteen (14) of these amendments be adopted by the Planning Commission.

SUPPORTING DIAGRAMS ILLUSTRATIONS & TABLES:

Please see Staff's PowerPoint presentation.

PLANNING COMMISSION RECOMMENDATION:

- Text Amendments to the City of Crystal River Land Development Code

CITY COUNCIL ACTION:

- Text Amendments to the City of Crystal River Land Development Code

ATTACHMENTS:

1. Staff PowerPoint Presentation
2. Applicant's Submittal with Supporting Documents



CITY OF CRYSTAL RIVER

PZ21-0086

**14 TEXT AMENDMENTS TO THE
LAND DEVELOPMENT CODE**

14 TEXT AMENDMENTS to the CITY'S LAND DEVELOPEMNT CODE are proposed that will:

1. Improve the ability of Staff to provide customer service to residents and developers within the City; **or**
2. Impart new regulations within the zoning ordinance that will bring the City into compliance with Federal and State regulations; **or**
3. Impart new regulations that update or improve upon the City's existing zoning while benefitting the citizens that live, work, and recreate in the community; **or**
4. Improve upon the City's built environment.

The following amendments are proposed to the TEXT of the LAND DEVELOPMENT CODE:

- #1 Section 4.03.04 – Lighting
- #2 Section 4.07.09 – Uses: Residential Accessory Dwelling Units in the CRA
- #3 Section 4.07.10 – Administration: Administrative Waivers in the CRA
- #4 Section 5.01.05 – Accessory Dwelling Units in R-W, R1, R2, R3, NBR, CW, CG, IND, CON, PI
- #5 Section 5.01.06 – Accessory Dwelling Units in IND, CON, PI zoning districts
- #6 Section 5.01.11 – Fences, Walls, and Hedges
- #7 Section 5.01.16 – Accessory Dwelling Units in CG zoning districts
- #8 Section 6.04.02 – Access and Driveway Design Requirements
- #9 Table 6.04. – Parking Space Requirements
- #10 Section 8.02.02 – Membership and Terms (Planning Commission)
- #11 Section 9.03.01 – Authority and Limitations (Administrative Waivers)
- #12 Section 10.00.06 – Combining Lots
- #13 Section 10.02.01 – Generally (Notice Requirements)
- #14 Section 10.02.03 – Mailed Notice Requirements

These AMENDMENTS are CONSISTENT with numerous GOALS, OBJECTIVES, and POLICIES of the COMPREHENSIVE PLAN:

Goal 2 of the Comprehensive Plan, which states:

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

Objective 2.8 of the Comprehensive Plan, which states:

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

Goal 3 of the Comprehensive Plan, which states:

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

Objective 3.1 of the Comprehensive Plan, which 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.*

Objective 3.2 of the Comprehensive Plan, which states:

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

Policy A of the Comprehensive Plan, which states:

*The City will permit only residential developments, **residential accessory uses, and limited specified uses which are compatible with residential uses in residential neighborhoods**. Limited specified uses will be allowable only for those uses which meet the supplemental standards of being residential support uses, or uses which are compatible with residential character of the surrounding neighborhoods and otherwise consistent with the comprehensive plan. Compatibility shall be determined by intensity of use as well as similarity in scale, bulk, and other aspects of site design.*

Policy C of the Comprehensive Plan, which states:

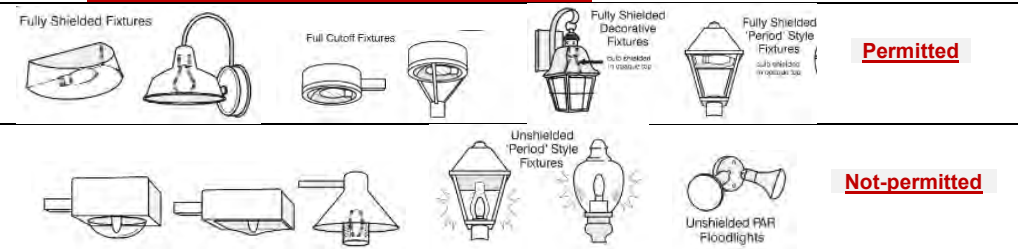
New residential developments will provide two on-site parking spaces for each unit.

Text Amendment # 1

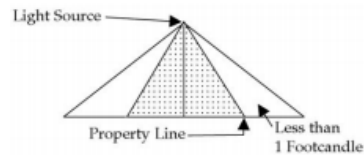
Lighting

GENERAL

1. **General.** The provisions of this Section shall apply to all development in the City.
2. **Outdoor Light Fixtures** are defined as outdoor artificial illuminating devices, outdoor fixtures, lamps, and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot or flood lights for: Buildings and Structures, Residences, Landscape Lighting, Sign Lighting, Parking Lot Lighting, Thoroughfare Lighting, and Recreational and Performance areas.
3. **Shielding.** All exterior illuminating devices, except those that are exempt shall be fully or partially shielded.
 - a. **“Full Cutoff”** shall mean that those fixtures so designated shall be shielded in a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point of the fixture where light is emitted.
 - b. **“Partial Cutoff”** shall mean that those fixtures so designated shall have a light distribution in which the candlepower per 1,000 lamp lumens does not numerically exceed 25 lumens (2 and ½ percent) at an angle of 90 degrees above Nadir (horizontal), and 100 lumens (ten percent) at a vertical angle of 80 degrees above Nadir. This applies to any lateral angle around the luminaire.



4. **Light Spillage.** Continuous light spillage onto neighboring properties shall not exceed (1) foot-candle as measured at the lot line (see diagram).
 5. **Exemptions.**
 - a. **Low Intensity Fixtures:** Any outdoor lighting fixture which has a max. candle power of less than 1,000 candelas is exempt.
 - b. Required safety lighting for towers (i.e. cellular) is exempt.
 6. **Illumination Types.** Those lighting types listed below in (a-g) shall be allowed. The same type of lighting should be utilized for all fixtures and light sources on the site.
 - a. Incandescent
 - b. Metal Halide (filtered)¹
 - c. Noble Gas Tube
 - d. LED
 - e. Quartz
 - f. Fluorescent (filtered)¹
 - g. Color Correct H. Pressure Sodium
 7. **Wall Packs.** Lights shall be fully shielded, limited to ancillary entrances, and not directly visible from the street.
 8. **Other Illumination Sources.** Other sources of illumination that minimize undesirable light into the night sky, demonstrate architectural merit, or are energy efficient may be approved by the Supervisory Planner.
 9. **Sign Lighting.** Externally illuminated signs shall use a “fully shielded” light directed solely at the sign.
 - a. **Goose Neck Lighting.** Goose neck lighting fixtures are strongly encouraged.
 - b. **Noble Gases.** Neon, Krypton, Argon and other noble gas-filled tube lighting may be permitted for use with one sign at a retail or restaurant use in the CH, CG or CW zone of the CRA if approved by the S. Planner.
- Streets, Paths, and Parking Lots.** New lighting in walkable areas shall be of the general type illustrated below and should range from 10 – 20 ft. in height, spaced a maximum of 75 ft. on center. In auto-centric, recreation, and performance areas light poles may extend up to 25 ft. in height, with exceptions approved by Supervisory Planner.



Pipe Post Column Double Column



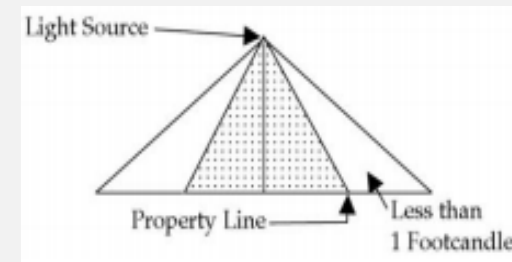
Light Poles. Light poles should be placed 2 ft. from the back of the curb or street surface and may include brackets for decorative or graphic attachments.

Notes: ¹ Those outdoor light fixtures requiring a filter shall have glass, acrylic, or translucent enclosures (Quartz Glass is excluded).

REASONS FOR THE CHANGES

3. **Shielding.** All exterior illuminating devices, except those that are exempt shall be fully or partially shielded.
 - a. **“Full Cutoff”** shall mean fixtures that are shielded in a manner that light rays emitted by the fixture are projected below a horizontal plane running through the lowest point of the fixture where light is emitted.
 - b. **“Partial Cutoff”** shall mean fixtures that have a light distribution in which the candlepower per 1,000 lamp lumens doesn’t numerically exceed 25 lumens (2 ½ percent) at an angle of 90 degrees above Nadir (horizontal), and 100 lumens (10%) at a vertical angle of 80 deg. above Nadir.

Light Spillage. Continuous light spillage onto neighboring properties shall not exceed (1) foot-candle as measured at the lot line (see diagram).



Illumination Types. Those lighting types listed below in (a-g) shall be allowed. The same type of lighting should be utilized for all fixtures and light sources on the site.

(1) Incandescent, (2) Noble Gas Tube, (3) Quartz, (4) C. Cor. High Pres. Sodium, (5) Metal Halide (filtered), (6) LED, (7) Fluorescent

- b. **Noble Gases.** Neon, Krypton, Argon and other noble gas-filled tube lighting may be permitted for use w/ one sign at a retail or restaurant use in the CH, CG or CW zone of the CRA if approved by the Supervisory Planner.

Streets, Paths, & Parking Lots. New lighting in walkable areas shall be of the general type illustrated below & should range from 10– 20 ft. in height, spaced a max. of 75 ft. on center. In auto-centric, recreation, and performance areas light poles may extend up to 25 ft. in height, w/ exceptions approved by the Supervisory Planner.

Text Amendment # 2

4.07.09.- Uses.

RESIDENTIAL

Accessory Dwelling Unit (ADU)

An auxiliary dwelling unit located on the same lot as the principal building that may be attached by a back-building or contained within a stand-alone outbuilding. Examples include but are not limited to: a dwelling unit in a guest house, pool house, and above or beside a garage.

Supplementary Standards

3. An Accessory Dwelling Unit (ADU) shall comply with the following Supplemental Use Standards:

a. **Number of Units.** One ADU shall be permitted per lot.

b. **Size.**

i. ~~The maximum footprint for a freestanding ADU – The floor area shall not exceed: 720 square feet or the footprint of the principal dwelling.~~

-- Width: 30 feet max.

-- Depth: 30 feet max.

ii. The maximum footprint of an ADU located within the principal building shall not exceed twenty-five (25) percent of the total floor area of a single floor within the principal building.

REASONS FOR THE CHANGES

The LDC has four similar but unique sections that address **Accessory Dwelling Units (ADU's)**. This is excessive and unheard of. Only one of the four applies to the CRA.

The current standards allow for a unit to be **720 sq. ft. OR** the same size as "**the footprint of the principal unit.**"

- The former was based on a **30' by 24' unit (total = 720 sf.)**.
- The latter was an error, allowing for an ADU that was too big.

For example: Pick-up trucks range from 18-22 ft. in length. Such a vehicle would provide very little space for a human to move around within a garage that is just 24 feet in length.

Therefore, Staff is proposing to increase the max. size limit of a detached ADU to **900 sq. ft.**, and state that: ~~The floor area~~ The main body of the building shall not exceed:

- **maximum width of 30 feet; and**
- **maximum depth of 30 feet**

Finally, a standard is proposed to allow ADU's **within the principal building**. These may occupy **25% of the floor area**. This "national trend" is addressed within and outside of the CRA.

4.07.10 – Administration
Review Process

5. Administrative Waiver. Administrative waivers are specified deviations from otherwise applicable development standards.

a. Applicability.

- i. For all numerical standards set forth in the overlay zoning of Section 4.07.00 through Section 4.08.02, the supervisory planner shall have authority to authorize an administrative waiver of up to ~~10~~15~~20~~ percent.

b. Adjustment Criteria.

- i. To approve an application for an administrative waiver, the supervisory planner shall make an affirmative finding that the following criteria are met:
 - (a) That granting the administrative waiver will ensure the same general level of land use compatibility as the otherwise applicable standards;
 - (b) That granting the administrative waiver will not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate screening, setbacks, and other land use considerations;
 - (c) That granting the administrative waiver will not adversely affect property values in any material way; and
 - (d) That granting the administrative waiver will be generally consistent with the purposes and intent of this overlay code.
- ii. Reserved.

REASONS FOR THE CHANGES

The **Supervisory Planner** may amend a standard administratively in the CRA by up to **10%**. This is neither sufficient nor in line with most codes. Many zoning codes allow for a minimum administrative change of **15%** and often allow for various standards to exceed **20%**. **20%** is now proposed.

The provisions will continue to require:

1. the same general level of land use compatibility;
2. the same level of screening, setbacks, and other land use considerations;
3. no adverse impacts to property values; and
4. consistency with the purpose and intent of the chapter and the section of the LDC.

Text Amendment # 4

5.01.05.- Accessory dwellings in R-W, R1, ~~R2, R3, and~~ NBR, ~~CW, CG, IND, CON, and PI~~ zoning districts.

Accessory apartments, detached guesthouses, and helper quarters shall be permissible in compliance with the following standards:

- A. An accessory dwelling unit (ADU): ~~is intended to provide not-for-hire housing for relatives, guests, or domestic helpers. An accessory dwelling unit shall not be considered as an apartment, hotel, or any other kind of multifamily use and shall not be used as a rental unit.~~
- ~~Is intended to provide housing for relatives, guests, domestic helpers, caretakers, security personnel, park rangers, or renters. An accessory dwelling unit shall not be considered as an apartment, hotel, or any other kind of multifamily use and shall not be used as a rental unit.~~
 - ~~May not have its main entrance through the garage doors, but may be located toward a side street, alley, or internal to the lot. If the unit is located within the principal building, a separate door (from the garage doors) shall be used.~~
 - ~~Shall not require additional parking, except in the case of guest room(s) for a Bed & Breakfast, which shall be calculated as part of the required parking. Parking may be accessed from an alley, side street, or front street. However, parking may only be accessed from the front when there is no alley or side street present.~~
- B. Accessory dwellings within a principal building shall comply with the following standards:
- An accessory dwelling shall not be construed to be located within a principal building when it is connected to the principal building only by a breezeway or roofed passageway.
 - No more than one (1) accessory dwelling shall be permitted.
 - An accessory dwelling shall not be permissible within a nonconforming principal building.
 - An accessory dwelling shall not be permissible where a variance or waiver is necessary in order to allow the accessory dwelling.
 - An accessory dwelling shall not occupy more than twenty-five (25) percent of the total floor area of a single floor of the principal building.
- C. Freestanding accessory dwellings shall comply with the following standards:
- ~~The floor area shall not exceed four hundred fifty (450) square feet.~~ The floor area The main body of the building shall not exceed:
 - Width: 30 feet max.
 - Depth: 30 feet max.
 - An accessory dwelling unit shall be located only within a rear yard. ~~However, an accessory dwelling unit may be located within the side yard of a lot that is 100 feet wide with the permission of the Supervisory Planner.~~
 - A separate water meter shall be provided for a freestanding accessory dwelling.
 - An accessory dwelling shall comply with all standards set forth in sections 5.01.02 and 5.01.04, except for any restrictions on building height, which may not exceed two stories and the maximum height for the zoning district (Table 4.02.02.C. Standards for Building Heights and Setbacks).

REASONS FOR THE CHANGES

Currently, the City's LDC has four similar but unique sections that address **Accessory Dwelling Units (ADU's)**. This is excessive and almost unheard of.

1 of the 4 sections addresses the **CRA**. However, the other 3 sections address areas that are not located in the CRA. Therefore, the 3 sets of standards have been combined into 1 set.

- They allow for both detached ADU's (separate from the principal house) as well ADU's located within the principal house.
- The max. size for a detached ADU is proposed at **900 sq. ft.** This is an ideal max. size for both smaller and larger residences. ~~The floor area~~ The main body of the building shall not exceed:
 - Width: 30 feet max.**
 - Depth: 30 feet max.**
- If the ADU is located within the principal house the maximum size shall not exceed **25%** of the total floor area of a single floor within the building.
- A unit may have a maximum height of two stories, not to exceed the height permitted for each zoning district. This is comparable the standards found in the CRA District.

As conveyed, the provisions for ADU's in the CRA have been updated to ensure that all standards are similar throughout the City.

Text Amendment # 5

TEXT AMENDMENT #5

~~5.01.06.—Accessory dwellings in IND, CON, and PI zoning districts.~~

~~Housing or quarters for caretakers, security personnel, or park rangers shall be permissible in compliance with the following standards:~~

~~A.—An accessory dwelling is intended to provide housing for a caretaker, security person, or ranger. Accessory dwellings permissible under this section shall be subordinate to the principal use and shall not be used as a rental unit or for any purpose other than security, caretaker, or park ranger personnel required to live on the premises of the principal use.~~

~~B.—An accessory dwelling shall be located in compliance with the standards set forth in section 5.01.02.~~

~~C.—An accessory dwelling may be either site-built or a manufactured home.~~

~~D.—No more than one (1) accessory dwelling shall be permitted on any lot.~~

~~E.—There shall be a minimum separation of seven (7) feet between principal and accessory structures on the same lot.~~

~~F.—The separation between buildings shall be measured from the nearest edge of the eaves of each building.~~

~~G.—An accessory dwelling shall not exceed twenty-five (25) feet in height.~~

~~H.—An accessory dwelling shall not exceed one thousand five hundred (1,500) square feet in gross floor area.~~

~~(Ord. No. 05-0-08, §§ 1, 2, 5-17-2005)~~

REASONS FOR THE CHANGES

This proposal simply negates one of the four sets of standards found in the LDC that address **Accessory Dwelling Units (ADU's)**.

It is both excessive and almost unheard of to have this many sets of standards for Accessory Dwelling Units. One of the four sets of standards applies to the CRA, while the remaining three address other areas of the City.

As proposed, one set will remain in the CRA while another will address the rest of the City.

Text Amendment # 6 (Current)

~~5.01.11. —Fences, hedges, and walls.~~

- ~~A. — All fences shall comply with the Florida Building Code. Wooden posts shall be pressure-treated and shall be resistant to decay, corrosion, and termite infestation.~~
- ~~B. — Fences or hedges may be located in any front, side, and rear yard setback areas.~~
- ~~C. — No fences or hedges shall exceed four (4) feet in height when placed in the front yard.~~
- ~~D. — Each fence or hedge located in the side and rear yard shall not exceed the height of six (6) feet, except as set forth in subsection I. below.~~
- ~~E. — In areas where the property faces two (2) roadways or is located in any other area construed to be a corner lot, no fence shall be located in the vision triangle, as described in section 6.04.04.~~
- ~~F. — All fences shall be placed with the finished side facing the adjoining property or the right-of-way.~~
- ~~G. — Any fence or wall that provides structural support to a building shall be considered part of the building and shall be required to meet the building setback standards.~~
- ~~H. — A fence may tie in to a building to complete the enclosure of a yard, where such fence does not provide support as set forth in subsection G. above.~~
- ~~I. — No barbed wire or electric fences in any form shall be permitted in any zoning district. However, a security fence in an industrial zoning district may use barbed wire, provided that the fence shall not exceed eight (8) feet in height and the barbed wire on top of the fence shall not exceed an additional one (1) foot. A commercial zoning district may apply for the same type fencing with approval by the city manager.~~
- ~~J. — No fence or hedge shall be constructed or installed in such a manner as to interfere with stormwater management facilities or to impede drainage on the site.~~
- ~~K. — All fences, hedges, and walls shall be continually maintained for safety and appearance, consistent with the requirements of the LDC.~~
- ~~L. — Classification of fences on vacant properties (properties within the CRA district must comply with chapter 4 of the Land Development Code for appearance.)~~
 - ~~A. — On lots with a main structure that has a vacant adjacent lot under the same ownership, the fence must meet all applicable codes. No accessory structure other than a fence may be constructed on an adjacent vacant property. The maximum height in the front cannot exceed four (4) feet from grade, must be a minimum of fifty (50) percent transparent and the fence must be constructed along the entire vacant lot (all sides). Adjacent vacant lot must be maintained at all times.~~
 - ~~B. — Vacant lots (stand-alone): Four (4) foot maximum height measured from grade. Materials must meet fencing criteria for fifty (50) percent transparency. No accessory structure or use other than a fence is allowed on stand-alone vacant properties. The property must be maintained at all times.~~

~~(Ord. No. 05-0-08, §§ 1, 2, 5-17-2005; Ord. No. 18-0-01, § 2, 8-29-2018)~~

REASONS FOR THE CHANGES

The amendment simply negates the current standards for **Fences, hedges, and walls**.

While the LDC has standards that address these items, they are rather simplistic and fail to address changes in **form** and **character** that occur as one moves from a **rural context** to a **sub-urban context** to an **urban context** within the City.

These standards were considered for adoption when the CRA was updated; however, **staff determined that it was more appropriate to update the provisions across the entire City**. Therefore, they are being proposed now.

5.01.11. - Fences, walls, and hedges.

A. **Fence, wall, and hedge location.**

1. Fences, walls, and hedges are permitted:
 - a. On the property line between two or more parcels of land held in private ownership.
 - b. On a property line adjacent to, but outside a public right of way.
 - c. On a property when utilized to delineate different portions of the lot.
 - d. Underground, for the electronic control of domestic animals.
2. **Visibility clearance.** Fences, walls, and hedges shall be placed outside of required sight triangles or areas needed for visibility (see 6.04.04).
3. **Near fire hydrants.** Fences, walls, and hedges shall not be located where they would prevent immediate view of, or access to, fire hydrants or other fire-fighting water supply devices.
4. **Utility easements.** Fences, walls, and hedges shall be prohibited within utility easements except where constructed by the City or the utility-, or if permission is granted by the Supervisory Planner. This provision shall not be construed to prevent fencing around stormwater retention or detention facilities.
5. **Drainage areas.** No fence, wall, or hedge shall be installed so as to interfere with stormwater management facilities or block or divert drainage flow onto the site or any other land; except where permission is granted by the Supervisory Planner.

B. **Maintenance.** All fences, walls, hedges, and associated landscaping shall be maintained in good repair and in a safe and attractive condition—including, but not limited to, the repair or replacement of missing, decayed, or broken structural and decorative elements.

C. **Classification of fences on vacant properties.**

1. On lots with a main structure that has a vacant adjacent lot located to either side on the same block-face that is under the same ownership, a fence may be installed on the vacant lot that complies with all applicable codes. No accessory structure other than a fence may be constructed on an adjacent vacant property. The maximum fence height cannot exceed four (4) feet from grade and shall meet the opacity criteria for the type of fence or be fifty (50) percent opaque. The fence shall be constructed along all sides of the vacant lot, except where a side will front a canal or waterway in the sideyard that connects the two parcels (if the lot with the main structure contains a fence along this side) or where a side will front a canal or waterway. Chain link fences are prohibited. The vacant lot shall be maintained.
2. Vacant lots (stand-alone): Four (4) foot maximum height measured from grade. Opacity must be 50% or meet the criteria for the type of fence. The fence shall be constructed along all sides of the vacant lot, except where a side will front a canal or waterway. No accessory structure or use other than a fence is allowed on stand-alone vacant properties. Chain link fences are prohibited. The property must be maintained at all times.

D. **Changes in Character and Intensity with Zone.**

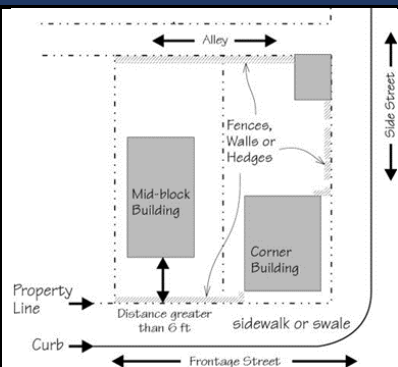
1. Table 5.01.11.A. (Fence, Wall and Hedge Design) conveys the types of fences, walls, and hedges that are most often associated with each zoning district.
2. Table 5.01.11.B. (Fences Walls and Hedges: Changes in Character and Intensity with Zone) provides photographic examples of the fences, walls, and hedges identified in Table A and demonstrates how their character and intensity changes with district. These photographs are illustrative only and are not intended to be regulatory.

E. **Materials and Height.**

1. Table 5.01.11.A. (Fence, Wall, and Hedge Design) conveys the:
 - a. Permitted height for fences, walls, and hedges as measured from natural grade, for each district.
 - b. Permitted and prohibited materials for fences, walls, and hedges.
2. **Height Exemptions.**
 - a. **Pergolas, Arbors, Trellises.** Architectural features that are both functional and compatible with the fence, wall, or hedge are exempt from the height restrictions of this Section.
 - b. **Recreational Fencing.** Customary fencing provided as a part of a permitted tennis court, athletic field, or other recreational facility shall be exempt from the height restrictions of this Section. The typology of such fencing may be chain link or similar.
 - c. **Public Safety Use Fences and Walls.** Major utilities, wireless communication towers, government facilities, and other public safety uses shall be allowed to increase maximum fence or wall heights to 8 feet in front, side, and rear yards, unless further increased through an approved security plan (see Subsection d. below). Where visible from the street a wall shall be fronted by a hedge row or similar vegetative landscaping.
 - d. **Security Plan for Fences and Walls.** A property owner may submit a site security plan to the Administrator that proposes an 8 foot fence or wall with or without an additional 1 foot of barbed or concertina wire atop the fence or wall. The use of barbed or concertina wire shall be limited to the (I) Industrial and (PI) Public Institutional zoning districts. The Administrator may approve, or approve with conditions, the site security plan if:
 - (1) The condition, location, or use of the land, or the history of activity in the area, indicates the land or any materials stored or used on it are in significantly greater danger of theft or damage than surrounding land; and
 - (2) The proposed taller fences or walls, or use of barbed or concertina wire, will not have a significant adverse effect on the security, functioning, appearance, or value of adjacent lands or the surrounding area as a whole.

Table 5.01.11.A

Zoning District	Permitted Fences, Walls, and Hedges	Permitted Height			Permitted and Prohibited Materials
		Front Yard	Side and Rear Yard	Side and Rear Yard Adj. to ROW	
CON RC	FENCE TYPES 1. Privacy fence 2. Split Rail fence 3. Post & Rail fence 4. Living fence WALL & HEDGE TYPES 1. Hedge Wall	Min 48" Max 60"	Max 72"	Min 48" Max 60"	PERMITTED • Treated or rot-resistant wood • Plants and vines • Wrought Iron • Brick • Stone • Concrete Masonry Units with Stucco (C.B.S. – if primary structure is masonry). • Reinforced Concrete with Stucco (if primary structure is masonry). PROHIBITED • Plastic, Sheet Metal, Vinyl Plywood, Junk, and Waste. • Barbed Wire, Concertina Wire, and above ground Electrified Fences not associated with agricultural activities or an approved security plan, (see Section 5.01.11.D.2.d.)
RW R1	FENCE TYPES 1. Privacy fence 2. Split Rail fence 3. Post & Rail fence 4. Living fence 5. Chain Link fence 6. Lattice fence 7. Picket or Baluster fence with Corner Posts WALL & HEDGE TYPES 1. Hedge Wall 2. Hedge Wall with Brick Posts 3. Garden Wall	Min 42" Max 48"	Max 72"	Min 42" Max 48"	
R2 R3 IND PI NBR CW CG CH MXD CRA DISTRICT	FENCE TYPES 1. Privacy fence 2. Living fence 3. Chain Link fence (Not permitted in CRA) 4. Lattice fence 5. Picket fence or Baluster fence with Corner Posts 6. Wrought Iron fence 7. Wrought Iron fence w/ Brick Posts WALL & HEDGE TYPES 1. Hedge Wall 2. Hedge Wall with Brick Posts or Picket Gate 3. Garden Wall 4. Garden Wall with Wrought Iron Fence	Min 36" Max 48"	Max 72"	Min 36" Max 48"	



GENERAL REMARKS

- Fences, Walls, and Hedges are strongly encouraged and if constructed shall be sited along a right-of-way that abuts a street or alley, as conveyed in the associated standards as well as the above diagram and this Table.
- The more "finished" side of a fence or wall shall face the perimeter of the lot.
- The name assigned to Fences, Walls, & Hedges is based on common industry terminology.
- Differing fence and wall types may be integrated so long as they comply with this Section (e.g. a fence in front of a hedge or a wrought iron fence on top of a wall).

FENCES

- "Permitted Height" addresses the height for the "body" of a fence. Fence posts may extend a maximum of 12" above the body of the fence.
- Fence opacity shall not exceed 50% max. except:
 - Privacy and Living Fences may be 100% max.
 - Split Rail, Post & Rail, Chain Link, lattice, and Wrought Iron shall not exceed 25% max.
- Fence Types may be finished in various "styles" (e.g., "Gothic" or "Dog Ear" Picket Fence).
- Chain Link shall not be permitted in the Front Yard, or Side and Rear Yard adjacent to a ROW.
- Split Rail and Post and Rail fences may use "hog wire" fill.
- A "Living Fence" consists of wood posts with "hog wire" infill and a board rail on top.
- Wood pickets or balusters shall be rectangular or round. Spacing shall not exceed 1 1/2 inches.
- Vertical posts on Wrought Iron fences shall be a minimum of 5/8" thick, spaced b/t 4 & 6 inches.

WALLS








- Reserved.

HEDGES

- Hedge Walls shall be a minimum of 8" thick.

Notes:
 1 Area in front of the primary structure (porches, balconies, includes porches).
 2 Side and Rear Yard (behind the front plane of the primary structure).
 3 Side and Rear Yard (behind the front plane of the primary structure) that abuts a side street Right of Way.

Table 5.01.11.B

CON, RC	RW, R1	R2, R3, IND, PI, NBR, CW, CG, CH, MXD, CRA	
Select from below only	Select from left and below	Select from both columns found below	
 Privacy Fence	 Lattice Fence	 Privacy Fence	 Wrought Iron Fence
 Split Rail Fence	 Picket or Baluster Fence	 Living Fence	 Hedge Wall
 Post & Rail Fence	 Hedge Wall	 Lattice Fence	 Hedge W. w/ Picket Gate
 Living Fence	 Garden Wall	 Picket or Baluster Fence	 Garden Wall

REASONS FOR THE CHANGES

- New standards for fences, walls, and hedges were considered when the CRA was re-written; however, **staff determined that it was more appropriate to update the provisions across the entire City – all at once.**
- The new standards address the specific changes in **form** and **character** that occur as one moves from a **rural context** to a **sub-urban context** to an **urban context** within the City.
- The City’s zoning districts are classified across this spectrum, with each zoning district is assigned to one of three categories:
 - RURAL: CON, RC**
 - SUB-URBAN: RW, R1**
 - URBAN: R2, R3, IND, PI, NBR, CW, CG, CH, MXD, and CRA**
- As a result:
 - Each applicant is provided with **a large palate of choices.**
 - These are appropriate to their location and **include some overlap.**
 - The applicant can simply **choose which “type” they prefer.**
- While the new standards are comprehensive, they should **NOT** result in **NON-CONFORMITIES** as current types of fences, walls, and hedges are still permitted – as are the previously allocated heights.

Text Amendment # 7

~~5.01.16. – Accessory dwellings CG zoning districts.~~

~~Accessory apartments, detached guesthouses, and helper quarters shall be permissible in compliance with the following standards.~~

- ~~A. An accessory dwelling in the CG zoning district is intended to provide housing within or attached to a principle structure.~~
- ~~B. An accessory dwelling unit may be considered as an apartment and rented or leased separate from the principle structure.~~
- ~~C. Accessory dwellings within a principal building shall comply with the following standards:~~
 - ~~1. An accessory dwelling shall not be construed to be located within a principal building when it is connected to the principal building only by a breezeway or roofed passageway.~~
 - ~~2. No more than one (1) accessory dwelling shall be permitted.~~
 - ~~3. An accessory dwelling shall not be permissible within a nonconforming principal building.~~
 - ~~4. An accessory dwelling shall not be permissible where a variance or waiver is necessary in order to allow the accessory dwelling.~~
 - ~~5. An accessory dwelling shall not occupy more than forty-five (45) percent of the total floor area of the principal building.~~
 - ~~6. There shall be designated parking on-site for the accessory dwelling unit.~~

REASONS FOR THE CHANGES

This proposal simply negates one of the four sets of standards found in the LDC that address **Accessory Dwelling Units (ADU's)**.

It is both excessive and almost unheard of to have this many sets of standards for Accessory Dwelling Units. One of the four sets of standards applies to the CRA, while the remaining three address other areas of the City.

As proposed, one set will remain in the CRA while another will address the rest of the City.

Text Amendment # 8

6.04.02.- Access and driveway design requirements.

The following standards shall apply to all driveways or access points from a lot or parcel onto a public street:

F. Accessways and driveways shall comply with the following standards:

~~1. Residential driveways shall be a maximum of ten (10) feet in width at the lot line and may increase to a maximum of twenty (20) feet in width.~~

1. Residential Driveways:

a. Residential driveways in which a sidewalk is present within the ROW on the same side of the street (or planned and funded to be constructed within the ROW on the same side of the street) shall not exceed a maximum of twelve (12) feet in width within the ROW. Any paved area not connected to a sidewalk shall be bounded by grass.

i. If the sidewalk is located (or planned) at the back of the ROW, immediately adjacent to the property line then the first three (3) feet of driveway located on the parcel shall be paved and not exceed a maximum of twelve (12) feet in width. This paved area shall be bordered by grass.

ii. Reserved.

If no sidewalk is present or planned, then the width of the driveway may be a minimum of twelve (12) feet and a maximum of twenty (20) feet within the ROW.

a. A residential driveway may be a minimum of twelve (12) feet in width and a maximum of twenty (20) feet in width when located between the lot line and the carport, garage, or parking area under the house.

i. A paved garage apron, or the final four (4) feet of driveway (depth) providing access to, and located directly in front of the garage(s) may extend up to 24 feet in width, or the width of the garage door opening(s), whichever is less, when measured from the outer edges of:

- A “two car” garage with **one garage door opening**, or
- A “two car” garage with **two individual garage door openings** that are separated by a minimum of six (6) inches of fiber cement, wood, brick, stucco or vinyl siding;

Landscaping material, not pavement shall be located on the ground surface in front of the fiber cement, wood, brick, stucco, or vinyl siding that comprises the sides of the garage(s).

ii. Reserved.

REASONS FOR THE CHANGE

These standards apply throughout the City, except the CRA.

Urban designers say, “a driveway that is wider than 12 feet, but less than 20 feet is essentially a waste of space” because it is too wide for one vehicle, but not large enough for two vehicles.

As such, the City is updating its current standards to appropriately reflect this range.

Sidewalks are almost always located within a city ROW. If a sidewalk is either present (or planned) for a street, then the portion of the driveway that is located within the ROW may be no wider than 12 feet. This protects pedestrians, including the elderly and children.

However, if no sidewalk is present (or planned) then the entire driveway (including the portion in the ROW) may once again be built at a width of 20 feet.

Text Amendment # 8

- c. This provision (c.) shall be applicable throughout the entire City, including the Community Redevelopment Area (CRA):
 - i. Residential driveways shall be paved with a material that supports the anticipated load and context.
 - ii. Pervious or semi-pervious paving materials are required in the CRA and strongly encouraged elsewhere. Where possible, such materials shall be used in combination with on-site stormwater control devices.
 - d. One parking pad may be installed in the front or side yard adjacent to an approved standard driveway. The pad shall be no wider than ten (10) feet and no longer than twenty (20) feet. It shall be set back a minimum of ten (10) feet from the front property line and shall extend outward from the driveway on the side. An additional “paved” area may be established to provide vehicular access from the street side at a rate of two feet (out) and one foot (up) toward the pad (area equals 10’ in width by 5’ in depth). The access is purposefully tight. An alternative paving material (brick, asphalt, stone) is strongly encouraged for use on the parking pad.
 - e. A house that is raised and wishes to provide parking underneath the unit may do so. As with a garage the driveway that provides access to the area shall be limited to 20 feet in width and all other provisions shall apply (a paved “garage apron” shall not be permitted unless a garage is present). Parking areas under the house shall be shown on the development plan.
2. Non-residential accessways shall not exceed eighteen (18) feet in width. When a landscaped median is provided, each one-way access shall not exceed eleven (11) feet in width.
 3. The minimum effective curb radius shall be utilized. No part of the turning radius shall extend over the property line.
 4. Non-residential curb-cuts / driveways for newly developed parcels or existing parcels in which the use changes:
 - a. Vehicular access that is provided by a curb-cut that exceeds the width currently allowed by code and / or FDOT standards shall be reduced so as to adhere to the provisions of the ordinance or FDOT standards.
 - b. A parcel with two or more curb cuts providing vehicular access (ingress and egress) to the frontage shall be redesigned and / or closed so that only one vehicular access (providing both ingress and egress) remains to the use’s frontage. Front and side access shall be treated similarly for a corner lot.

REASONS FOR THE CHANGE

A new provision will allow an additional 4 feet of driveway width directly in front of the garage door or doors. The final 4 feet of the driveway may extend outward in width to match the outermost edge of the garage door(s) – not to exceed 24 ft.

A provision has been added that formally allows for a “side” parking pad adjacent to the driveway (10 x 20 ft.). A city parking space is 9 x 18 ft.). A paved area is permitted for access from the street side.

Pervious and semi-pervious materials for driveways and side parking pads are addressed.

Minimal standards are put in place for parking under a raised house. This is a first in the City.

Non-residential curb cuts and driveways are addressed. New “non-residential” uses (or sites changing their use) may not have more than one driveway per street frontage. The language is for reinforcement, at it exists elsewhere in the Code.

Text Amendment # 9

Table 6.04.07(A). Parking space requirements.

Type of use or activity	Minimum number of spaces
Assembly places (religious facilities, funeral homes, schools, theaters, auditoriums, arenas, civic centers, and facilities with an auditorium, sanctuary, or gathering place, whether fixed seats or open area)	1 space per 5 seats; 1 per 300 gsf (no fixed seats) ¹
Clubs and lodges (including fraternities, sororities, and other social or civic membership organizations)	1 space per 5 seats in the largest assembly area; 1 per 300 gsf (no fixed seats)
Commercial activities, including retail sales, and business activities not otherwise specified	1 space per 400 sf. of gross floor area
Day-care, child care	1 per employee plus 1 per 6 persons of maximum occupancy
Private schools	1 per 4 persons of maximum occupancy
Other <u>drive-thru</u> establishments	1 space per 150 s.f. of gross floor area As required for the type of use or activity
Eating, drinking, or entertainment establishments (without a drive-thru facility) ies	1 space per 150 s.f. of gross floor area
Eating or entertainment establishments (with a drive-thru facility)	1 space per 150 250 s.f. of gross floor area
Gasoline service stations and small vehicle repair	1 space per 500 s.f. of floor area
Group lodging, including nursing homes, rest homes, convalescent homes, assisted care facilities, and other similar facilities	1 space per 2 beds

REASONS FOR THE CHANGE

Since the COVID 19 pandemic uses throughout the USA are experiencing increases in their drive thru traffic! For example:

[In 2019 Minneapolis, MN; Fair Haven, N.J.; Creve Coeur, Mo. Orchard Park, NY; and 27 municipalities in Canada banned the construction of new restaurant drive-thrus.](#)

The drive-thru made a comeback (increasing 26% to 42% across all uses). Fewer patrons are parking vehicles and walking inside the store.

- * **CHANGE 1:** Uses other than **Eating, Drinking, or Entertainment Establishments** that contain a drive thru will have their required parking total based on the underlying function (i.e. a pharmacy). The drive-thru does not add additional patrons or vehicles to the parking lot. Rather, it decreases the number of patrons that are parking and entering the store.
- * **CHANGE 2:** **Eating, Drinking, or Entertainment Establishments** that **do not** have a drive-thru shall continue to provide one space per 150 s.f. of gross floor area. Staff sees no reason to change this requirement at this time.
- * **CHANGE 3:** National statistics confirm that local **Eating or Entertainment Establishments (NOT DRINKING)** that contain a drive thru facility are doing a higher percentage of business via their drive thru (26% to 42%). While the drive thru is full, the parking lot is over 50% empty during peak meal hours. As stated, the drive-thru does not add additional patrons or vehicles to the parking lot. Rather, it decreases the number of patrons that are parking and entering the store. Therefore, Staff believes that the required parking spaces for this use may be lowered to one space per 250 s.f. of gross floor area.

9.03.00 Administrative Waivers

9.03.01 Authority and limitations

Administrative waivers are specified deviations from otherwise applicable development standards. ~~Except for Section 4.07.00 through Section 4.08.02 where administrative waivers are authorized at the discretion of the City's supervisory planner, all other administrative waivers shall be at the discretion of the City manager.~~ Upon an affirmative finding that the following criteria have been met, the Supervisory Planner~~City manager~~ may permit an application for an administrative waiver of up to ~~40~~20 percent for any development standard of this LDC:

- A. That granting the administrative waiver will ensure the same general level of land use compatibility as the otherwise applicable standards;
- B. That granting the administrative waiver will not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate screening, setbacks, and other land use considerations;
- C. That granting the administrative waiver will not adversely affect property values in any material way; and
- D. That granting the administrative waiver will be generally consistent with the purpose and intent of each chapter and/or section of this LDC.

REASONS FOR THE CHANGES

This change allows the **Supervisory Planner** as opposed to the **City Manager** to authorize an Administrative Waiver to the standards that are found in the LDC.

Currently, the limit is set at **10%**. This is neither sufficient nor in line with the minimum percentage of **15%** that many jurisdictions allow for such amendments. In fact, a number of municipalities allow for waivers to specific standards that exceed **20%**.

20% is now proposed as the max. percentage for such a Waiver. This does not mean that 20% must be allotted, but when appropriate it can be.

The provisions will continue to require:

1. the same general level of land use compatibility;
2. the same level of screening, setbacks, and other land use considerations;
3. no adverse impacts to property values; and
4. consistency with the purpose and intent of the chapter and the section of the LDC.

Text Amendment # 12

10.00.06.- Combining lots.

- A. When two (2) or more lots are combined for development purposes, such lots shall be platted or re-platted to create a single lot under one (1) ownership.
- B. ~~Reserved. When two (2) or more lots are developed under unified control and design, all such lots shall have the same zoning district classification.~~

REASONS FOR THE CHANGES

The standard eliminates an applicant from establishing a mixed-use development in which various parcels have different zoning districts assigned to them (for example CH, CG, R3, and R1, and including MXD).

The standard is applicable within the CRA as well as outside of the CRA.

This contradicts nearly every aspect of smart growth, which promotes:

1. mixed-use **neighborhoods where one can live** in one location (or zoning district)
2. walk, bicycle, drive, or take transit to work (in another zoning district)
3. visit children that are learning or recreating (in yet another zoning district), and
4. shop or dine in the final zoning district.

Staff strongly recommends that this provision be removed.

Text Amendment # 13

10.02.00. – Notice requirements.

10.02.01.- Generally.

D. Notice shall be provided a minimum of ~~fifteen (15)~~ ten (10) days before the applicable public hearing.

REASONS FOR THE CHANGES

The amendment ensures that the City is consistent with State of Florida Statutes regarding notice for a public hearing. Staff may use the additional five (5) days to prepare and make appropriate edits prior to the public hearing.

Text Amendment # 14

10.02.03.- Mailed Notice Requirements.

- A. Notice of a required public hearing shall be ~~mailed, certified return receipt,~~ sent by first class mail to all owners of real property located within three hundred (300) feet of the exterior lot lines of the subject property which is subject to the application.

REASONS FOR THE CHANGES

This ensures that the City is consistent with State of Florida Statutes while reducing unnecessary costs and returned mailings.

PLANNING COMMISSION RESPONSIBILITIES:

Subsection (B. #2) of 8.02.03 (Crystal River Land Development Code): The Planning Commission shall have the role and responsibility to hear, consider, and make recommendations to the City Council regarding applications to amend the text of the LDC (Land Development Code).

STAFF RECOMMENDATION:

The analysis includes:

1. The reasons why each of the aforementioned text amendments have been proposed
2. The potential benefits to the City should the changes be made
3. The Goals, Objectives, and Policies in the Comprehensive Plan that support the changes

Staff recommends that all (14) amendments be made and adopted as conveyed, as the changes will:

1. improve the ability to provide customer service to residents and developers within the City, and
2. impart new regulations within the zoning ordinance that will bring the City into compliance with Federal and State regulations, and
3. update or improve upon the City's existing zoning while benefitting the citizens that live, work, and recreate in our community, and
4. improve upon the City's built environment.



QUESTIONS?

<Application No>

<Type of Application>

<APPLICANT NAME>

ORDINANCE NO. 21-O-15

AN ORDINANCE OF THE CITY OF CRYSTAL RIVER, FLORIDA, AMENDING ORDINANCE NUMBER 05-O-09, APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, AS AMENDED; ADDING SECTION 4.03.04 LIGHTING, BY ESTABLISHING STANDARDS FOR ALL LAND USES; AMENDING SECTION 4.07.09 USES, BY REVISING STANDARDS FOR ACCESSORY DWELLING UNITS IN THE CRA OVERLAY DISTRICT; AMENDING SECTION 4.07.10 ADMINISTRATION, BY REVISING REVIEW PROCESSES FOR THE CRA OVERLAY DISTRICT; AMENDING SECTION 5.01.05 ACCESSORY DWELLINGS IN RW, R1, NBR, ZONING DISTRICTS, BY ADDING R2, R3, CW, CG, IND, CON AND PI ZONING DISTRICTS, AND REVISING STANDARDS; DELETING SECTION 5.01.06 ACCESSORY DWELLINGS IN IND, CON, AND PI ZONING DISTRICTS; AMENDING SECTION 5.01.11 FENCES, HEDGES, AND WALLS, BY REVISING STANDARDS; DELETING SECTION 5.01.16 ACCESSORY DWELLINGS CG ZONING DISTRICTS; AMENDING SECTION 6.04.02 ACCESS AND DRIVEWAY DESIGN STANDARDS; AMENDING SECTION 6.04.07 STANDARDS FOR PARKING AND PARKING LOTS, TABLE 6.04.07(A) PARKING SPACE REQUIREMENTS; AMENDING SECTION 8.02.02 MEMBERSHIP AND TERMS, BY REVISING PLANNING COMMISSION TERMS; AMENDING SECTION 9.03.01 AUTHORITY AND LIMITATIONS, BY REVISING STANDARDS FOR ADMINISTRATIVE WAIVERS; AMENDING SECTION 10.00.06 COMBINING LOTS, BY REVISING STANDARDS; AMENDING SECTION 10.02.01 GENERALLY, BY REVISING NOTICING REQUIREMENTS; AMENDING SECTION 10.02.03 MAILED NOTICE REQUIREMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND SCRIVENER’S ERRORS; PROVIDING FOR MODIFICATIONS THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARING; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

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

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

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

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

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

SECTION 1. PURPOSE.

The purpose of this Ordinance is to amend Appendix A, Land Development Code of the Crystal River, Florida, Code of Ordinances, by amending various Sections for reasons set forth in the above "WHEREAS" clauses, which are incorporated herein, in haec verba.

SECTION 2. AUTHORITY.

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

SECTION 3. AMENDMENTS TO VARIOUS SECTIONS OF THE LAND DEVELOPMENT CODE.

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

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

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

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

SECTION 5. CONDIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

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

SECTION 6. SEVERABILITY.

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

SECTION 7. MODIFICATION.

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

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective as per Florida law.

DONE AND ADOPTED in a regular meeting of the City Council of the City of Crystal River, Florida, this _____ day of _____, 2021.

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

NOTICE published on _____

PASSED on First Reading _____

PASSED on Second and Final Reading _____

**APPROVED FOR CORRECTNESS
AND FORM:**

VOTE OF COUNCIL:

Meek: _____

Brown: _____

Guy: _____

Fitzpatrick: _____

Holmes: _____

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

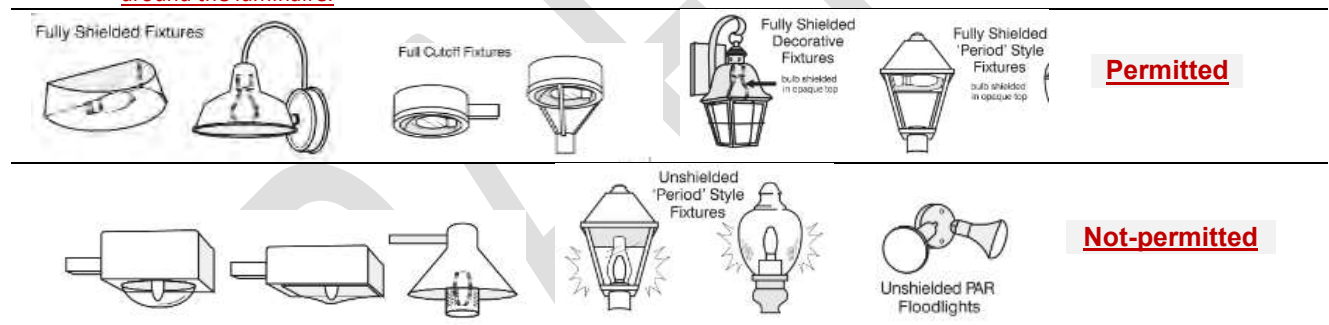
EXHIBIT "A"

TEXT AMENDMENT #1 – THAT A NEW SECTION 4.03.04 LIGHTING, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY CREATED TO READ AS FOLLOWS:

4.03.04. – Lighting.

Lighting
GENERAL

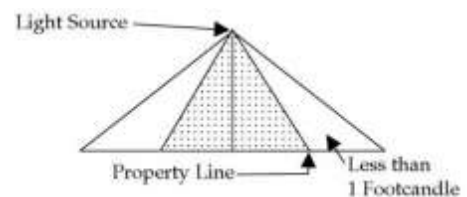
1. **General.** The provisions of this Section shall apply to all development in the City.
2. **Outdoor Light Fixtures** are defined as outdoor artificial illuminating devices, outdoor fixtures, lamps, and other devices, permanent or portable, used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot or flood lights for: Buildings and Structures, Residences, Landscape Lighting, Sign Lighting, Parking Lot Lighting, Thoroughfare Lighting, and Recreational and Performance areas.
3. **Shielding.** All exterior illuminating devices, except those that are exempt shall be fully or partially shielded.
 - a. **"Full Cutoff"** shall mean that those fixtures so designated shall be shielded in a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point of the fixture where light is emitted.
 - b. **"Partial Cutoff"** shall mean that those fixtures so designated shall have a light distribution in which the candlepower per 1,000 lamp lumens does not numerically exceed 25 lumens (2 and ½ percent) at an angle of 90 degrees above Nadir (horizontal), and 100 lumens (ten percent) at a vertical angle of 80 degrees above Nadir. This applies to any lateral angle around the luminaire.



4. **Light Spillage.** Continuous light spillage onto neighboring properties shall not exceed (1) foot-candle as measured at the lot line (see diagram).
5. **Exemptions.**
 - a. **Low Intensity Fixtures:** Any outdoor lighting fixture which has a max. candle power of less than 1,000 candelas is exempt.
 - b. **Required safety lighting for towers (i.e. cellular) is exempt.**
6. **Illumination Types.** Those lighting types listed below in (a-g) shall be allowed. The same type of lighting should be utilized for all fixtures and light sources on the site.

a. Incandescent	c. Noble Gas Tube	e. Quartz	g. Color Correct H. Pressure Sodium
b. Metal Halide (filtered) †	d. LED	f. Fluorescent (filtered) †	
7. **Wall Packs.** Lights shall be fully shielded, limited to ancillary entrances, and not directly visible from the street.
8. **Other Illumination Sources.** Other sources of illumination that minimize undesirable light into the night sky, demonstrate architectural merit, or are energy efficient may be approved by the Supervisory Planner.
9. **Sign Lighting.** Externally illuminated signs shall use a "fully shielded" light directed solely at the sign.
 - a. **Goose Neck Lighting.** Goose neck lighting fixtures are strongly encouraged.
 - b. **Reserved.**

Streets, Paths, and Parking Lots. New lighting in walkable areas shall be of the general type illustrated below and should range from 10 – 20 ft. in height, spaced a maximum of 75 ft. on center, In auto-centric, recreation, and performance areas light poles may extend up to 25 ft. in height, with exceptions approved by Supervisory Planner.



Pipe



Post



Column



Double Column



Light Poles. Light poles should be placed 2 ft. from the back of the curb or street surface and may include brackets for decorative or graphic attachments.

Notes: ¹ Those outdoor light fixtures requiring a filter shall have glass, acrylic, or translucent enclosures (Quartz Glass is excluded).

TEXT AMENDMENT #2 – THAT SECTION 4.07.09 USES, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY ADMENDED BY REVISING STANDARDS FOR ACCESSORY DWELLING UNITS IN THE CRA OVERLAY DISTRICT, TO READ AS FOLLOWS:

4.07.09.- Uses.

RESIDENTIAL

Accessory Dwelling Unit (ADU)

An auxiliary dwelling unit located on the same lot as the principal building that may be attached by a back-building or contained within a stand-alone outbuilding. Examples include but are not limited to: a dwelling unit in a guest house, pool house, and above or beside a garage.

Supplementary Standards

1. An Accessory Dwelling Unit (ADU) shall comply with the following Supplemental Use Standards:
 - a. **Number of Units.** One ADU shall be permitted per lot.
 - b. **Size.**
 - i. ~~The maximum footprint for a freestanding ADU – Each floor of the main body of the ADU shall not exceed: 720 square feet or the footprint of the principal dwelling.~~
 - Width: 30 feet max.
 - Depth: 30 feet max.
 - ii. The maximum footprint of an ADU located within the principal building shall not exceed twenty-five (25) percent of the total floor area of a single floor within the principal building.

TEXT AMENDMENT #3 – THAT SECTION 4.07.10 ADMINISTRATION, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED BY REVISING REVIEW PROCESSES FOR THE CRA OVERLAY DISTRICT, TO READ AS FOLLOWS:

4.07.10 – Administration Review Process

5. **Administrative Waiver.** Administrative waivers are specified deviations from otherwise applicable development standards.

a. Applicability.

- i. For all numerical standards set forth in the overlay zoning of Section 4.07.00 through Section 4.08.02, the supervisory planner shall have authority to authorize an administrative waiver of up to ~~40~~ 20 percent.

b. Adjustment Criteria.

- i. To approve an application for an administrative waiver, the supervisory planner shall make an affirmative finding that the following criteria are met:

- (a) That granting the administrative waiver will ensure the same general level of land use compatibility as the otherwise applicable standards;
 - (b) That granting the administrative waiver will not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate screening, setbacks, and other land use considerations;
 - (c) That granting the administrative waiver will not adversely affect property values in any material way; and
 - (d) That granting the administrative waiver will be generally consistent with the purposes and intent of this overlay code.
- ii. Reserved.

TEXT AMENDMENT #4 – THAT SECTION 5.01.05 ACCESSORY DWELLINGS IN R-W, R1, NBR, ZONING DISTRICTS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED TO READ AS FOLLOWS:

5.01.05.- Accessory dwellings in R-W, R1, R2, R3, and NBR, CW, CG, IND, CON, and PI zoning districts.

Accessory apartments, detached guesthouses, and helper quarters shall be permissible in compliance with the following standards:

- A. An accessory dwelling unit (ADU): ~~is intended to provide not for hire housing for relatives, guests, or domestic helpers. An accessory dwelling unit shall not be considered as an apartment, hotel, or any other kind of multifamily use and shall not be used as a rental unit.~~
 - 1. ~~Is intended to provide housing for relatives, guests, domestic helpers, caretakers, security personnel, or renters. An accessory dwelling unit shall not be considered as an apartment, hotel, or any other kind of multifamily use and shall not be used as a rental unit.~~
 - 2. May not have its main entrance through the garage doors, but may be located toward a side street, alley, or internal to the lot. If the unit is located within the principal building, a separate door (from the garage doors) shall be used.
 - 3. Shall not require additional parking, except in the case of guest room(s) for a Bed & Breakfast, which shall be calculated as part of the required parking. Parking may be accessed from an alley, side street, or front street. However, parking may only be accessed from the front when there is no alley or side street present.
- B. Accessory dwellings within a principal building shall comply with the following standards:
 - 1. An accessory dwelling shall not be construed to be located within a principal building when it is connected to the principal building only by a breezeway or roofed passageway.
 - 2. No more than one (1) accessory dwelling shall be permitted.
 - 3. An accessory dwelling shall not be permissible within a nonconforming principal building.
 - 4. An accessory dwelling shall not be permissible where a variance or waiver is necessary in order to allow the accessory dwelling.
 - 5. An accessory dwelling shall not occupy more than twenty-five (25) percent of the total floor area of a single floor of the principal building.
- C. Freestanding accessory dwellings shall comply with the following standards:
 - 1. ~~The floor area shall not exceed four hundred fifty (450) square feet. Each floor of the main body of the ADU shall not exceed:~~
 - Width: 30 feet max.
 - Depth: 30 feet max.

2. An accessory dwelling unit shall be located only within a rear yard. However, an accessory dwelling unit may be located within the side yard of a lot that is 100 feet wide with the permission of the Supervisory Planner.
3. A separate water meter shall be provided for a freestanding accessory dwelling.
4. An accessory dwelling shall comply with all standards set forth in sections 5.01.02 and 5.01.04, except for any restrictions on building height, which may not exceed two stories and the maximum height for the zoning district (Table 4.02.02.C. Standards for Building Heights and Setbacks).

TEXT AMENDMENT #5 – THAT SECTION 5.01.06 ACCESSORY DWELLINGS IN IND, CON, AND PI ZONING DISTRICTS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY DELETED AS FOLLOWS:

~~5.01.06.—Accessory dwellings in IND, CON, and PI zoning districts.~~

~~Housing or quarters for caretakers, security personnel, or park rangers shall be permissible in compliance with the following standards:~~

- ~~A.—An accessory dwelling is intended to provide housing for a caretaker, security person, or ranger. Accessory dwellings permissible under this section shall be subordinate to the principal use and shall not be used as a rental unit or for any purpose other than security, caretaker, or park ranger personnel required to live on the premises of the principal use.~~
- ~~B.—An accessory dwelling shall be located in compliance with the standards set forth in section 5.01.02.~~
- ~~C.—An accessory dwelling may be either site built or a manufactured home.~~
- ~~D.—No more than one (1) accessory dwelling shall be permitted on any lot.~~
- ~~E.—There shall be a minimum separation of seven (7) feet between principal and accessory structures on the same lot.~~
- ~~F.—The separation between buildings shall be measured from the nearest edge of the eaves of each building.~~
- ~~G.—An accessory dwelling shall not exceed twenty five (25) feet in height.~~
- ~~H.—An accessory dwelling shall not exceed one thousand five hundred (1,500) square feet in gross floor area.~~

~~(Ord. No. 05-0-08, §§ 1, 2, 5-17-2005)~~

TEXT AMENDMENT #6 – THAT SECTION 5.01.11 FENCES, HEDGES, AND WALLS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED (DELETED AND REPLACED) TO READ AS FOLLOWS:

~~5.01.11. – Fences, hedges, and walls.~~

- ~~A. – All fences shall comply with the Florida Building Code. Wooden posts shall be pressure treated and shall be resistant to decay, corrosion, and termite infestation.~~
- ~~B. – Fences or hedges may be located in any front, side, and rear yard setback areas.~~
- ~~C. – No fences or hedges shall exceed four (4) feet in height when placed in the front yard.~~
- ~~D. – Each fence or hedge located in the side and rear yard shall not exceed the height of six (6) feet, except as set forth in subsection I. below.~~
- ~~E. – In areas where the property faces two (2) roadways or is located in any other area construed to be a corner lot, no fence shall be located in the vision triangle, as described in section 6.04.04.~~
- ~~F. – All fences shall be placed with the finished side facing the adjoining property or the right-of-way.~~
- ~~G. – Any fence or wall that provides structural support to a building shall be considered part of the building and shall be required to meet the building setback standards.~~
- ~~H. – A fence may tie in to a building to complete the enclosure of a yard, where such fence does not provide support as set forth in subsection G. above.~~
- ~~I. – No barbed wire or electric fences in any form shall be permitted in any zoning district. However, a security fence in an industrial zoning district may use barbed wire, provided that the fence shall not exceed eight (8) feet in height and the barbed wire on top of the fence shall not exceed an additional one (1) foot. A commercial zoning district may apply for the same type fencing with approval by the city manager.~~
- ~~J. – No fence or hedge shall be constructed or installed in such a manner as to interfere with stormwater management facilities or to impede drainage on the site.~~
- ~~K. – All fences, hedges, and walls shall be continually maintained for safety and appearance, consistent with the requirements of the LDC.~~
- ~~L. – Classification of fences on vacant properties (properties within the CRA district must comply with chapter 4 of the Land Development Code for appearance.)~~
 - ~~A. – On lots with a main structure that has a vacant adjacent lot under the same ownership, the fence must meet all applicable codes. No accessory structure other than a fence may be constructed on an adjacent vacant property. The maximum height in the front cannot exceed four (4) feet from grade, must be a minimum of fifty (50) percent transparent and the fence must be constructed along the entire vacant lot (all sides). Adjacent vacant lot must be maintained at all times.~~
 - ~~B. – Vacant lots (stand-alone): Four (4) foot maximum height measured from grade. Materials must meet fencing criteria for fifty (50) percent transparency. No accessory structure or use other than a fence is allowed on stand-alone vacant properties. The property must be maintained at all times.~~

5.01.11. Fences, walls, and hedges.

A. **Fence, wall, and hedge location.**

1. Fences, walls, and hedges are permitted:

- a. On the property line between two or more parcels of land held in private ownership.
- b. On a property line adjacent to, but outside a public right of way.
- c. On a property when utilized to delineate different portions of the lot.
- d. Underground, for the electronic control of domestic animals.

2. **Visibility clearance.** Fences, walls, and hedges shall be placed outside of required sight triangles or areas needed for visibility (see 6.04.04).

3. **Near fire hydrants.** Fences, walls, and hedges shall not be located where they would prevent immediate view of, or access to, fire hydrants or other fire-fighting water supply devices.
 4. **Utility easements.** Fences, walls, and hedges shall be prohibited within utility easements except where constructed by the City, the utility, or if permission is granted by the Supervisory Planner. This provision shall not be construed to prevent fencing around stormwater retention or detention facilities.
 5. **Drainage areas.** No fence, wall, or hedge shall be installed so as to interfere with stormwater management facilities or block or divert drainage flow onto the site or any other land, except where permission is granted by the Supervisory Planner.
- B. **Maintenance.** All fences, walls, hedges, and associated landscaping shall be maintained in good repair and in a safe and attractive condition—including, but not limited to, the repair or replacement of missing, decayed, or broken structural and decorative elements.
- C. **Classification of fences on vacant properties.**
1. On lots with a main structure that has a vacant adjacent lot located to either side on the same block-face that is under the same ownership, a fence may be installed on the vacant lot that complies with all applicable codes. No accessory structure other than a fence may be constructed on an adjacent vacant property. The maximum fence height cannot exceed four (4) feet from grade and shall meet the opacity criteria for the type of fence or be fifty (50) percent opaque. The fence shall be constructed along all sides of the vacant lot, except in the side yard that connects the two parcels (if the lot with the main structure contains a fence along this side) or where a side will front a canal or waterway. Chain link fences are prohibited. The vacant lot shall be maintained.
 2. Vacant lots (stand-alone): Four (4) foot maximum height measured from grade. Opacity must be 50% or meet the criteria for the type of fence. The fence shall be constructed along all sides of the vacant lot, except where a side will front a canal or waterway. No accessory structure or use other than a fence is allowed on stand-alone vacant properties. Chain link fences are prohibited. The property must be maintained at all times.
- D. **Changes in Character and Intensity with Zone.**
1. Table 5.01.11.A. (Fence, Wall and Hedge Design) conveys the types of fences, walls, and hedges that are most often associated with each zoning district.
 2. Table 5.01.11.B. (Fences Walls and Hedges: Changes in Character and Intensity with Zone) provides photographic examples of the fences, walls, and hedges identified in Table A and demonstrates how their character and intensity changes with district. These photographs are illustrative only and are not intended to be regulatory.
- E. **Materials and Height.**
1. Table 5.01.11.A. (Fence, Wall, and Hedge Design) conveys the:
 - a. Permitted height for fences, walls, and hedges as measured from natural grade, for each zoning district.
 - b. Permitted and prohibited materials for fences, walls, and hedges.
 2. **Height Exemptions.**
 - a. **Pergolas, Arbors, Trellises.** Architectural features that are both functional and compatible with the fence, wall, or hedge are exempt from the height restrictions of this Section.
 - b. **Recreational Fencing.** Customary fencing provided as a part of a permitted tennis court, athletic field, or other recreational facility shall be exempt from the height restrictions of this Section. The typology of such fencing may be chain link or similar.
 - c. **Public Safety Use Fences and Walls.** Major utilities, wireless communication towers, government facilities, and other public safety uses shall be allowed to increase maximum fence or wall heights to 8 feet in front, side, and rear yards, unless further increased through

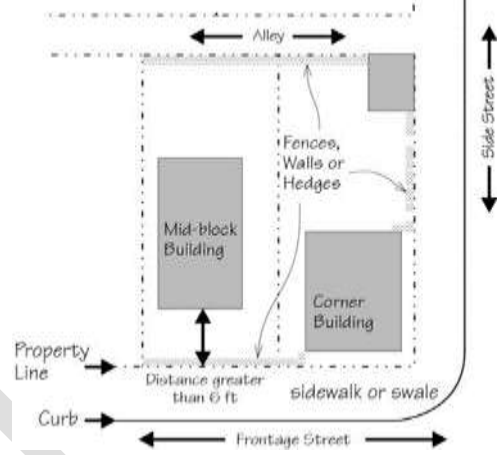
an approved security plan (see Subsection d. below). Where visible from the street a wall shall be fronted by a hedge row or similar vegetative landscaping.

d. **Security Plan for Fences and Walls.** A property owner may submit a site security plan to the Administrator that proposes an 8-foot fence or wall with or without an additional 1 foot of barbed or concertina wire atop the fence or wall. The use of barbed or concertina wire shall be limited to the (I) Industrial and (PI) Public Institutional zoning districts. The Administrator may approve, or approve with conditions, the site security plan if:

- (1) The condition, location, or use of the land, or the history of activity in the area, indicates the land or any materials stored or used on it are in significantly greater danger of theft or damage than surrounding land; and
- (2) The proposed taller fences or walls, or use of barbed or concertina wire, will not have a significant adverse effect on the security, functioning, appearance, or value of adjacent lands or the surrounding area as a whole.

(CONTINUED ON NEXT PAGE)

Table 5.01.11.A

Zoning District	Permitted Fences, Walls, and Hedges	Permitted Height			Permitted and Prohibited Materials	
		Front Yard	Side and Rear Yard	Side and Rear Yard Adj. to ROW		
CON RC	<p>FENCE TYPES</p> <ol style="list-style-type: none"> 1. Privacy fence 2. Split Rail fence 3. Post & Rail fence 4. Living fence <p>WALL & HEDGE TYPES</p> <ol style="list-style-type: none"> 1. Hedge Wall 	<p>Min 48"</p> <p>Max 60"</p>	<p>Max 72"</p>	<p>Min 48"</p> <p>Max 60"</p>	<p>PERMITTED</p> <ul style="list-style-type: none"> • Treated or rot-resistant wood • Plants and vines • Wrought Iron • Brick • Stone • Concrete 	 <p>GENERAL REMARKS</p> <ol style="list-style-type: none"> 1. Fences, Walls, and Hedges are strongly encouraged and if constructed shall be sited along a right-of-way that abuts a street or alley, as conveyed in the associated standards as well as the above diagram and this Table. 2. The more "finished" side of a fence or wall shall face the perimeter of the lot. 3. The name assigned to Fences, Walls, & Hedges is based on common industry terminology. 4. Differing fence and wall types may be integrated so long as they comply with this Section (e.g. a fence in front of a hedge or a wrought iron fence on top of a wall). <p>FENCES</p> <ol style="list-style-type: none"> 1. "Permitted Height" addresses the height for the "body" of a fence. Fence posts may extend a maximum of 12" above the body of the fence. 2. Fence opacity shall not exceed 50% max. except: <ol style="list-style-type: none"> a. Privacy and Living Fences may be 100% max. b. Split Rail, Post & Rail, Chain Link, lattice, and Wrought Iron shall not exceed 25% max. 3. Fence Types may be finished in various "styles" (e.g., "Gothic" or "Dog Ear" Picket Fence). 4. Chain Link shall not be permitted in the Front Yard, or Side and Rear Yard adjacent to a ROW. 5. Split Rail and Post and Rail fences may use "hog wire" fill. 6. A "Living Fence" consists of wood posts with "hog wire" infill and a board rail on top. 7. Wood pickets or balusters shall be rectangular or round. Spacing shall not exceed 1 ½ inches. 8. Vertical posts on Wrought Iron fences shall be a minimum of 5/8" thick, spaced b/t 4 & 6 inches. <p>WALLS</p> <ol style="list-style-type: none"> 1. Reserved. <p>HEDGES</p> <ol style="list-style-type: none"> 1. Hedge Walls shall be a minimum of 8" thick.
RW R1	<p>FENCE TYPES</p> <ol style="list-style-type: none"> 1. Privacy fence 2. Split Rail fence 3. Post & Rail fence 4. Living fence 5. Chain Link fence 6. Lattice fence 7. Picket or Baluster fence with Corner Posts <p>WALL & HEDGE TYPES</p> <ol style="list-style-type: none"> 1. Hedge Wall 2. Hedge Wall with Brick Posts 3. Garden Wall 	<p>Min 42"</p> <p>Max 48"</p>	<p>Max 72"</p>	<p>Min 42"</p> <p>Max 48"</p>	<p>Masonry Units with Stucco (C.B.S. – if primary structure is masonry).</p> <ul style="list-style-type: none"> • Reinforced Concrete with Stucco (if primary structure is masonry). <p>PROHIBITED</p> <ul style="list-style-type: none"> • Plastic, Sheet Metal, Vinyl, Plywood, Junk, and Waste. • Barbed Wire, Concertina Wire, and above ground Electrified Fences not associated with agricultural activities or an approved security plan, (see Section 5.01.11.D.2.d.) 	
R2 R3 IND PI NBR CW CG CH MXD CRA DISTRICT	<p>FENCE TYPES</p> <ol style="list-style-type: none"> 1. Privacy fence 2. Living fence 3. Chain Link fence (Not permitted in CRA) 4. Lattice fence 5. Picket fence or Baluster fence with Corner Posts 6. Wrought Iron fence 7. Wrought Iron fence w/ Brick Posts <p>WALL & HEDGE TYPES</p> <ol style="list-style-type: none"> 1. Hedge Wall 2. Hedge Wall with Brick Posts or Picket Gate 3. Garden Wall 4. Garden Wall with Wrought Iron Fence 	<p>Min 36"</p> <p>Max 48"</p>	<p>Max 72"</p>	<p>Min 36"</p> <p>Max 48"</p>	<p>Barbed Wire, Concertina Wire, and above ground Electrified Fences not associated with agricultural activities or an approved security plan, (see Section 5.01.11.D.2.d.)</p>	

Notes:

- 1 Area in front of the primary structure (porches, balconies, includes porches).
- 2 Side and Rear Yard (behind the front plane of the primary structure).
- 3 Side and Rear Yard (behind the front plane of the primary structure) that abuts a side street Right of Way.

Table 5.01.11.8

CON, RC	RW, R1	R2, R3, IND, PI, NBR, CW, CG, CH, MXD, CRA	
Select from below only	Select from left and below	Select from both columns found below	
 <p data-bbox="282 537 430 569"><u>Privacy Fence</u></p>	 <p data-bbox="613 537 761 569"><u>Lattice Fence</u></p>	 <p data-bbox="953 537 1101 569"><u>Privacy Fence</u></p>	 <p data-bbox="1252 537 1471 569"><u>Wrought Iron Fence</u></p>
 <p data-bbox="267 917 435 949"><u>Split Rail Fence</u></p>	 <p data-bbox="561 917 820 949"><u>Picket or Baluster Fence</u></p>	 <p data-bbox="953 905 1101 936"><u>Living Fence</u></p>	 <p data-bbox="1292 905 1419 936"><u>Hedge Wall</u></p>
 <p data-bbox="261 1304 454 1335"><u>Post & Rail Fence</u></p>	 <p data-bbox="639 1314 769 1346"><u>Hedge Wall</u></p>	 <p data-bbox="943 1314 1091 1346"><u>Lattice Fence</u></p>	 <p data-bbox="1219 1314 1495 1346"><u>Hedge W. w/ Picket Gate</u></p>
 <p data-bbox="289 1757 427 1789"><u>Living Fence</u></p>	 <p data-bbox="618 1757 760 1789"><u>Garden Wall</u></p>	 <p data-bbox="894 1757 1154 1789"><u>Picket or Baluster Fence</u></p>	 <p data-bbox="1289 1757 1430 1789"><u>Garden Wall</u></p>

TEXT AMENDMENT #7 – THAT SECTION 5.01.16 ACCESSORY DWELLINGS CG ZONING DISTRICTS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY DELETED AS FOLLOWS:

~~5.01.16. – Accessory dwellings CG zoning districts.~~

~~Accessory apartments, detached guesthouses, and helper quarters shall be permissible in compliance with the following standards.~~

- ~~A. – An accessory dwelling in the CG zoning district is intended to provide housing within or attached to a principle structure.~~
- ~~B. – An accessory dwelling unit may be considered as an apartment and rented or leased separate from the principle structure.~~
- ~~C. – Accessory dwellings within a principal building shall comply with the following standards:
 - ~~1. – An accessory dwelling shall not be construed to be located within a principal building when it is connected to the principal building only by a breezeway or roofed passageway.~~
 - ~~2. – No more than one (1) accessory dwelling shall be permitted.~~
 - ~~3. – An accessory dwelling shall not be permissible within a nonconforming principal building.~~
 - ~~4. – An accessory dwelling shall not be permissible where a variance or waiver is necessary in order to allow the accessory dwelling.~~
 - ~~5. – An accessory dwelling shall not occupy more than forty five (45) percent of the total floor area of the principal building.~~
 - ~~6. – There shall be designated parking on-site for the accessory dwelling unit.~~~~

TEXT AMENDMENT #8 – THAT SECTION 6.04.02 ACCESS AND DRIVEWAY DESIGN REQUIREMENTS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED TO READ AS FOLLOWS:

6.04.02.- Access and driveway design requirements.

The following standards shall apply to all driveways or access points from a lot or parcel onto a public street:

F. Accessways and driveways shall comply with the following standards:

- ~~1. Residential driveways shall be a maximum of ten (10) feet in width at the lot line and may increase to a maximum of twenty (20) feet in width.~~

1. Residential Driveways:

- a. Residential driveways in which a sidewalk is present within the ROW on the same side of the street (or planned and funded to be constructed within the ROW on the same side of the street) shall not exceed a maximum of twelve (12) feet in width within the ROW. Any paved area not connected to a sidewalk shall be bounded by grass.

- i. If the sidewalk is located (or planned) at the back of the ROW, immediately adjacent to the property line then the first three (3) feet of driveway located on the parcel shall be paved and not exceed a maximum of twelve (12) feet in width. This paved area shall be bordered by grass.

- ii. Reserved.

If no sidewalk is present or planned, then the width of the driveway may be a minimum of twelve (12) feet and a maximum of twenty (20) feet within the ROW.

- b. A residential driveway may be a minimum of twelve (12) feet in width and a maximum of twenty (20) feet in width when located between the lot line and the carport, garage, or parking area under the house.

TEXT AMENDMENT #9 – THAT SECTION 6.04.07 STANDARDS FOR PARKING AND PARKING LOTS, TABLE 6.04.07(A) PARKING SPACE REQUIREMENTS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED TO READ AS FOLLOWS:

Table 6.04.07(A). Parking space requirements.

Type of use or activity	Minimum number of spaces
Assembly places (religious facilities, funeral homes, schools, theaters, auditoriums, arenas, civic centers, and facilities with an auditorium, sanctuary, or gathering place, whether fixed seats or open area)	1 space per 5 seats; 1 per 300 gsf (no fixed seats) 1
Clubs and lodges (including fraternities, sororities, and other social or civic membership organizations)	1 space per 5 seats in the largest assembly area; 1 per 300 gsf (no fixed seats)
Commercial activities, including retail sales, and business activities not otherwise specified	1 space per 400 sf. of gross floor area
Day-care, child care	1 per employee plus 1 per 6 persons of maximum occupancy
Private schools	1 per 4 persons of maximum occupancy
Other Drive-thru establishments	1 space per 150 s.f. of gross floor area <u>As required for the type of use or activity</u>
Eating, drinking, or entertainment establishments (without a drive-thru facility ies)	1 space per 150 s.f. of gross floor area
<u>Eating or entertainment establishments (with a drive-thru facility)</u>	1 space per 150 250 s.f. of gross floor area
Gasoline service stations and small vehicle repair	1 space per 500 s.f. of floor area
Group lodging, including nursing homes, rest homes, convalescent homes, assisted care facilities, and other similar facilities	1 space per 2 beds
Hospitals and other medical facilities providing overnight accommodations	1 space per 3 beds plus 1 space per 4 employees on the largest shift
Hotels, motels, and other similar lodging and accommodations establishments, without restaurants or lounges	1 space per sleeping room
Hotels, motels, apartment hotels, and other similar lodging and accommodations establishments, with restaurants or lounges	Parking required for the lodging facility plus one-half parking required for the restaurant
Industrial uses	1 space per 1,000 s.f. of gross floor area
Marinas	1 space per 5 boat berths (wet slips or dry storage), plus 1 space per employee on the largest shift
Medical offices and clinics	1 space per 400 s.f. of gross floor area
Mini-warehouse or self-storage facilities	1 space per 500 s.f. of office space. No spaces are required for storage facilities, provided that

	an off-street loading space is provided for each storage unit.
Multi-family dwellings	< 1000 sf. = 1 per unit min. 1000 sf. to 1500 sf. = 1.5 per unit min. > 1500 sf. = 2 per unit min.
Recreation facilities	1 space per 1,000 s.f. feet of active use area
Offices (general, professional, or government)	1 space per 400 s.f. of gross floor area
Single-family dwellings	1 per unit
Vehicles sales	1 per 3,000 s.f. of open or enclosed sales area
¹ The number of seats shall be the maximum occupancy load established for the building by the building official.	

TEXT AMENDMENT #10 – THAT SECTION 8.02.02 MEMBERSHIP AND TERMS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED BY REVISING PLANNING COMMISSION TERMS, TO READ AS FOLLOWS:

8.02.02 Membership and Terms.

- D. Terms shall be staggered such that no more than three (3) terms expire simultaneously. The initial appointment of members of the planning commission shall be as follows:
1. Two (2) members shall be appointed for one (1) year.
 2. Two (2) members shall be appointed for two (2) years.
 3. Three (3) members shall be appointed for three (3) years.
 4. All subsequent appointments shall be for the full term of three (3) years.
 5. No member may serve more than two successive three (3) year terms. Thereafter, members may be appointed only after they have been off of the Planning Commission for at least one year. Service for a partial term of less than one and a half years shall not constitute a term of service for purposes of this paragraph.

TEXT AMENDMENT #11 – THAT SECTION 9.03.01 AUTHORITY AND LIMITATIONS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED BY REVISING STANDARDS FOR ADMINISTRATIVE WAIVERS, TO READ AS FOLLOWS:

9.03.01 Authority and limitations

Administrative waivers are specified deviations from otherwise applicable development standards. ~~Except for Section 4.07.00 through Section 4.08.02 where administrative waivers are authorized at the discretion of the City's supervisory planner, all other administrative waivers shall be at the discretion of the City manager.~~ Upon an affirmative finding that the following criteria have been met, the Supervisory Planner City manager may permit an application for an administrative waiver of up to 40-20 percent for any development standard of this LDC:

- A. That granting the administrative waiver will ensure the same general level of land use compatibility as the otherwise applicable standards;
- B. That granting the administrative waiver will not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed development because of inadequate screening, setbacks, and other land use considerations;
- C. That granting the administrative waiver will not adversely affect property values in any material way; and

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

TEXT AMENDMENT #12 – THAT SECTION 10.00.06 COMBINING LOTS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED TO READ AS FOLLOWS:

10.00.06.- Combining lots.

- A. When two (2) or more lots are combined for development purposes, such lots shall be platted or replatted to create a single lot under one (1) ownership.
- B. ~~Reserved. When two (2) or more lots are developed under unified control and design, all such lots shall have the same zoning district classification.~~

TEXT AMENDMENT #13 – THAT SECTION 10.02.01 GENERALLY, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED BY REVISING NOTICING REQUIREMENTS, TO READ AS FOLLOWS:

10.02.01.- Generally.

- D. Notice shall be provided a minimum of ~~fifteen (15)~~ ten (10) days before the applicable public hearing.

TEXT AMENDMENT #14 – THAT SECTION 10.02.03 MAILED NOTICE REQUIREMENTS, OF APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES, IS HEREBY AMENDED TO READ AS FOLLOWS:

10.02.03.- Mailed Notice Requirements.

- A. Notice of a required public hearing shall be ~~mailed, certified return receipt, sent by first class mail~~ to all owners of real property located within three hundred (300) feet of the exterior lot lines of the subject property which is subject to the application.

END OF EXHIBIT "A"