



Crystal River, FL

Community Development Code

DRAFT 06/06/2024

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Section 1

Block Configuration

Introduction to the Code

The City of Crystal River recognizes the need for a comprehensive code to guide its future development and promote sustainable growth. The code structure is designed to provide a clear and organized framework for development in the city, with a focus on creating walkable, bikeable, and attractive urban environments. The code will be organized into several sections, each addressing a specific aspect of development, from block configuration and connectivity to zoning requirements and building design. The goal is to ensure that development in the city is well-designed, sustainable, and responsive to the needs and goals of the community. The code will provide clear guidelines and standards for developers, property owners, and city officials, with the ultimate goal of creating a vibrant and livable community that is attractive to residents, businesses, and visitors alike.

Section 1.0 Block Configuration

a. General Requirements.

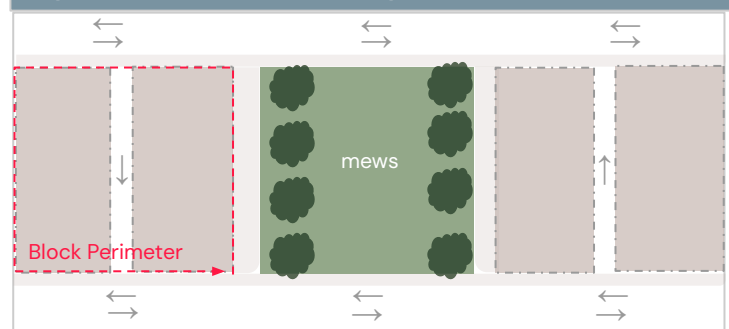
All new development shall improve the interconnected pattern of the existing street grid, or design new blocks that are consistent with this code section. The following apply to all new developments:

- (1) The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new developments.
- (2) Sidewalks, on-street parking and landscaping shall be coordinated to provide safe and attractive streets.
- (3) Cul-de-sacs and dead end streets are required to meet the design criteria of subsection (c).
- (4) In three way intersections, the terminating street should end in a prominent feature such as a water body, an open space, or building facade.
- (5) Streets shall be designed as described in the Thoroughfares section of this code.

b. Block Configuration.

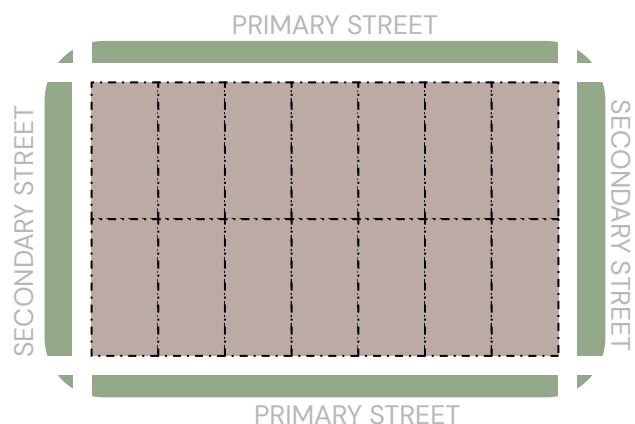
- (1) Block perimeter shall not exceed 2,000 linear feet, **except where wetlands, waterbodies, limited access facilities, DOT intersection spacing or other physical barriers prohibit roadway connections.** Block perimeter is measured at the back of the sidewalk. Where a mews is proposed (refer to Open Space Types), block perimeter is measured along the sidewalk at the front of the units facing the mews. See Figure 1.1

Figure 1.1 Block & mews Diagram



- (2) Existing lots within an existing four sided block are exempted from meeting the block perimeter requirement. However, for lots within an existing block with a double frontage and a perimeter of 1,800 linear feet or more, a pedestrian connection must be established between the both faces of the block. The connection should have sufficient marking or paving to indicate the pedestrian path.
- (3) Blocks shall typically be two lots deep with the exception of blocks containing Open Space.
- (4) Blocks shall typically be fronted with lots on at least two faces, preferably on the longest street faces.

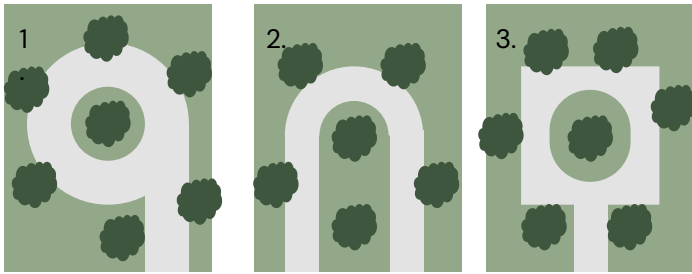
Figure 1.2 Typical Block



c. Dead Ends: Closes and Cul-de-sacs.

Where dead ends are required by site conditions, cul-de-sacs and closes shall be designed to include a planted median. Refer to the table and images for design requirements.

Closes & Cul-de-sacs	
ROW Width: +/- 100' (ROW may be smaller, provided safe turning radii is provided)	Turn Radius: 20' minimum, may be measured at curb or along vehicular path.
Lanes: 14' min	Median Planting: Shrubs required in the median unless the median is an inverted swale (bioswale). A bioswale requires rock (or similar erosion control) and grasses.



Section 2

Thoroughfares

Section 2 Thoroughfares

a. Intent.

This section aims to establish clear standards for the design of thoroughfares to ensure they are safe, functional, and accessible for all users. It will cover a range of elements including sidewalks, bike lanes, street lighting, crosswalks, and traffic calming measures. The goal is to promote walkability and bicycle friendliness, as well as to ensure that vehicles can move efficiently through the city.

b. General Requirements

- (1) All proposed thoroughfares, landscaping elements, and sidewalks shall be located in dedicated Rights-of-Way as a tract of land unless otherwise approved by the City.
- (2) All new vehicular facilities shall match one of the Thoroughfare Types, described in this section, whether publicly dedicated or privately held.
- (3) Where provided and permitted, parking shall be parallel. Angled parking on a thoroughfare type is permitted when adjacent or proximate (within 100') of non-residential uses. Angled parking shall be 45° or higher for safe visibility.
- (4) **New development abutting a City road with no sidewalk, or a sidewalk less than 5' in width, shall provide 5' minimum sidewalk parallel to the substandard roadway for the length of their property. The sidewalk may be in the ROW or on private property.**
- (5) **Where new development abuts a City owned road that has no street trees, either canopy trees (45' on center) or understory/palm trees (20' on center) shall be planted on the side of the street abutting the new development.**

c. Thoroughfare Types.

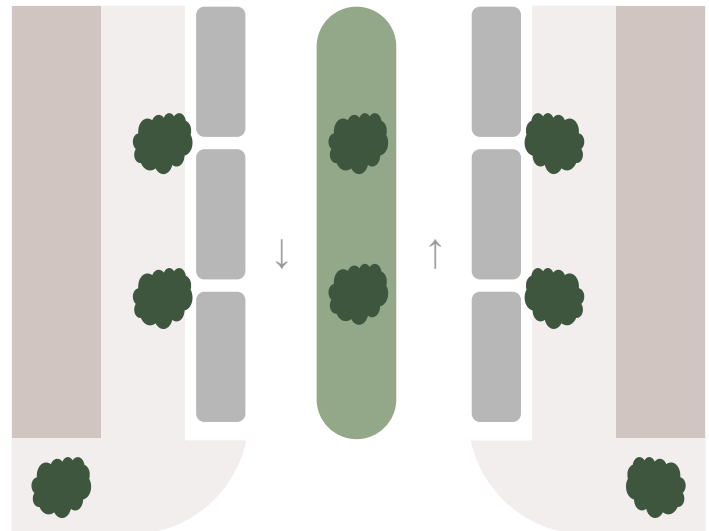
- (1) Thoroughfares are intended to complement the intensity of development it abuts. In general, narrower rights-of-way are intended to serve less densely populated areas and wider ROWs accommodate higher volumes of pedestrians, cyclists and vehicles.
- (2) The following graphics and tables depict the requirements for each Thoroughfare Type.

Avenue

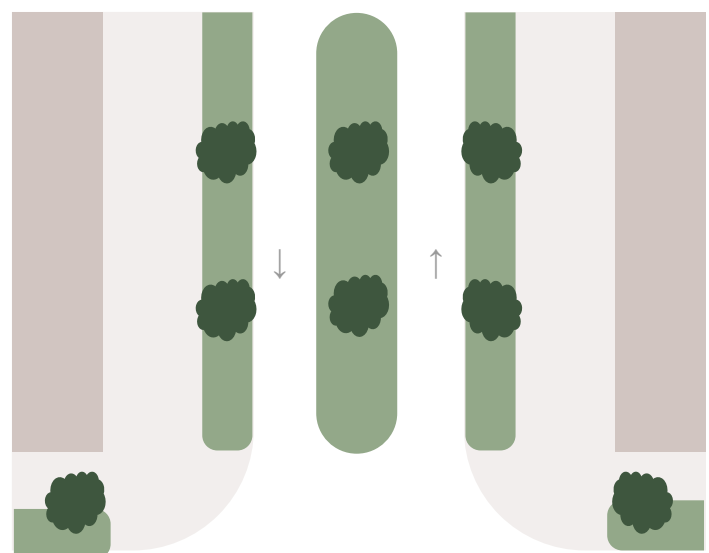
A short-distance connector that traverses an urban area. Its axis is terminated by a building, greenspace, natural feature or monument. Avenues typically begin and end within the City limits.

ROW Width: 60' min' +	Median: Required (12' min)
Lanes: 2 (12' wide)	Swale: Optional in Median
Sidewalk: Required, 5' min. width in SN-1 & SN-2 8' min. Width in UN-1 & UN-2 12' min width in UC-1 & UC-2	Street Trees: Canopy trees required every 45' with 6' wide planter
Bike Facilities: 10' min width, may be in median, adjacent to lane or shared with the sidewalk.	Lighting: Required

WITH PARKING



WITHOUT PARKING



Street

A small-scale connector. A street is urban in character, with raised curbs, closed drainage, wide sidewalks, parallel parking, trees in individual planting areas, and buildings aligned on short setbacks.

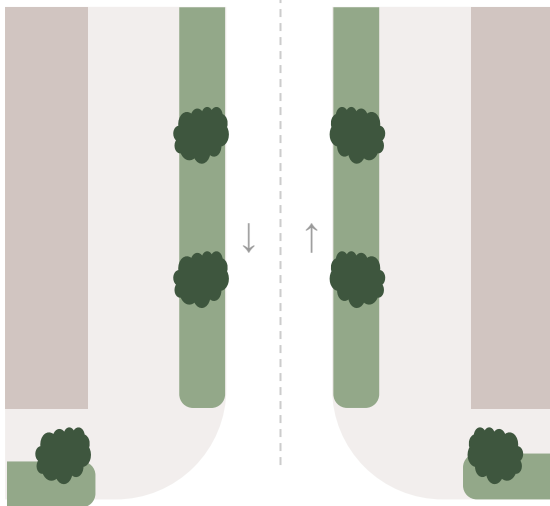
ROW Width: 50' min +	Median: N/A
Lanes: 2 (10'-12' wide)	Swale: Optional
Sidewalk: Required on both sides, 5' wide min for residential, 7' min. for non-residential uses.	Street Trees: Canopy required every 45' with 6' wide planter or understory trees every 38'
Bike Facilities: Shared	Lighting: Required

Residential Avenue

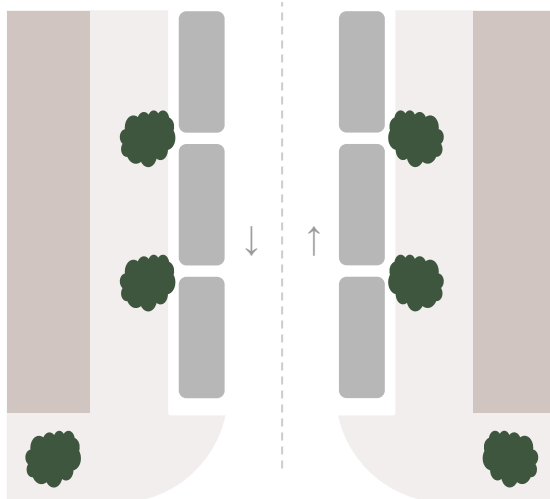
A small neighborhood serving street that has very low traffic demand and is used in very low volume situations or where a dead end is required by natural conditions.

ROW Width: 48' min	Median: 6' planter for canopy trees or 4' planter for palm trees
Lanes: 14' pavement width	Swale: Required on both sides and in median
Sidewalk: None required	Street Trees: Canopy required every 45' with 6' wide planter
Bike Facilities: None required	Lighting: Required only at intersections

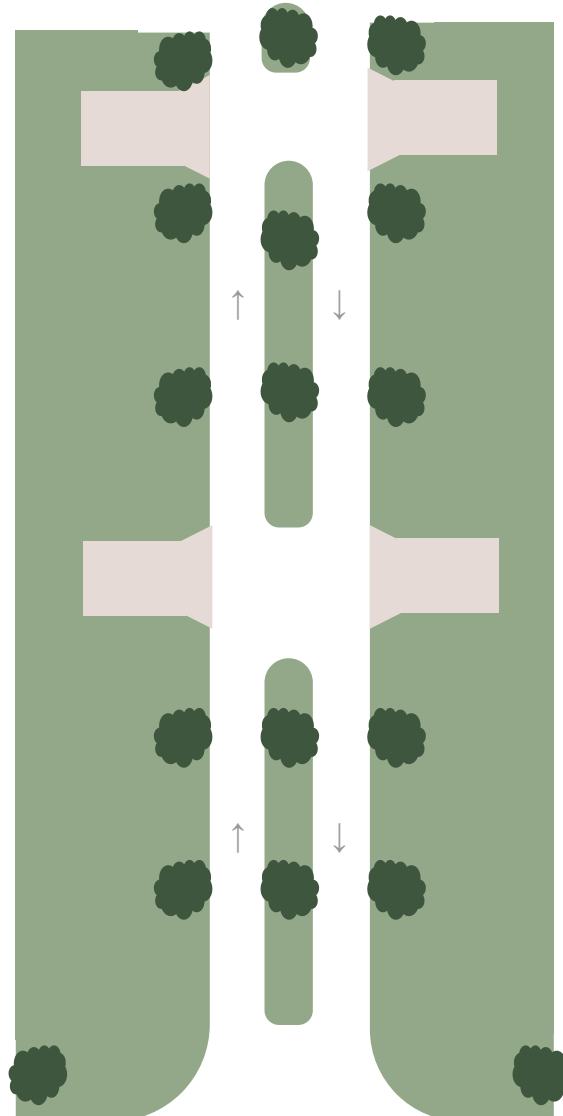
WITHOUT PARKING



WITH PARKING



WITHOUT PARKING

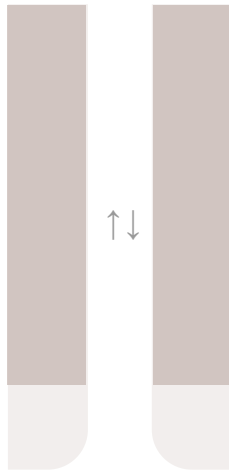


Alley

A narrow access route servicing the rear of buildings on a street. Alleys have no sidewalks, landscaping, or building setbacks. Alleys are used by garbage trucks and must accommodate dumpsters. Alleys are usually paved to their edges, with center drainage via an inverted crown.

ROW Width: 20' min	Median: N/A
Lanes: 12' min paved width	Swale: N/A
Sidewalk: N/A	Street Trees: Palms every 20', Palms may be clustered to avoid driveways
Bike Facilities: N/A	Lighting: Required only at intersections

WITHOUT PARKING



d. Design Considerations.

The following images depict design details that are intended to guide the finer details of thoroughfares and their interaction with surrounding uses and open spaces. A mixture of materials and the proper organization of landscape, lighting and hardscape is important in achieving an attractive streetscape.

Landscape and hardscape design should reflect neighborhood identity



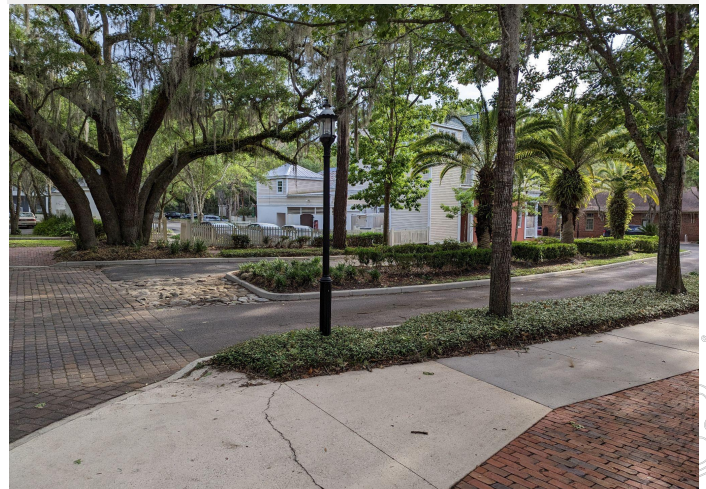
Native landscaping in a mews providing connectivity and aesthetics.



Pavers with concrete ribbon curb transition to asphalt



Diverse materials and plantings creating a memorable street



e. Improvements to Existing Roads, Concurrency.

(1) **Traffic Reports.** All developments, except for those considered “de minimis” in this Code.

(a) **Exemptions.** The City of Crystal River defines “de minimis” development as any development for which the net average weekday peak hour two-way volume generated by the development is less than 100 trip ends or driveway volume on the adjacent roadway[s].

(b) **Methodology.** The methodology of the report shall be reviewed and approved by the City.

(c) At a minimum, the traffic study shall include:

- (i) Existing average daily traffic on adjacent streets and streets impacted by the proposed development.
- (ii) The total trips generated by the project and the distribution of the trips onto adjacent streets.
- (iii) Level of service calculations at each project access point for both the a.m. and p.m. peak hours, both existing and with the proposed development.
- (iv) Level of service calculations at impacted intersections for both the a.m. and p.m. peak hours, both existing and with the proposed development.
- (v) Analysis of the need for turning lanes or additional lanes on impacted roadways.
- (vi) Analysis of the need for intersection improvements.
- (vii) Analysis of the need for traffic signals or other traffic control devices.
- (viii) Other transportation factors based upon generally accepted traffic engineering practices.

(d) The report shall include a statement of the assumptions used in conducting the analysis, including the following:

- (i) Type and intensity or density of development.
- (ii) Projected population of a residential development.
- (iii) Proposed timing and phases of development.
- (iv) Proposed design of streets, access points, driveways, alleys, sidewalks, and other components of the transportation system.

(2) **Turning Lanes.** Acceleration, deceleration and turning auxiliary lanes should be provided at subdivision entrances and commercial site driveways as warranted on the city’s designated collector roads. An approved traffic analysis signed and sealed by a licensed Florida professional engineer, shall be used to determine such need for developments which generate an a.m. or p.m. peak hour traffic exceeding more than twenty (20) left turning vehicles per hour or more than forty (40) right turning vehicles per hour on the collector road. Facilities having a high volume of buses, trucks, or recreational vehicles (2 or 3 per hour) shall also warrant the need for such analysis. The minimum length of auxiliary lanes shall be determined using FDOT design standards. Developments within the city’s jurisdiction but that are located on a county-maintained collector road shall receive approval by Citrus County government. Requirements for US 19 and SR 44, which function as principal arterials and are part of the state’s strategic intermodal system, shall be determined by the FDOT.

(3) *Reserved.*

Section 3

Open Space

Open Spaces

This section will provide guidelines for the design and development of open spaces such as parks, plazas, and public squares, with a focus on creating inviting and functional community areas. As Crystal River experiences growth and infill development, it is important to prioritize these open spaces as places for people to gather, relax, and engage in healthy activities. Well-designed and thoughtfully-placed open spaces can enhance the urban environment, promote social interaction, and contribute to a sense of community pride. This section will offer guidance on various aspects of open space design, including landscape design, seating and furniture, lighting, and amenities.

Section 3 Open Spaces

a. General Requirements.

All new development shall provide Open Space(s) as defined in this section with the exception of single family residential developments that do not require a subdivision plan.

- (1) Open Spaces designated pursuant to this section shall be identified on Preliminary Subdivision Plans, Plats, Site Plans, and Construction Plan. Where subdividing land is proposed, Open Space shall be in tracts.
- (2) Where an Open Space has a waterbody, such as lakes, ponds, and/or streams, walking trails shall be provided no less than 4' wide.
- (3) Open Spaces shall be privately held unless otherwise approved by the City.
- (4) On street parking adjacent to Open Spaces is encouraged.

b. Allowable Area and Uses.

- (1) Open Spaces permit designated sports fields, playgrounds, semi-enclosed structures (i.e. gazebos), shade structures, stormwater ponds and conserved uplands areas.
- (2) Fully enclosed structures are permitted in Open Spaces 1 acre or larger, provided that they do not exceed 2,000 square feet.
- (3) Utility Easements, do not count towards Open Space area requirements **unless seeded with native wildflowers or if a trail is provided within the easement**. Wetlands do not count except for areas accessed by a boardwalk.
- (4) Upland lands that are proposed to be undisturbed shall count towards the Open Space requirements **where appropriate protection is provided** (i.e. protective fencing) and a 5' pervious walking path is provided within the undisturbed upland area.

Zone	Percentage Open Space*
UC-1, UC-2	20%
UN-1, UN-2	30%
SN-1, SN-2	
CIVIC	70%
IND	20%
* Open Space requirement is calculated on net developable acreage. Open Space Types, Buffers and Stormwater count towards this requirement.	

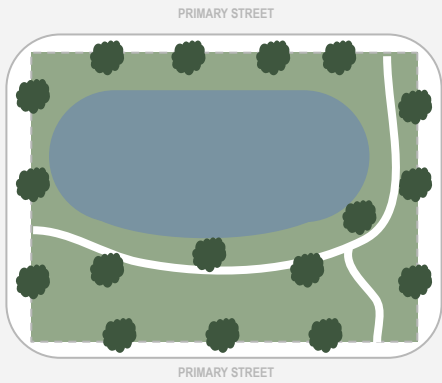
Figure 3.1 Example Small Scale Plaza



Open Spaces Types

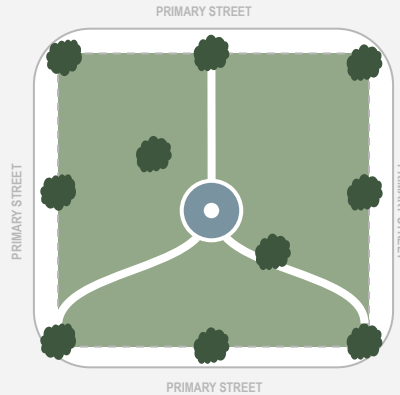
Refer to the figures below for the required standards and details for all permitted Open Space Types. Where an Open Space is smaller than the required improvement, the improvement is not required. Seats may include seat walls, benches or other creative solutions.

GREEN



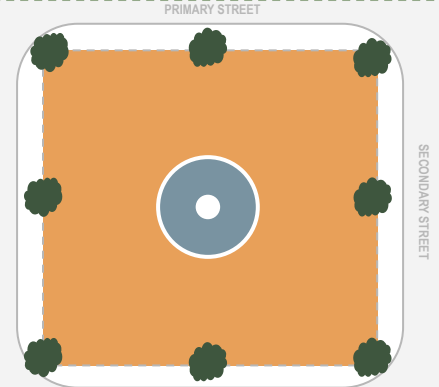
Width	30' minimum
Size	1 Acre minimum
Impervious	40% maximum
Street Frontage	35% minimum
Open Water	70% maximum
Improvements	4 Canopy Trees, and 8 Understory per acre (fractions are rounded up) 6 seats per acre Walking paths Pedestrian Lighting

SQUARE



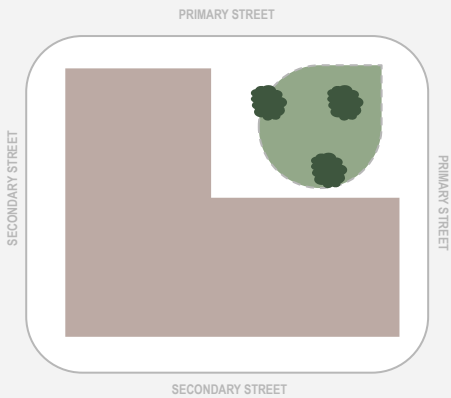
Width	60' minimum
Size	0.25 acres minimum
Impervious	65% maximum
Street Frontage	100% minimum
Open Water	30% maximum
Improvements	1 Canopy Tree, and 2 Understory or 4 Palms for every 10,890 SF (¼ acre) 6 seats for every .25 acres, max of 12 required Walking paths Pedestrian Lighting

PLAZA



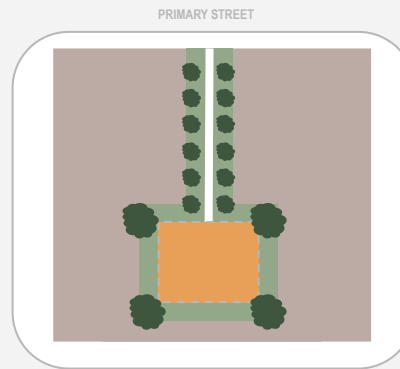
Width	30' minimum
Size	900 SF minimum
Impervious	90% maximum
Street Frontage	20% minimum
Open Water	50% maximum
Improvements	1 Canopy Tree every 45' of along perimeter 3 seats for every 900 SF, max of 12 required. Hardscaped walking surface Pedestrian Lighting

POCKET PARK



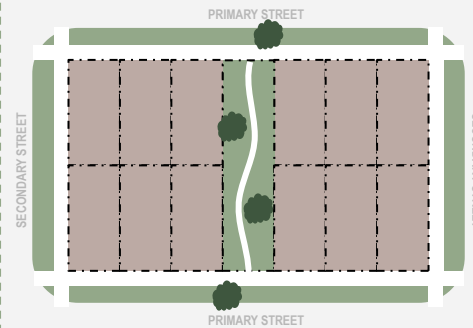
Width	30' minimum
Size	400 SF minimum 1 acre maximum
Impervious	90% maximum
Street Frontage	Adjacent on one side.
Open Water	30% maximum
Improvements	4 Canopy Tree per Acre, 1 minimum 2 Understory or 3 Palms for every 400 SF 2 seats for every 400 SF, max of 8 required. Pedestrian Lighting

COURTYARD



Width	N/A
Size	900 SF minimum
Impervious	90% maximum
Street Frontage	N/A, public path required
Open Water	30% maximum
Improvements	2 Understory or 4 Palms for every 900 SF 6 seats for every 900 SF, max of 12 required Walking path connecting the public sidewalk Pedestrian Lighting

mews (PEDESTRIAN PASSAGEWAY)



Width	30' minimum
Size	900 SF minimum
Impervious	90% maximum
Street Frontage	N/A
Open Water	50% maximum
Improvements	1 Canopy Tree every 60' on center 1 Understory Tree alternately planted Walking paths Pedestrian Lighting

Open Space Inspiration Images

Below are images intended to provide design direction for Open Space design in Crystal River.



Section 4

Zoning

Zoning

This section will provide the standards that each lot must adhere to in the City of Crystal River. The requirements will depict setbacks, heights, lot coverage and frontage design. The intent of this code section is to provide for a range of form throughout the City. Where intensity is the highest, the standards will focus on ensuring pedestrians, cyclists and motorists can safely access their daily needs and discretionary activities. This section will also regulate the transition from higher mixed use areas to low density residential areas. The intent is to ensure quiet enjoyment of private property while ensuring current and future residents are proximate to work, shopping, and recreational activities.

Section 4 Zoning

a. Establishment of Zones

- (1) **Zoning Map.** The City of Crystal River hereby adopts the Zoning Map which is on file with the Growth Management Department.
- (2) **Zones Established.** The City of Crystal River shall be divided into Zones and Special Districts that implement the Comprehensive Plan. The zones in this article are hereby established, and shall be shown on the Zoning Map.
- (3) **Zones.** The following Zones are hereby established.
 - (a) Urban Center 1 **UC-1**
 - (b) Urban Center 2 **UC-2**
 - (c) Urban Neighborhood 1 **UN-1**
 - (d) Urban Neighborhood 2 **UN-2**
 - (e) Suburban Neighborhood 1 **SN-1**
 - (f) Suburban Neighborhood 2 **SN-2**
 - (g) Civic Space **CIV**
 - (h) Conservation **CON**
- (4) **Special Districts.** The following Special Districts are hereby established.
 - (a) Light Industrial **IND**
 - (b) Institutional / Utilities **IU**
 - (c) Planned Developments **PUD**

b. Zoning Standards

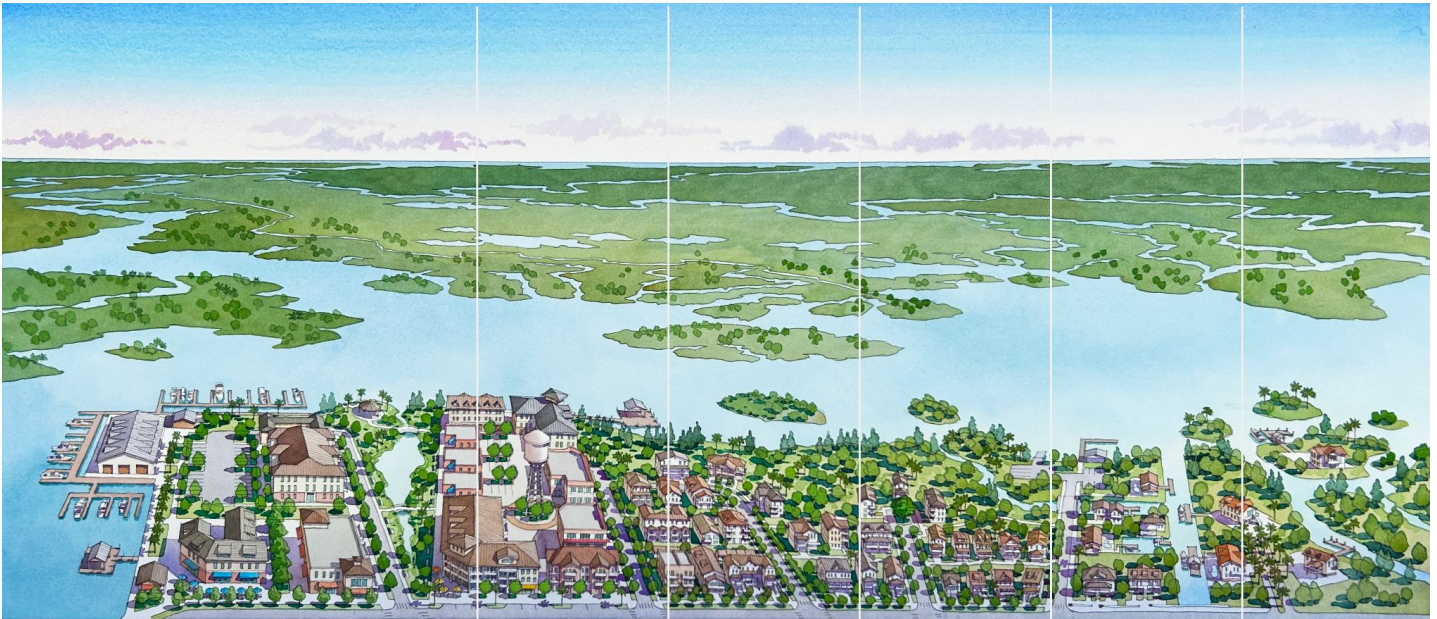
- (1) The following explains and further defines the standards outlined for each Zone.
- (2) **Lot.** A platted land area which is subject to minimum and maximum lot width, maximum building width, setbacks, and lot coverage. Additional standards below apply to all zones.
- (3) **Lot coverage.** The maximum percentage of a lot permitted to be covered by principal structures, accessory structures, pavement, and other impervious surfaces. Post and beam structures along with permeable surfaces, such as gravel, do not count toward the maximum lot coverage percentage.

- (4) **Setbacks.** Minimum setbacks are detailed in Table 4.1. Setbacks for single family residential lots in UC and UN zones are below:

LOT WIDTH	Front	Side	Corner	Rear
Attached SFR	15'	0' attached 5' end units	10'	15'
32' - 45' Wide	15'	5' / 5' OR 3' / 7'	10'	15'
46' - 69' Wide	20'	7.5' / 7.5' OR 5' / 10'	15'	20'
70' Wide and up	20'	10'	15'	20'

- (5) **Porch.** An open air roofed structure. Porches and balconies shall not be screened or enclosed for non-residential uses. Arcades, colonnades, stoops, and awnings may serve as alternatives to porches for the Urban Center zones.
- (6) **Balcony.** An open air cantilevered structure.
- (7) **Frontage Transparency.** For all non-residential buildings, the first habitable story front and corner facades must have at least 60% transparency. This is measured between 2 and 8 feet above the finished floor elevation.
- (8) **Accessory & Temporary Structures.** An accessory structure, separate from the main building on the lot, shall not be taller than the primary structure and shall use materials and architectural details similar to the main building. Temporary structures like tents, inflatable pools, sail shades, and game nets are restricted to the rear and side yards.
- (9) **Height.** The height of a building is defined as the vertical distance from the finished floor elevation to the top plate of the wall and the top of the building ridge or parapet. Within the floodplain, height is measured from either the base floodplain elevation or the finished floor elevation, whichever is lower.
- (10) **Height Exemptions.** Non-habitable towers or chimneys with less than a 200 SF footprint may exceed the top plate building height by 10'. ~~Habitable towers (View towers), may exceed the height as permitted by Zone.~~

Table 4.1 Zoning Requirements



ZONING	UC-1	UC-2	UN-1	UN-2	SN-1	SN-2
SETBACKS						
Front*	0'	8'	12'	15'	20'	25'
Rear*	3'	5'	10'	10'	20'	25'
Side*	0' for attached building (zero lot line development) 5' for detached buildings				7.5'	10'
Corner*	3'	5'	10'	15'	15'	15'
Porch/Balcony Front Setback	Porches and balconies may encroach the front and corner setback up to 8'					
Staircase Front Setback	0'	0'	2'	2'	10'	10'
Accessory Structure Rear	3'	5'	5'	5'	10'	10'
Waterfront Setback	25' to mean high water line					
View Tower Interior Front Setback	0'	8'	12'	15'	20'	25'
View Tower Interior Side Setback	5'	5'	15'	15'	25'	30'
View Tower Corner Setback	5'	5'	10'	15'	15'	15'
View Tower Rear Setback	5'	5'	30'	30'	50'	50'
LOT REQUIREMENTS						
Minimum Width	18' attached 32' detached	20' attached 32' detached	22' attached 32' detached	24' attached 40' detached	75'	90'
Minimum Lot Size	1,620 SF	1,800 SF	1,980 SF	2,160 SF	7,500 SF	9,000 SF
Lot Coverage	90%	80%	75%	70%	60%	50%
MAX DENSITY / INTENSITY						
Dwelling Units per Acre	16 DU/AC		12 DU/AC		4 DU/AC	
Floor Area Ratio	3.0 FAR		1.0 FAR		N/A	
HEIGHT**						
Maximum Building Height	65' to top plate 75' to ridge	52' to top plate 62' to ridge	42' to top plate 52' to ridge	42' to top plate 52' to ridge	38' to top plate 50' to ridge	38' to top plate 50' to ridge
Maximum Habitable Tower Height	80' to top plate	65' to top plate	65' to top plate	48' to top plate	45' to top plate	45' to top plate
DESIGN BY CONTEXT						
RECOMMENDED OPEN SPACES						
Green	✓	✓	✓	✓	✓	✓
Square	✓	✓	✓	✓		✓
Plaza	✓	✓	✓	✓		
Pocket Park	✓	✓	✓	✓	✓	✓
Courtyard	✓	✓	✓	✓		
mewss			✓	✓	✓	✓

*Refer to Section 4(b)(4) for required setbacks of single family residential lots in Urban Center & Urban Neighborhood Zones.

** Height may require FAA approval where adjacent to airports.

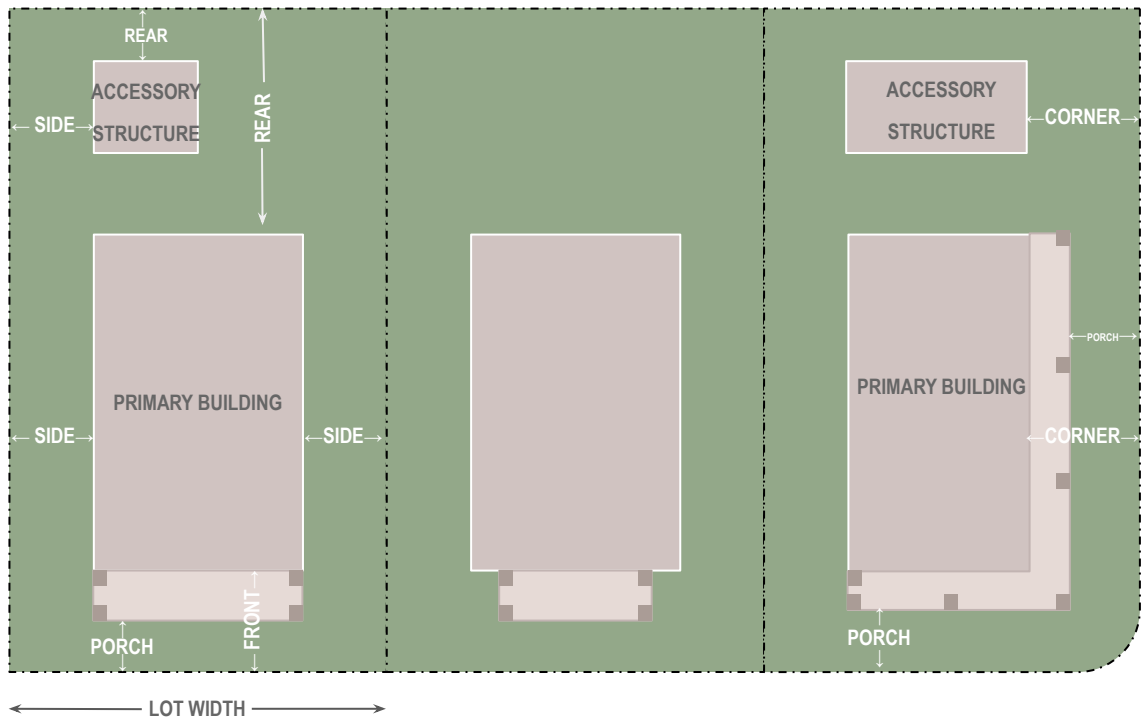
Table 4.1 (cont.) Zoning Requirements

ZONING	IND	IU	CIV	CON
SETBACKS				
Front*	10'	10*	N/A	N/A
Rear	25'	25*	N/A	N/A
Side	10'	10*	N/A	N/A
Corner	15'	15*	N/A	N/A
Accessory Structure Rear	15'	15*	N/A	N/A
LOT REQUIREMENTS				
Minimum Width	100'	N/A	N/A	N/A
Minimum Lot Size	10,000 SF	N/A	N/A	N/A
Lot Coverage	70%	70%	45%	10%
MAX DENSITY / INTENSITY				
Dwelling Units per Acre	N/A			
Floor Area Ratio	1.5 FAR		0.25	
HEIGHT				
Maximum Building Height	46' to top plate 52' to ridge	38' to top plate 50' to ridge	42' to top plate 52' to ridge	N/A

*Power plants, water treatment facilities or similar uses shall have a 50' minimum setback from any property line.

Table 4.2 Measuring Zoning Requirements

Lot Requirements



Projections into setbacks. Eaves, roof overhangs, canopies, chimneys and flues, and awnings may project into the setback up to three and one-half feet. Fabric canopies, awnings, balconies, etc., with ground supports, second floor open porches, two-story high columns or similar features are considered a structure, and to be part of the main structure, and thus shall observe the setback requirements of the districts in which they are located. Cantilevered bay windows which project from the wall at a minimum height of 24 inches above grade may project two feet into the front, and rear setbacks and are limited to a maximum width of eight feet.

Accessory structures, appurtenances and equipment. No detached accessory use or structure shall be permitted in the required front setback. On double frontage lots or corner lots, no detached accessory use or structure shall be permitted in the required setbacks fronting on the streets. In addition, no storage sheds shall be permitted in the area between the building line of the main structure and street or streets, unless screened by an opaque fence or wall.

Mechanical equipment, which includes air-conditioning equipment, swimming pool equipment, generators, and similar type equipment, shall not be located in any front or corner setback. Mechanical equipment shall not be located in any required side setback or within ten feet from the rear property line except that they may be permitted up to six feet from a side or rear property line if surrounded by block wall equal in height of the equipment. Propane tanks shall not be located within five feet of any side or rear property line. Any mechanical equipment placed on a roof must be screened from view from surrounding properties and from public streets.

The height is measured as the vertical distance between the finished floor elevation of a proposed building and its top plate and roof ridge.

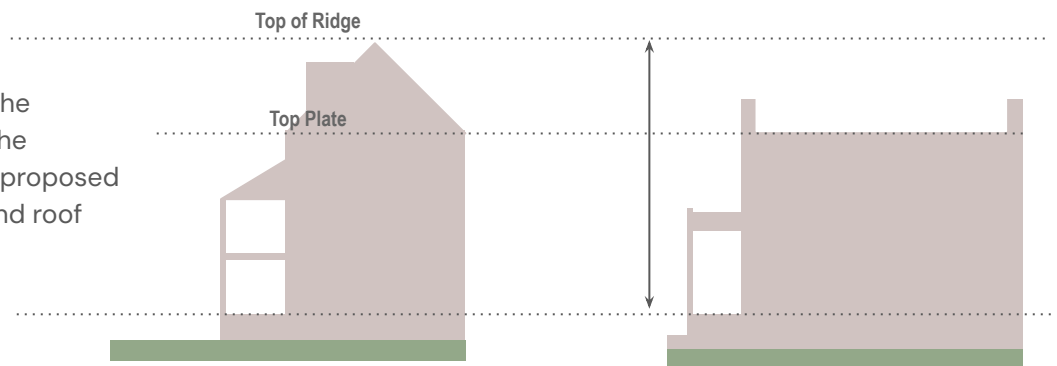


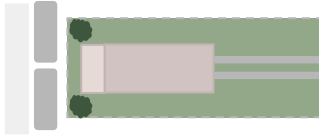
Table 4.3 Residential Driveway Configurations

Lot Width

Parking Layout

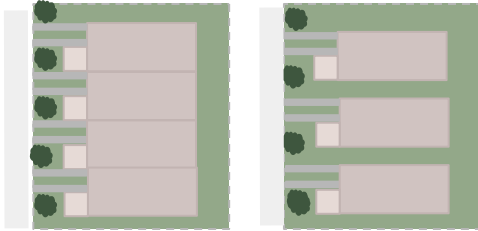
General Requirements

0' wide and greater



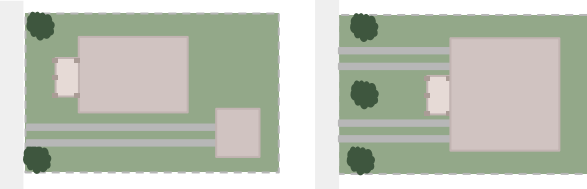
Any lot may access from the rear using a platted alley, access easement or rear access drive. Driveway depth shall be 20' from the rear property line, alley pavement, access easement, or rear access drive to accommodate parking.

20' wide to under 40'



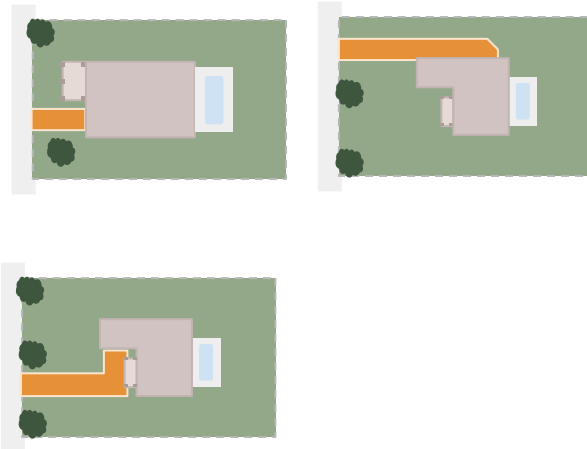
On lots of 20' to under 40' wide a front-accessed driveway is permitted with a minimum depth of 30' measured from the front property line or shared access drive. The driveway material must be pavers or another approved surface. The maximum driveway width is 8'

40' wide and greater



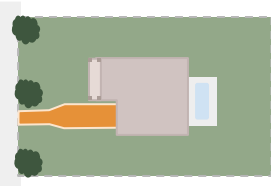
For lots at least 40' wide, a front-accessed driveway is permitted with a minimum depth of 30' measured from the front property line or shared access drive. Two 8' driveways or one 12' foot wide driveway is permitted. The use of shared driveway aprons is recommended.

60' and greater



On lots with a width of 60' to less than 75' front-accessed homes are permitted. Driveways must have a minimum depth of 30' from the front property line. Driveways should be paved with pavers or another approved material and not exceed 16' in width. Turnaround areas, if required, shall not exceed 24' in width.

80' wide and greater



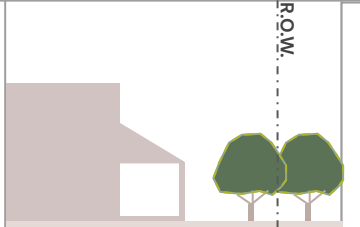
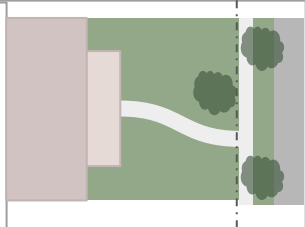
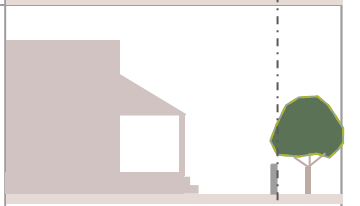
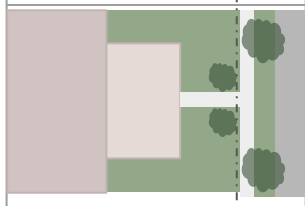
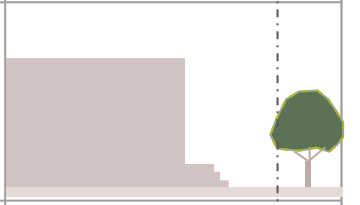


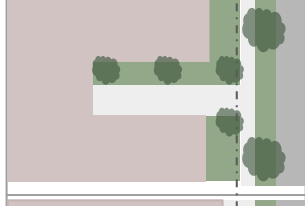
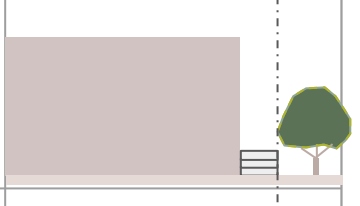
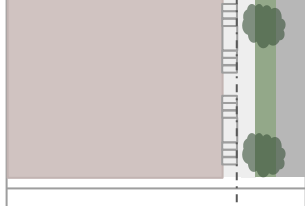




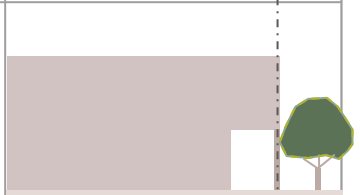
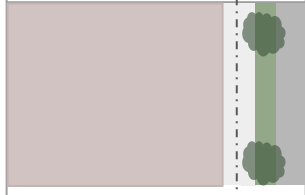
On lots with a width of 80' or more front-accessed homes are permitted. Driveways must have a minimum depth of 30' from the front property line to allow for parking. Driveways should be paved with pavers or another approved material and not exceed 26' in width.

Table 4.4 Permitted Frontage Types

Section View

Plan View

All buildings shall adhere to one or more of the following frontage types.

<p>Common Yard: a planted frontage wherein the building is set back substantially from the property line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The deep setback provides a buffer in residential settings or from the higher speed thoroughfares.</p>		
<p>Porch & Fence: a planted frontage wherein the building is set back from the property line with an attached porch permitted to encroach into the front setback. An optional fence at the property line helps define the street. Porches shall be no less than 6 feet deep.</p>		
<p>Terrace: a frontage where the building is set back from the property line by an elevated terrace. This buffers residential use from busy sidewalks and protects the private yard from public encroachment. Terraces in non-residential development shall be a minimum of 8 feet deep.</p>		
<p>Forecourt: a Frontage wherein a portion of the building is close to the property line and the central portion is set back. The forecourt created can be suitable for vehicular drop-offs as well. Forecourts should be used in conjunction with other frontage types.</p>		
<p>Stoop: a frontage wherein the facade is aligned close to the property line with the first story elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor residential use.</p>		
<p>Storefront: a frontage wherein the facade is aligned close to the property line with the building entrance at sidewalk grade. This type is conventional for retail use. It has a substantial transparency on the sidewalk level and an awning that may overlap the sidewalk to within 2 feet of the curb.</p>		
<p>Gallery: a frontage wherein the facade is aligned close to the property line with an attached column-supported cover or a lightweight colonnade overhanging the sidewalk. This type is conventional for retail use. The gallery shall be no less than 8 feet wide.</p>		
<p>Arcade: a colonnade supporting habitable space that overlaps the Sidewalk, while the facade at sidewalk level remains at or behind the frontage line. This type is conventional for retail use. The arcade shall be no less than 8 feet wide.</p>		

e. Non-SF residential Architectural Compatibility. All new non SF residential buildings shall demonstrate consistency with the vernacular architecture of coastal Florida and Crystal River. Applicants shall demonstrate that the proposed building is using the appropriate, quality materials and maintaining consistency with the coastal character of Crystal River.

- (1) **Authentic Materials.** The following materials are considered compatible with Crystal River’s vernacular architecture.
 - (a) Stucco (smooth or sand finish)
 - (b) Cement Board (Hardie or similar)
 - (c) Composite Cladding
 - (d) Board and Batten
 - (e) Oyster Shell Tabby (medium to heavy application only)
 - (f) Brick/Clay
- (2) **Purpose of architectural regulations .** The intent of these architectural regulations is to improve and elevate the visual aesthetics of all non-residential buildings in Crystal River in order to promote a consistent costal character throughout the city. Examples of this intent are shown in the images on this page.



An elevated apartment building protects living areas from hurricane related storm surge, while allowing for parking under the living areas, as well as on-street parking.



A hurricane-resistant standing seam metal roof, earth tone colors, siding and trim allow this coffee shop drive-thru to blend into the built environment.



Elevated design of a grocery anchor using cement board siding, and hurricane-resistant standing seam metal roofing



Simplistic metal signage, historic brick and floor to ceiling windows engage pedestrians on the street. This building is also partially elevated, similar to many future buildings in Crystal River.



Example of an existing strip mall that has been refurbished with corbels, metal roof accents, oyster shell tabby, and coordinated trim colors along with native landscaping. These simple changes allow for greater visual compatibility with traditional/ historic buildings.



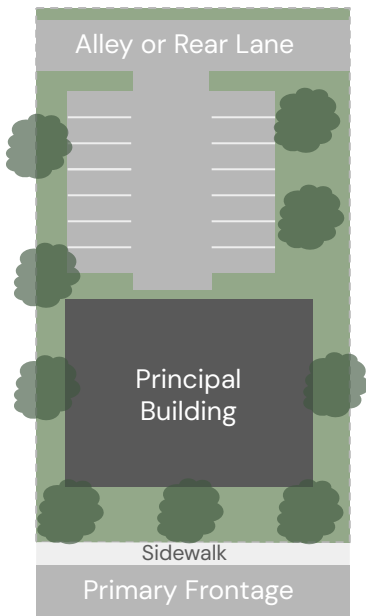
Pitched hurricane-resistant standing seam metal roof with a view tower add architectural interest to this bank building

Table 4.5 Parking Location Requirements for Surface Parking Lots

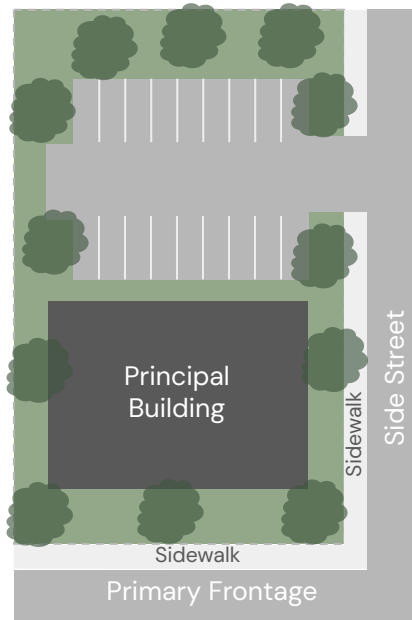
This table outlines surface parking lot placement requirements. Generally, parking shall be placed behind the principal building and primary frontage, in order to promote a pedestrian-friendly streetscape. **Driving aisles along the primary frontage are permitted to allow for cross access where a 15' buffer, consistent with the Landscaping section of this code, is provided. Additional parking configurations may be approved by the Growth Management Director where pedestrian and bicycle safety can be encouraged or enhanced.**



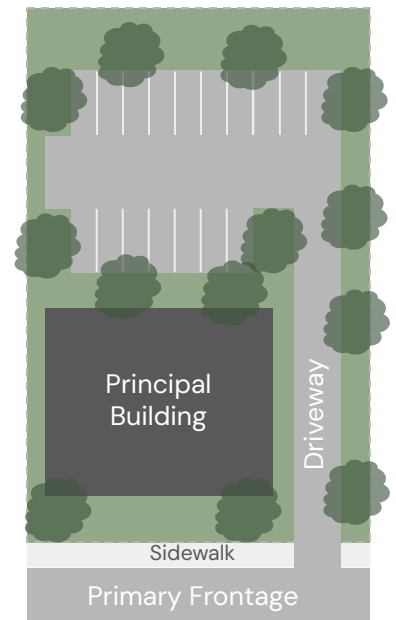
Parking Access by Alley / Rear Lane



Parking Access by Side Street



Parking Access by Frontage Street



Elevated Building Design Standards

This section will provide guidelines for the design and development of new buildings located within flood zones, which are required to build the first floor elevation above the flood elevation indicated for the flood hazard zone in which they are located. These buildings may have a finished floor elevation (FFE) several feet or more above ground level. In order to preserve and enhance the visual aesthetics and compatibility with existing buildings, and allow for a positive pedestrian experience throughout Crystal River, specific design standards relating to elevated buildings are required.

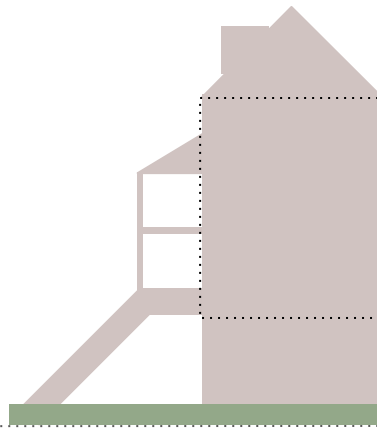
c. Massing. Elevated buildings require special treatment of massing due to the increased height of the overall structure which may cause compatibility and buffering issues with existing structures if not addressed properly. Therefore all elevated buildings shall have three clearly defined sections; a **base** consisting of a foundation, garage space, and/or storage, a **middle** consisting of the primary inhabited area of the building, and a **top** consisting of the roof, attic, and secondary inhabited areas of the building as shown in the diagram below:



Top – Roof, Attic and Secondary Inhabited Area

Middle – Primary Inhabited Area

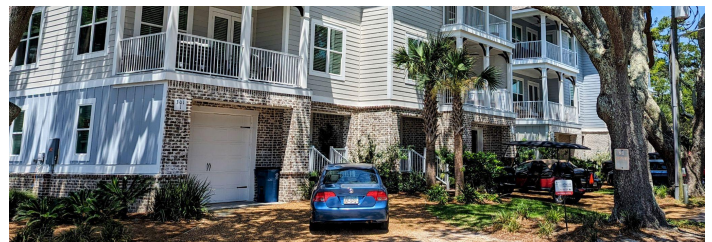
Base – Foundation, Garage, Storage



The primary inhabited area may span multiple floors. Window openings, architectural projections and doors shall demonstrate symmetrical spacing when providing building elevations for City review.

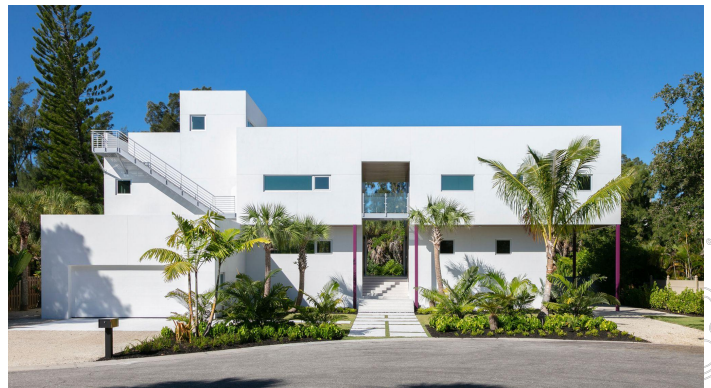
d. Base & Foundations. The relationship between finished floor level and finished grade for each individual lot shall be determined by FEMA requirements. This requirement will cause new buildings to have varying foundation heights depending on existing ground elevation. For this reason, foundation treatments are a critical design element in the City of Crystal River.

- (1) **Foundations.** Foundations may either be solid poured, a system of masonry columns and/or structural piers. If columns, or piers are used, **the lower level shall be enclosed in a storm-resistant method.**
- (2) **Materials.** The following finish materials are considered to be weather resistant in Crystal River for foundations and lower levels:
 - (a) Brick (rustic and/or recycled)
 - (b) Stucco (smooth finish)
 - (c) Oyster Shell Tabby (medium to heavy application only)
 - (d) Cultured Stone
 - (e) Exterior Wall Tile
 - (f) Wood - Open Slats, Painted or Stained
- (3) **Foundation Vents.** Venting in solid walls or breakaway walls shall be constructed of storm resistant materials. **The use of painted wooden louvers is strongly recommended for this purpose.**
- (4) **Uninhabited Base Floor.** The uninhabited base floor shall be fully enclosed or semi-enclosed on all sides facing the public right-of-way. Uninhabited areas under the footprint of porches decks and/or balconies may be open air, provided they are not used for storage.
- (5) **Base Floor Uses.** Allowable uses on the base floor are limited to uses permitted by the zoning district and allowable per FEMA requirements.
- (6) **Stairs.** Stairs shall provide direct access to the front door from the driveway or a walking path.
- (7) **ADA Accessible Ramps and Chair lifts.** All publically accessible buildings shall be compliant with ADA regulations. Ramps and chair lifts are encouraged to be located along the side, rear, or interior of the principal building.



e. Middle and Primary Inhabited Areas. The primary inhabited area of the building shall exist between the foundation level and the roof level.

- (1) **Porches and Balconies.** All residential and hospitality uses are encouraged to include a front porch or balcony on the first habitable floor of the building. Porch and balconies shall have a minimum depth of 6 feet.
- (2) **Materials.** The following finish materials are considered to be weather resistant in Crystal River for middle levels:
 - (a) Stucco (smooth or sand finish)
 - (b) Cement Board (Hardie or similar)
 - (c) Composite Cladding
 - (d) Board and Batten
 - (e) Cedar Shingles
 - (f) Oyster Shell Tabby (medium to heavy application only)
 - (g) Brick
 - (h) Metal Panels with Concealed Fasteners (50% max).
- (3) **Windows and Doors.** Windows and doors shall have a minimum of 30% transparency.



f. Top, Roof, Attic, and Secondary Inhabited Areas.

This level of the building shall exist above the primary inhabited area and is subject to the following standards:

- (1) **Pitch.** For pitched roofs, the main roof structure shall be no less than 6/12. Lower pitches on the primary roof structure require approval from the Growth Management Director. Pitches for porches, breezeways and other secondary structures may be less. Flat roofs require a parapet wall of sufficient height to shield any mechanical equipments or utilities on the roof.
- (2) **Roof Penetrations.** All roof penetrations and appurtenances (gas flues, exhaust vents, plumbing vents, skylights etc.) shall be located on the rear roof slopes so they are not visible from the street. Chimneys are exempt from this requirement.
- (3) **Materials.** The following materials for roofs and upper floors are considered to be weather resistant in Crystal River:
 - (a) 30-year or better architectural cut fiberglass/asphalt shingles.
 - (b) Cedar shakes.
 - (c) Slate
 - (d) Metal or Standing Seam
 - (e) Copper
 - (f) Clay or Terracotta Tile
 - (g) Concrete Tile
 - (h) TPO, PVC, EPDM or similar when used in conjunction with a parapet wall
- (4) **Towers and Projections.** For multifamily, commercial and office buildings exceeding 2 stories, a tower or similar architectural feature is required on one corner of the building. When proposing multiple buildings, only one must meet the tower condition and shall be situated at a street corner or facing an open space. The tower can surpass the allowed maximum building height by up to 20%.

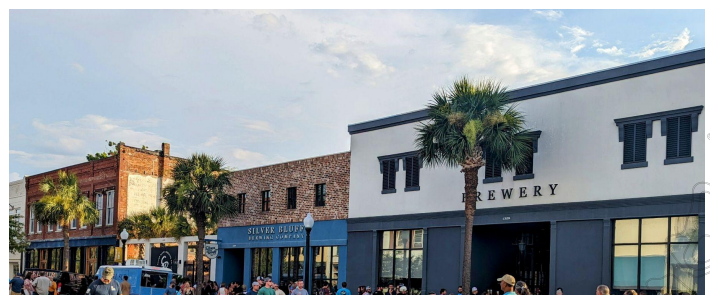
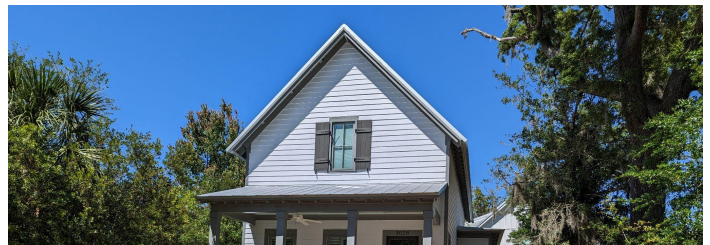


Table 4.6 New Neighbourhoods – Large Subdivisions

This section will provide guidelines for the design and development of new neighborhoods in Crystal River. It is the intention of the standards to provide a variety of housing types, Open Spaces, and Thoroughfare Types within a walkable development.

Neighbourhood Requirements

Applicability	Subdivisions 25 Acres or greater
Pedestrian Shed	¼ Mile
Minimum Open Space	% Per Zoning Minimum of 3 Open Space Types
Minimum Connectivity	1 External Connection Every ¼ Mile of Perimeter
Maximum Block Perimeter	2,000 LF
Minimum Community Perimeter Buffer	15'

Minimum Building Diversity

For sites larger than 40 acres, the new neighborhood shall have at least five of the following building categories (sites between 25 and 40 acres require 3 types, **sites between 10 and 25 require 2 types**):

- 1. commercial / office / retail buildings
- 2. mixed use or live/work units
- 3. multi-family buildings or townhomes
- 4. bungalows on small lots (30 ft- 50 ft wide)
- 5. cottages on standard lots (50 ft-75 ft wide)
- 6. estates on large lots (75 ft and above)

To meet this requirement, each unit type must represent at least 10% of the total unit count. Commercial/Office/Retail is required occupy at least 5% of the net developable area to count towards this requirement.

Illustrative Neighborhood Plan



- | | |
|----------------------|---------------|
| Commercial Buildings | Townhomes |
| Multi-Family | Cottages Lots |
| Open Space | Estate Lots |



Section 5

Uses & Parking

Uses & Parking

This section will provide the allowable uses per Zone in the City of Crystal River. The intent of this section is to provide the largest variety of uses that in the highest intensity Zones while protecting the primarily residential uses that occur in the lowest density areas. Supplementary standards may be tied to specific uses in order to enhance the form-based standards of this code. This section also provides parking requirements by use.

Section 5: Uses

a. General

- (1) A lot may contain more than one use.
 - (2) Each of the uses may function as either a principal use or accessory use on a lot, unless otherwise specified.
 - (3) Uses are either permitted by-right in a zone, conditional or have applicable supplemental standards.
 - (4) Each use may have both indoor and outdoor facilities, unless otherwise specified.
 - (5) Any change in the use of a property shall require a "Change of Use/Occupancy" Permit. The City shall inspect the subject property and any structures to ensure applicable standards are met to support the use.
- (2) Permitted ("P"). These uses are permitted by-right in the Zones in which they are listed.
 - (3) Conditional Use ("C"). These uses require the development plan to meet additional criteria as specified by this section.
 - (4) Listed uses that are prohibited in the zone are indicated by a blank space.

b. Organization

- (1) The uses are grouped into general categories, which may contain lists of additional uses or clusters of uses.
- (2) **Unlisted Similar Use.** If a use is not listed but is similar in nature and impact to a use permitted within a Zone, the Growth Management Director may interpret the use as permitted. The Growth Management Director may refer to the North American Industry Classification System (NAICS) for use interpretation. The unlisted use will be subject to any supplemental standards applicable to the similar permitted use.
- (3) **Unlisted Dissimilar Use.** If a use is not listed and cannot be interpreted as similar in nature and impact to a permitted use, the use may only be permitted if submitted to the Planning Commission for recommendation and approved by the City Council.

c. Use Table

- (1) Each Zone includes its own use table. Each use table outlines the permitted uses in each Zoning District. Each use is given one of the following designations for each Zone in which that use is permitted.

d. **Conditional Use Criteria.** Conditional Uses are uses that may require additional design considerations to ensure compatibility with the surrounding properties. Additional information not referenced in this code may be requested by staff regarding the application for a Conditional Use. A conditional use may be denied, approved or approved with conditions by the Planning Commission. Appropriate staff shall make a recommendation for conditions of approval. If approved, or approved with conditions, by the Planning Commission, the conditions of approval may modify code requirements on all, some or none of the following:

- (1) Building Height
- (2) Landscape Buffer Size or Composition
- (3) Building Setbacks
- (4) Door, Window or Opening Locations
- (5) Parking Requirements
- (6) Increased Protection of Natural Features & Waterbodies
- (7) Light or Sound Mitigation

Table 5.1 Uses by Zone The following table outlines permitted, conditional and prohibited uses per Zone. The use table below is generalized for ease of use and more specific uses may be further regulated subject to subsection (f).

	UC-1	UC-2	UN-1	UN-2	SN-1	SN-2	CIV	CON
USES								
RESIDENTIAL & HOSPITALITY								
Multifamily Residential	P	P	P	P				
Single Family Attached (Townhomes)	P	P	P	P				
Single Family Detached	P	P	P	P	P	P		
Live/Work Units	P	P	P	P	C			
Accessory Dwelling Unit	P	P	P	P	P	P		
Short Term Rental / "Resort Housing"								
Hotel, Resort & Inn	P*	P*	C	C				
Residential Care	P	P	C	C				
CIVIC / INSTITUTIONAL								
Assembly	P	P	C	C			C	
Hospital & Clinic	P	P	C					
Library/Museum	P	P	C				P	
Law Enforcement & Fire	P	P	P	P				
School	P	P	P	C			C	
Post Office	P	P	C				P	
RETAIL & SERVICE								
Neighborhood Retail	P	P	C					
General Retail	P	P						
Craftsman Retail	P	P	C					
Neighborhood Service	P	P	C					
General Service	P	P	C					
OFFICE								
Office	P	P	P	C				
Home Occupation	P	P	P	P	P	P		
AMUSEMENT								
Recreation Indoor	P	P	C	C				
Recreation Outdoor	C	C	C					
INDUSTRIAL								
Light Industrial	C	C						
Heavy Industrial								
Utilities	P	P	P	P				

* A Bed and Breakfast Inn, as defined by this code, shall be considered a Conditional Use in UC-1 and UC-2.

Table 5.2 Uses Per Special District The following table outlines permitted, conditional and prohibited uses per Special Districts. The use table below is generalized for ease of use and more specific uses may be further regulated subject to subsection (f).

	IND	IU	PUD
USES			
RESIDENTIAL & HOSPITALITY			
Multifamily Residential			Uses Allowed Per PUD
Single Family Attached (Townhomes)			
Single Family Detached			
Live/Work Units			
Accessory Dwelling Unit			
Short Term Rental / "Resort Housing"			
Hotel, Resort & Inn	C		
Residential Care			
CIVIC / INSTITUTIONAL			
Assembly	C		Uses Allowed Per PUD
Hospital & Clinic	C	P	
Library/Museum	C	P	
Law Enforcement & Fire	P	P	
School	P	P	
Post Office	P	P	
RETAIL & SERVICE			
Neighborhood Retail	P	C	Uses Allowed Per PUD
General Retail	P	C	
Craftsman Retail	P	C	
Neighborhood Service	P	C	
General Service	P	C	
OFFICE			
Office	C	C	Uses Allowed Per PUD
Home Occupation			
AMUSEMENT			
Recreation Indoor	P	P	Uses Allowed Per PUD
Recreation Outdoor	C	C	Uses Allowed Per PUD
INDUSTRIAL			
Light Industrial	P	P	Uses Allowed Per PUD
Heavy Industrial			
Utilities	P	P	

e. Defined Uses

- (1) **Residential and Hospitality.** A category of uses that include several residence and hospitality types.
- (2) **Multifamily Residential.** A use containing more than one dwelling unit on one lot.
- (3) **Single Family Attached (Townhomes).** A single family dwelling unit on a fee simple lot which is attached to one or more single family dwelling units by shared walls.
- (4) **Single Family Detached.** A single family dwelling unit on a lot and detached from any other dwelling units. This use includes group homes.
- (5) **Live/Work Unit.** A structure or portion of a structure combining a residential living space with an integrated workspace principally used by one of the residents. In a live/work unit, the use is required to meet the following standards.
 - i. Hours of Operation. Permitted hours of operation where customers and clients are received shall be limited to 8:00 AM to 7:00 PM.
 - ii. Entrances. Separate entrances must be provided for the business and dwelling.
 - iii. Percentage of Non-Residential. In no case shall the square footage of the non-residential use exceed 50% of any unit's net living area.
- (6) **Accessory Dwelling Unit.** A room or set of rooms in a single-family home, or as a standalone structure, that has been designed or configured to be used as a separate dwelling unit.
- (7) **Short Term Rental / Resort Housing.** Resort Housing is permitted exclusively on properties zoned 'CW' (Commercial Waterfront) prior to this code's adoption. All Resort Housing must comply with current zoning requirements. **Refer to Exhibit A.**
- (8) **Hotel, Resort & Inn.** A facility offering temporary lodging to the general public consisting of sleeping rooms with or without in-room kitchen facilities and with on-site **staff services provided continuously throughout the day and night, without interruption, whenever the business is actively offering its services.** Secondary uses may also be provided, including but not limited to restaurants, conference space, amenities and entertainment venues.
- (9) **Residential Care.** A facility offering temporary or permanent lodging to the general public consisting of an unlimited number of sleeping rooms with or without in-room kitchen facilities, often marketed to the elderly or disabled. Residential care includes such uses as independent living facilities allowing nursing or assisted care, as well as assisted living facilities, nursing homes, residential care homes, and transitional treatment facilities. Assistance with daily activities may be provided for residents. Secondary service uses may also be provided, such as restaurants and meeting rooms. Rooms shall be accessed from the interior of the building.
- (10) **Civic.** A category of uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, and hospitals.
- (11) **Assembly.** A facility that has organized services, meetings, or programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. Assembly includes such uses as a churches, community centers, private clubs and lodges.
- (12) **Hospital & Clinic.** A licensed institution providing medical care and health services to the community. These services may be located in one building or clustered in several buildings and may include laboratories, in- and out-patient facilities, training facilities, medical offices, staff residences, food service, pharmacies, and a gift shop.
- (13) **Library/Museum.** A structure open to the general public housing educational, cultural, artistic, or historic information, resources, and exhibits. Food service and a gift shop may be permitted as accessory uses.
- (14) **Law Enforcement and Fire.** A facility providing public safety and emergency services; training facilities, locker rooms, and limited overnight accommodations may also be included. The facilities shall be housed in a permitted building, but shall have the following additional allowances:
 - i. Garage doors are permitted on the front facade.
 - ii. Driveways are exempt from maximum driveway widths
- (15) **Post Office.** A publicly accessed facility for the selling of supplies and mail related products and the collection and distribution of mail and packages.
- (16) **School.** A public or private education facility with classrooms and offices, that may also include associated indoor and outdoor facilities such as student housing, ball courts, gymnasium, theater, and food service.
- (17) **Retail and Service.** A category of uses involving the sale of goods, merchandise, or services to the general public for personal or household consumption. Visibility and accessibility are important to these uses, as most patrons do not utilize scheduled appointments.

e. Defined Use (cont.)

(17) (cont.) Outdoor manufacturing activities and storage of goods are prohibited; however, outdoor display may be allowed during normal business hours provided they do not restrict ADA access or encroach rights-of-way.

iii. **Neighborhood Retail.** A use in this category shall occupy a space of less than 10,000 square feet.

iv. **General Retail.** A use in this category includes all Neighborhood Retail uses occupying a space of greater than 10,000 square feet.

v. **Craftsman Retail.** A use involving small scale manufacturing, production, assembly, and/ or repair with no noxious by-products. Sales may take place in a showroom or small retail outlet. This use may also include associated facilities such as offices and small scale warehousing where distribution is limited. The maximum overall gross floor area is limited to 10,000 square feet. In the zoning districts where a craftsman retail use is permitted with additional standards, the following apply:

1. A minimum 20% of gross floor area shall be dedicated to a showroom adjacent to a Primary Street and directly accessible through the principal entrance.
2. Outdoor manufacturing activities and storage of goods are prohibited; however, outdoor display may be allowed during normal business hours.

vi. **Neighborhood Service.** A use in this category occupies a space of less than 10,000 square feet.

vii. **General Service.** A use in this category includes all Neighborhood Service uses occupying a space of greater than 10,000 square feet.

(18) **Office.** A room, studio, suite or building in which a person transacts business or carries out a stated occupation. However, this term does not include any facility involving manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair or storage of materials, goods and products; or the sale or delivery of any materials, goods or products which are physically located on the premises.

(19) **Home Occupation.** An occupational use in a resident's permanent home that is clearly subordinate to the principal use as a residence and does not require any alteration to the exterior of a building.

(20) **Amusement.** A category of uses providing recreational services indoor and outdoor.

(a) **Recreation Indoor.** The use of a building for entertainment and experiential purposes such as an arcade, a bowling alley, a skating rink or other indoor sporting activities.

(b) **Recreation Outdoor.** A use that is either fully or partially open air that provides entertainment or experiential services. Example uses include, but are not limited to, athletic facilities, skate parks, disc golf, **kayak rentals** or other outdoor sporting activities. All recreation outdoor uses require a 15' buffer along the perimeter of the property. **Recreation outdoor excludes recreational vehicle parks.**

(21) **Industrial.** A category of uses that are permitted for the purpose of manufacturing, processing, finishing and storing a variety of goods and equipment.

i. **Light Industrial.** The processing or manufacturing of finished products or parts from previously prepared materials including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, provided that all manufacturing processes are contained entirely within a fully enclosed building. Any heat, glare, dust, smoke, fumes, odors, or vibration are confined to the building interior. A light industrial use may include a showroom or ancillary sales of products related to the items manufactured on-site. In the zoning districts where Light Industrial is permitted, with additional standards, the following apply:

1. Open storage of equipment, materials or commodities shall be limited to the rear of the lot and fully screened.

ii. **Heavy Industrial.** The processing, manufacturing, or compounding of materials, products, or energy, or any industrial activities which because of their scale or method of operation regularly produce noise, heat, glare, dust, smoke, fumes, odors, vibration, or other external impacts detectable beyond the lot lines of the property. Heavy industrial uses may regularly employ hazardous material or procedures or produce hazardous by-products, include outdoor storage areas, and may have activities that take place outside of structures.

(22) **Utilities.** Utility operations that are required throughout the city to provide service to urban development.

f. Supplemental standards for specific uses.

General uses permissible in each zoning district are identified in Table 5.1 and Table 5.2. This section details specific uses that have additional standards or are restricted in the City of Crystal River.

- (1) Where there is a conflict between a standard applicable to the zoning district and the supplemental standards set forth below, the more restrictive standard shall apply.
- (2) **Adult uses.** Adult entertainment establishments are regulated in chapter 11, article II, of the City Code of Ordinances. The following uses are defined and subject to the standards and criteria set forth in chapter 11, article II, of the City Code of Ordinances: adult bookstore, adult theater, and adult dancing establishment. Such uses shall comply with the standards of the zoning district in which the use is permissible, and the design and location standards set forth in sections 11-71 through 11-73 of the City Code of Ordinances.
- (3) **Alcoholic beverage sales.** The sale of alcoholic beverages shall not be permitted on any parcel of land if any part of said parcel is situated with five hundred (500) feet from any point on a building or structure used as a school, hospital, religious facility, public library, or a park or playground open to the public.
 - (a) This restriction does not apply to alcoholic beverage sales limited to malt beverages and wine.
 - (b) No existing lawful establishment in which alcoholic beverages are sold shall become nonconforming because of the subsequent erection or expansion of a school, hospital, religious facility, public library, or a park or playground open to the public.
 - (c) The temporary suspension or lapse of a state license to sell alcoholic beverages as a result of a change of ownership or tenant shall not make a previously conforming use of any property for the sale of alcoholic beverages unlawful or nonconforming.
 - (d) The setbacks contained in this section shall not apply to those businesses within the city limits of the City of Crystal River, holding an

- (a) (cont.) occupational license as a restaurant, and otherwise duly licensed as such under any requirements of state or local law, which derives at least fifty-one (51) percent of its gross revenues from the sale of food and non-alcoholic beverages, and which does not sell or serve alcoholic beverages after the hours for serving food have elapsed.

- (5) **Car wash establishments (freestanding).** A. A car wash establishment is permissible in the UC-1 zoning district, subject to the district standards and the supplemental standards set forth below.

- (a) A car wash establishment shall be located a minimum of two hundred fifty (250) feet from any property zoned SN-1 or SN-2. Measurement of the distance shall be from the property line of the lot on which the car wash establishment is located to the property line of the nearest lot zoned for residential purposes.
- (b) An off-street stacking lane shall be provided for each stall where car washing occurs. Each stacking lane shall be a minimum of one hundred (100) feet in length.
- (c) The primary access to the car wash establishment shall be from a collector or arterial street.

- (6) **Gasoline service stations.** The term "gasoline service station" includes convenience stores with gas pumps, and establishments that provide the following accessory uses in addition to gas pumps: fast food restaurants, drive-through restaurants, groceries and sundries, supplies for the traveling public, food and beverages.
 - (a) Gasoline service stations shall comply with the requirements of chapter 12, article II, of the City Code of Ordinances.
 - (b) Gasoline pumps shall be set back a minimum of thirty (30) feet from any property line.

- (a) Underground storage tanks shall be designed, located, and monitored in full compliance with state requirements. Evidence of such compliance shall be provided to the city.
 - (b) Oil drainage pits and hydraulic lifts shall be within an enclosed structure and set back a minimum of fifty (50) feet from any property line.
 - (c) Gasoline service stations located within one hundred (100) feet of any property zoned SN-1 or SN-2 shall require a buffer two (2) times the buffer that is otherwise required by this code. Within the required buffer a minimum six (6) foot tall masonry, wood, or solid fence is required.. The decorative or finished side of the fence shall face outwards.
 - (d) Dumpsters shall not be located within fifty (50) feet of property zoned for UN-1, UN-2, SN-1 or SN-2.
 - (e) Any repair services shall be provided only within an enclosed building.
 - (f) Vehicle parts, supplies, damaged parts, or other materials and supplies shall be stored within an enclosed building.
 - (g) The sale of vehicles is prohibited on the gasoline service station site and any adjacent right-of-way.
- (7) **Marinas. Expansion of an existing marina, or renovation of an existing marina shall adhere to the requirements of this section.**
- (a) A marina shall provide parking for boat trailers or vehicle-trailer combinations. Fifty (50) percent of the required off-street parking vehicles may be replaced with parking for vehicle-trailer combinations.
- In addition to the required parking set forth in this Code. Parking may be provided for boat trailers.
- (b) A marina may provide wet or dry storage for boats; sale of fuel and oil for watercraft; sale of parts and supplies for watercraft; sale of prepared, packaged food and beverages for personal consumption; sale of personal safety equipment; sale of bait; and sale of fishing equipment.
 - (c) All docks and structures erected over or in the water shall be confined to the area adjacent to the uplands forming a part of the marina.
 - (d) Parking and dry-storage shall be placed on uplands.
 - (e) Any permissible channels shall be of a minimum depth and width capable of providing access to the marina.
 - (f) Design and construction of the marina, associated docks, piers, and/or boardwalks shall maintain natural water circulation and the free flow of water.
 - (g) Any bulkhead shall not extend beyond the established mean high water line.
 - (h) No piers, docks, or other facility shall be located so as to interfere with navigation.
 - (i) Wetlands and grass beds shall be avoided.
 - (j) Construction materials and processes shall minimize environmental impacts and shall be the best technology available.
 - (k) Where fuel or other hazardous substances will be stored, handled, or sold, the marina shall provide facilities and procedures for the prevention, containment, recovery, and mitigation of spilled fuel or other hazardous substance. Facilities and procedures shall be designed to prevent

substances from entering the water or soil, and shall include adequate means for prompt and effective cleanup of any spills that occur.

- (l) Fueling facilities shall be located as far as possible from the shoreline. Permanent docking is prohibited along the portion of the pier containing fuel pumps and fueling equipment.
 - (m) Stacked dry storage shall only be permissible within an enclosed building.
 - (n) Facilities for engine repair shall be within an enclosed building.
 - (o) Any marina which provides mooring for vessels for living-aboard purposes shall have sewage holding facilities and provide pump-out, holding, and treatment facilities. Further public restrooms with facilities for sewage disposal and bathing are also required.
 - (p) Proof of permits or exemptions from applicable state and federal regulatory agencies shall be provided to the city.
 - (q) All marina facilities shall be in conformance with Manatee Element of the Comprehensive Plan.
- (8) Telecommunications Towers.
- (l) All telecommunications towers shall be conditional uses in Industrial (IND) and Institutional/Utility (IU) Special Districts.

- (2) New or the expansion of mobile home parks are prohibited in the Coastal High Hazard Area (CHHA). No new mobile home shall be located in the CHHA, except within a lawfully existing mobile home park

g. Prohibited Uses.

- (1) Prohibition on medical marijuana dispensing facilities.
 - (a) Prohibition. Medical marijuana treatment center dispensing facilities are prohibited and shall not be located within the boundaries of the city. The city shall not accept, process or approve any request or application for a development order, building permit or other approval associated with a proposed medical marijuana treatment center dispensing facility.
 - (b) Definition. For the purposes of this section, the term "medical marijuana treatment center dispensing facility" means any facility where medical marijuana or any product derived therefrom is dispensed at retail.
 - (c) Interpretation/intent. This section and the terms used herein shall be interpreted in accordance with F.S. § 381.986 and F.A.C. ch. 64-4. The intent of this section is to ban medical marijuana treatment center dispensing facilities from being located within the boundaries of the city as authorized by F.S. § 381.986(11).

g. Parking Requirements.

- (1) Parking shall be provided as required in Table 5.4.
- (2) **Shared Parking.** Where a development proposes more than one use and those uses share parking facilities, Table 5.3 shall be used to calculate the minimum required parking.
- (3) **Parking Reductions.** The Growth Management Director or his/her designee may administratively reduce the parking requirement for a development by up to 10% without the need for a public hearing.
- (4) **Electric Vehicle Charging.** The parking requirement may be further reduced by providing an electric charging station. Each station may reduce the parking requirement by 4 stalls for a maximum of a 10% reduction in parking.
- (5) All parking areas and all other paved areas, shall be landscaped to achieve a 70 percent tree canopy at maturity. Refer to Section 6 for landscaping.
- (6) **Loading zones.** A standard off-street loading space shall be a minimum of 10 feet in width by 26 feet in length and an oversized loading space shall be a minimum of 12 in width and 40 feet in length, exclusive of aisle and maneuvering space and shall have a minimum vertical clearance of 15 feet.

Table 5.3 Minimum Parking Dimensions

Angle in Degrees	Curb Length	Stall Depth	Travel Lane widths
0	22'	8.5'	12' / 20'
30	18'	18'	12' / 20'
45	12'	17'	14' / 20'
60	10'	18'	18' / 22'
90	9'	18'	20' / 22'

- (7) **CRA Parking Fee in Lieu.** Where a proposed development in the CRA boundary is constrained such that meeting the parking requirement causes a hardship, the Growth Management Director may approve a fee in lieu of providing parking payable to the City. The City shall publish this fee on the Fee Schedule which will be kept on record at the City.

Table 5.4 Minimum Parking Requirements & Reductions

USE	PARKING SPACES REQUIRED*
Residential	2 spaces per unit, studio or one-bedroom apartments shall be 1 space per unit 0.5 space per assisted living unit bed and one parking space per independent living unit.
Hospitality	1 space per bed or 2 spaces per 1,000 SF, whichever is less
Retail, Service & Amusement	2 spaces per 1,000 SF
Office & Industrial	2 spaces per 1,000 SF used for offices, 1 per 3,000 SF for equipment areas or storage spaces etc.

USE	Peak Hour REQUIRED PARKING BY USE	Mon - Fri	Mon - Fri	Mon - Fri	Sat & Sun	Sat & Sun	Sat & Sun
		8AM - 6PM	6PM - 12AM	12AM - 8AM	8AM - 6PM	6PM - 12AM	12AM - 8AM
Residential	Spaces req. =	60%	100%	100%	80%	100%	100%
Hospitality	Spaces req. =	70%	100%	100%	70%	100%	100%
Retail, Service & Amusement	Spaces req. =	90%	80%	5%	100%	70%	5%
Office & Industrial	Spaces req. =	100%	20%	5%	5%	5%	5%
Shared Parking Requirement	Total =	Total =	Total =	Total =	Total =	Total =	Total =
Adjusted Parking Requirement	The highest required parking based on shared parking =						

Section 6

Landscaping

Landscaping

This section will provide the required landscaping per Zone with the intent to maintain

Section 6: Landscape

a. General

- (1) All Construction Plan that propose more than three lots/units or any non-residential use shall require a landscape plan. All lots require tree plans.
- (2) Each landscape plan **should** be designed to reach **40%** canopy coverage at maturity of the landscape.

b. Plant Materials

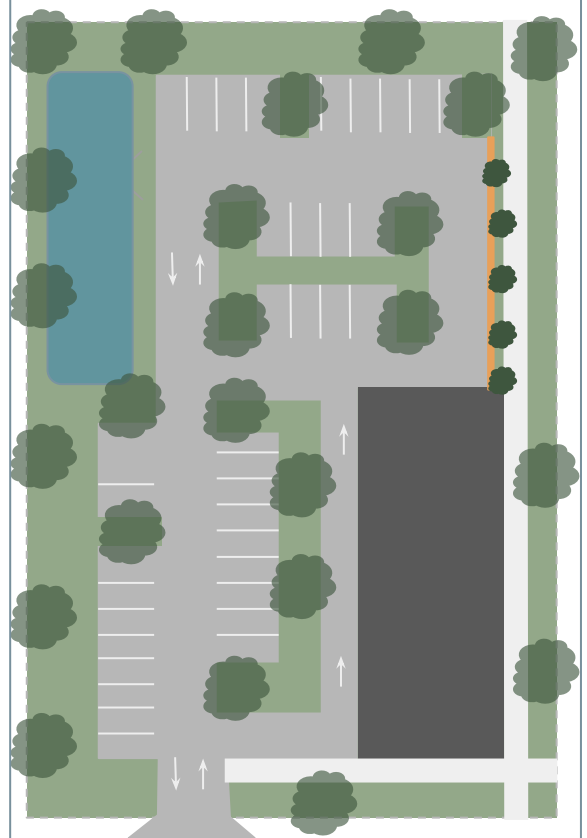
- (1) All plant materials shall comply with the Florida No. 1 standard as per the Department of Agriculture and Consumer Services.
- (2) All plant materials shall be Florida-Friendly or have suitability for the soils and annual climate.
- (3) At least 50% of trees and shrubs shall be native to Florida.
- (4) Canopy Trees shall be a minimum 3" inch caliper.
- (5) Understory Trees shall be a minimum 2½-inch caliper, aggregated for multi-trunk, 6' minimum height.
- (6) Understory Trees can replace canopy trees at a 2:1 ratio for up to 50% of required trees, provided that canopy coverage can be achieved at maturity.
- (7) Palms shall be field grown, preferably with a minimum 8 foot clear trunk, except for sabal palms or similar species.
- (8) Palms can replace canopy tree requirements at a 3:1 ratio for up to 50% of required trees. Specimen Palms can replace 1:1 for up to 15% of required trees.
- (9) Replacement of canopy trees is capped at **50%** of required canopy trees.

Table 6.1 Lot Tree Requirements

Lot Size	Number of Lot Trees Required*
3,999 SF or less	1 Canopy Tree or 2 Understory Trees or 3 Palms
4,000 – 6,000 SF	1 Canopy Trees and 2 Understory or 3 Palms
6,001 – 10,000 SF	2 Canopy Trees, and 2 Understory or 3 Palms
10,000 SF or greater	3 Canopy Trees and 3 Understory or 4 Palms

*Required Lot Trees shall be coordinated with street trees to ensure a minimum distance of 30' between canopy trees.

Table 6.2 Parking Lot Landscape



Landscape Island Requirement	Every 10th Stall
Hedge Row Buffer Requirement	15' Wide Buffer along Street Frontage

Table 6.3 Buffering

This section will provide the required buffering between differing Zones or Districts to ensure that compatibility is maintained. Buffers are required on the parcel(s) that has the higher intensity Zoning category. These buffers are intended to ensure privacy, while allowing for efficient use of land area. All buffers shall be continuous in width along the property line where a buffer is required. Reductions in the minimum width require approval by Growth Management Director or a variance request. The buffer prescriptions below outline the minimum plantings for the length of a buffer. The remaining width of each buffer shall be filled with groundcovers, sod, and / or mulch. Sod shall cover no more than 30% of the planting area. Large expanses of mulch shall not be permitted without plantings, unless provided within a tree save area. Shrub plantings are encouraged to be curvilinear or in organic arrangements to represent a more natural look.

	UC-1	UC-2	UN-1	UN-2	SN-1	SN-2	IND
UC-1	0'	0'	8'	10'	15'	25'	35'
UC-2	0'	0'	8'	10'	15'	25'	35'
UN-1	8'	8'	0'	0'	10'	15'	35'
UN-2	10'	10'	0'	0'	8'	10'	35'
SN-1	15'	15'	10'	8'	0'	0'	35'
SN-2	25'	25'	15'	10'	0'	0'	35'
IND	35'	35'	35'	35'	35'	35'	0'

Buffer Widths	Req. Canopy Trees	Req. Understory Trees or Palms	Req. Shrubs
8'	1 per 60 lf	1 tree per 60 lf or 3 Palms per 60 lf	2' Continuous Hedge
10'	1 per 50 lf	1 tree per 50 lf or 3 Palms per 50 lf	2' Continuous Hedge
15'	1 per 50 lf	1 tree per 50 lf or 3 Palms per 50 lf	Continuous Double Row 2' Hedge
25'	1 per 40 lf	1 tree per 50 lf or 3 Palms per 50 lf	Continuous Double Row 2' Hedge
35'*	1 per 40 lf	1 tree per 50 lf or 3 Palms per 50 lf	Continuous Double Row 2' Hedge

35' Buffers require a 6 foot masonry wall or 100% opaque fence.
lf = linear feet

c. Submittal & Maintenance Requirements.

- (1) The landscape design plan shall include, but not be limited to the following:
 - (a) location and size of all landscaped areas;
 - (b) a calculation of the amount of irrigated coverage;
 - (c) the location, species, quantity, spacing and size of all trees, hedges and shrubs as well as the proposed type of sod;
 - (d) Canopy trees to be preserved shall be provided with both existing and proposed spot grades located at the base of each tree to be preserved. An estimated drip-line shall be provided;
 - (e) any hardscape components including, but not limited to, walls and fences;
 - (f) location, layout and design of the irrigation system;
 - (g) location of proposed irrigation mainlines, laterals, valves, and heads;
 - (h) inhibiting or interrupting device or switch on an automatic landscape irrigation system pursuant to F. S. § 373.62;
 - (i) the names of persons, corporation or agent responsible for continued maintenance of landscaped areas.
- (2) **Irrigation.** All landscaping required under this section will be required to have a 100% automatic irrigation system as required for the long term maintenance of the plant material. All street trees, landscape buffers and trees in commons areas must have a separate irrigation system. All landscape and irrigation plans require a professional licensed in the State of Florida. The city council may grant a waiver and exempt the irrigation system design requirements if the applicant can demonstrate the irrigation system design requirements are shown to be excessive or unreasonable due to unusual site restrictions.
- (3) **Installation and maintenance.** Proper installation and maintenance of landscaped areas is required in order to ensure the proper functioning of a buffer as a landscaped area which reduces or eliminates nuisances and/or conflicts. All landscaping is to be installed in a professional manner following good nursery practices as set by the Florida Nurserymen's Association.
- (4) The owner is responsible for the maintenance of the landscaping on-site and in grassed rights-of-way adjoining landscape areas.
- (5) The city may conduct periodic inspections to assure compliance with the maintenance requirements of this section.
- (6) The responsibility for maintenance of a required landscaped area shall remain with the owner of the property, his successors, heirs, assignees or any consenting grantee or a homeowners' association or similar organization.
- (7) All plantings shall be maintained in an attractive and healthy condition. Maintenance shall include, but not be limited to, watering, tilling, fertilizing and spraying, mowing, weeding, removal of litter and dead plant material, and necessary pruning and trimming.
- (8) Replacement plantings shall be provided for any required plants which die or are removed due to disease or destruction and shall meet all minimum standards and conform to these regulations.
- (9) Natural watercourses within a landscaped area shall be maintained in a natural condition consistent with the comprehensive plan and other applicable regulations.
- (10) Landscape structural features such as walls, fences, berms or water features shall be maintained in a structurally safe and attractive condition.
- (11) Where other uses, including pedestrian, bike or other trails, are allowed within a landscaped area, these uses shall be maintained for their safe use.
- (12) **Diversity.** In order to guard against disease susceptibility, all required landscaping shall meet the following requirements: No more than 30 percent of the trees or shrubs required shall be of the same species. Live oak trees in parking lot landscaping are exempt from this requirement.
- (13) **Dumpsters & Appurtenances.** All dumpsters shall be located in the rear or side yard and screened by a 6' stone or masonry wall and a continuous hedge on three sides of the enclosure or appurtenance.

Figure 6.1 Inspirational Landscape Imagery

The following images are intended to provide examples of appropriate landscape design.

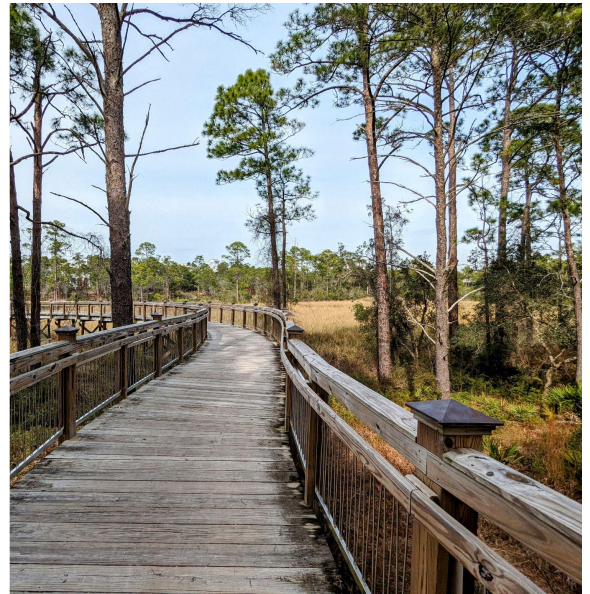


Figure 6.1 Inspirational Landscape Imagery (cont.)

The following images are intended to provide examples of appropriate landscape design.

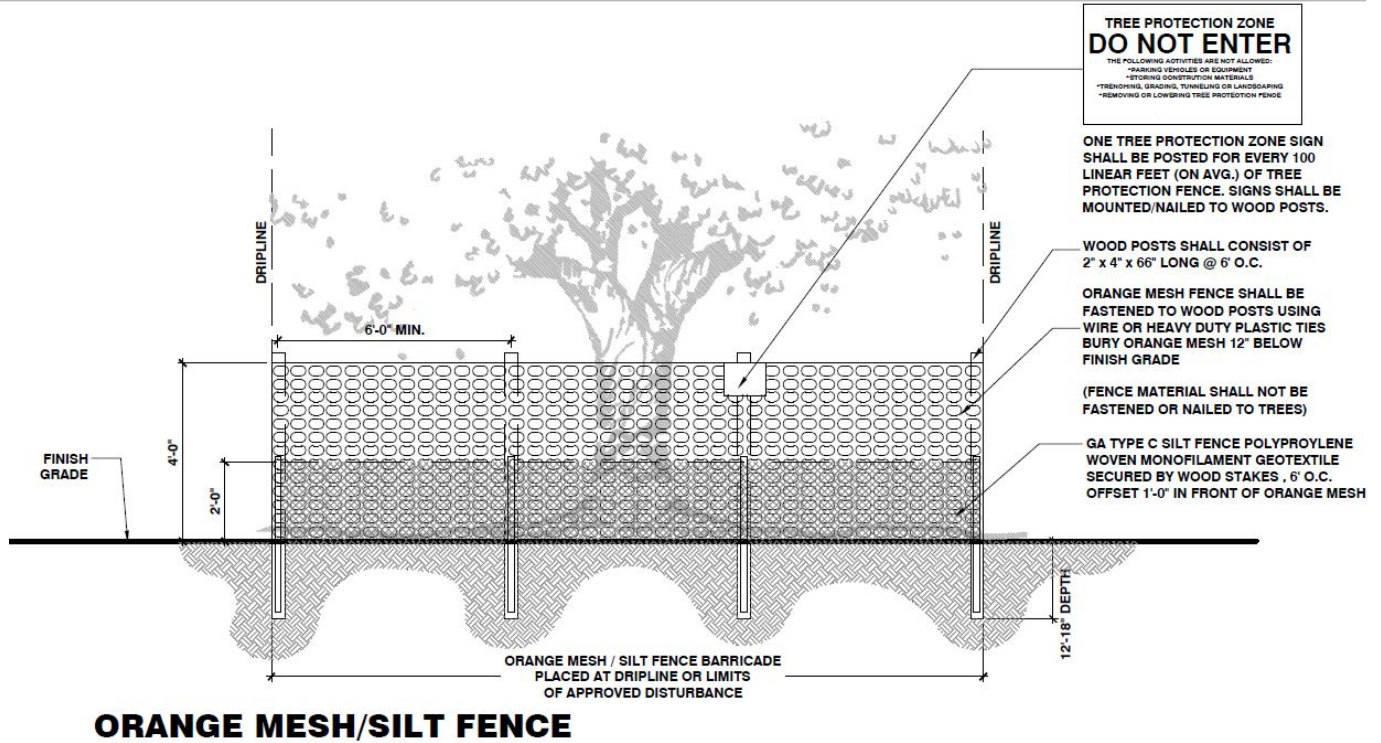


d. Requirements for Trees and Tree Protection.

- (1) **Prohibitions.** No authorization shall be granted to remove a protected tree where the developer or property owner has failed to taken reasonable measures to design and locate the proposed improvements so that the number of protected trees to be removed is minimized.
- (2) **General requirement.** **Notwithstanding buffers, parking lot landscaping and lot tree requirements, all developments shall demonstrate they are protecting, replacing or planting at least 24" of canopy trees per acre.**
- (3) **Credit for existing trees.** **Preserved trees shall count towards the inch required with a multiplier of 1.25.**
- (4) **Protected Trees.** All **native** trees twelve (12) inches DBH or more shall be protected except where exempted in accordance with subsection (5) or permissible in subsection (6).
- (5) **Heavily Wooded Sites.** For sites where current aerial photography or drone imagery shows over **60%** tree coverage and a substantial presence of protected trees is anticipated, a reduction in the number of protected trees is permitted, provided the following criteria are met:
 - (a) a tree survey shall be submitted to the staff prior to any consideration of a preliminary subdivision plan or construction plan.
 - (b) The applicant shall provide a markup of the survey identifying the location and number of protected trees planned to be preserved.
 - (c) The number of trees to be protected shall equal one tree per developable acre.
 - (d) Where a site has trees twenty four (24) inches DBH or larger, the applicant shall show good faith efforts to prioritize saving larger trees on the site.
 - (e) Tree replacement or a fee in lieu is still required for this exception.

- (6) **Applications for Tree Removal.** Where protected trees are proposed to be removed an application for tree removal is required and shall include a survey with the size, location and species of the tree(s). Tree removal applications shall require one of the following justifications:
 - (a) The tree poses a safety hazard to pedestrians or other persons, buildings or other property.
 - (b) The tree is diseased, dying or pest infested as determined by a certified arborist.
 - (c) Removal of the tree will reduce competition or ensure other protected trees survive.
 - (d) Removal of the tree is a necessity for compliance with city codes.
 - (e) Tree removal is essential for reasonable and permissible use of property, or necessary for construction.
- (7) **Replacement trees.** When authorization has been granted to remove protected trees, replacement trees shall be planted on an inch for inch basis. Replacement trees shall meet the requirements of Section 6 (b).
- (8) **Tree Removal Fee in Lieu.** The Growth Management Director may approve a fee in lieu of tree preservation. The fee shall be set by the Fee Schedule kept on record at the City. The fee may be used for any landscaping or tree project found appropriate by the City.
- (9) **Tree Barricades.** A tree barricade following the drip line of the protected trees canopy is required as depicted in Figure 6.2.
- (10) **Permitted activities within Tree Barricades.** The following activities are permitted within the tree barricade area:
 - (a) Excavating or trenching by utilities service providers for installation of underground utilities. Underground utilities shall be no closer to the tree trunk than ten (10) feet.
 - (b) Placement of sod or other ground covers, and the preparation of the ground surface for such covers.
 - (c) Installation of walking paths provided no path is closer than ten (10) feet from the tree trunk.

Figure 6.2 Tree Barricade Details & Required Sign



**TREE PROTECTION ZONE
DO NOT ENTER**

THE FOLLOWING ACTIVITIES ARE NOT ALLOWED:
 *PARKING VEHICLES OR EQUIPMENT
 *STORING CONSTRUCTION MATERIALS
 *TRENCHING, GRADING, TUNNELING OR LANDSCAPING
 *REMOVING OR LOWERING TREE PROTECTION FENCE

Landscaping: Fences

This section will provide permitted fencing.

- (1) **Intent.** Fencing should provide privacy in more urban settings and compliment the character of the rural areas. Fences should be installed to withstand the high winds experienced in the region.
- (2) **General.** All fences require approval by the Growth Management Director or designee. Refer to Figure 6.3 for examples of permitted fence types.
- (3) **Orientation.** The finished side of the fence shall face the adjoining property and/or right-of-way.
- (4) **Fencing and walls.** Residential fencing or walls shall be allowed in the side and rear yards at maximum height of six feet (6'), Fencing or walls shall also be allowed in the front yard with a maximum height of 4 feet (4') and minimum transparency of 50%. Notwithstanding anything to the contrary contained in the Code of Ordinances, farm fences as provided in F.S. § 604.50 are exempt from the land development code regulations including appurtenances. Existing chain link fence installed prior to the effective date of this code is considered "grandfathered" and may be maintained or partially replaced.
- (5) **Materials and Fence Types.** Fences shall be wood, composite, metal, or PVC. Site built and custom wood fencing is encouraged. For fences larger than 4 feet in height, posts are required to be set in concrete or gravel such that the concrete or gravel is buried and not visible after installation.
- (6) Wooden Picket consists of raw, sealed, stained or painted wood either in prefabricated panels or site built. Pickets are vertically oriented and typically include decorative posts with under scalloped pickets.
- (7) Wrought Iron consists of metal panels with simple angular rods or decorative rods. Wrought iron have a high level of transparency and typically intended to provide separation for dog parks, outdoor restaurant seating or urban private yards.
- (8) Wooden Shadowbox are privacy fences that are designed to allow for airflow. Shadowboxes alternate wood pickets to create openings that may or may not allow light to penetrate the pickets. The wood slats may be oriented vertically or horizontally.
- (9) Wooden Rail is a simple post and rail system that consists of milled or natural wood and has no pickets.
- (10) Wooden Lattice includes a partial wooden panel system and a 1' to 2' lattice or trellis cap on the fence. The lattice or trellis may not exceed the fence height maximum.
- (11) Wooden Panel is the most common fence and is typically fully opaque with butted or overlapped slats. The fence consists of three rails, posts and pickets. Pickets may be under or over scalloped but are typically flat.
- (12) Garden Fences consist of posts, rails and fence wire (commonly known as "hog wire") or vinyl coated chain link. These fences are appropriate around home gardens, agricultural uses, or in heavily planted areas to allow for ample sunlight and air movement. Garden fences are typically 4' in height or less. Chain link fences are not permitted in buffers.
- (13) Black Aluminum consists of 3 or more rails with evenly spaced pickets. The bottom pickets extend beyond the bottom rail and leave 1" or more of space from the ground plane. The pickets may terminate into the top rail or come to a decorative point.
- (14) Masonry Knee Walls may consist of brick, block, split face block, precast masonry or poured in place. The knee wall is typically 2' to with a maximum of 3' in height. Columns may be 4' in height and no more than 2' wide.
- (15) Masonry & Masonry Combinations consist of masonry columns with a connecting masonry wall. Rear and side yard masonry walls may not exceed 5' in height. Front yard masonry walls are limited to 3' in height. Masonry columns have a permitted height of 4' in the front yard and 6' in the rear and side yard. Columns must be 2' wide or less. Masonry Combinations of metal and wood may be used to meet the maximum fence height.
- (16) Post & Beam is a simple post and rail system with milled wood or PVC or Vinyl.
- (17) Vinyl Fence consists of post, rails and slats with a semi-transparent lattice, trellis (or similar) for the top 16" or more. Not permitted in required landscape buffers.

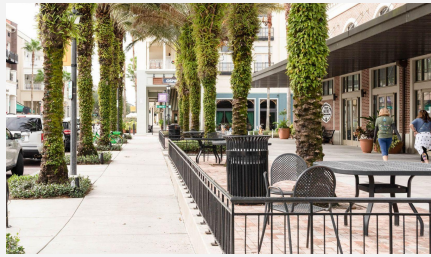
Figure 6.3 Example Fence Imagery

The following images are intended to provide examples of appropriate fence design.

WOODEN PICKET



WROUGHT IRON



WOODEN SHADOWBOX



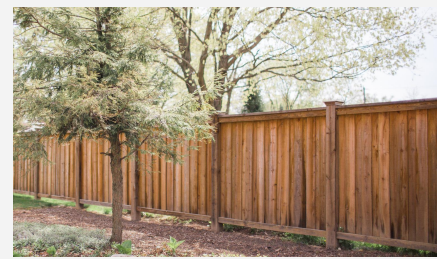
WOODEN RAIL FENCE



WOODEN LATTICE FENCE



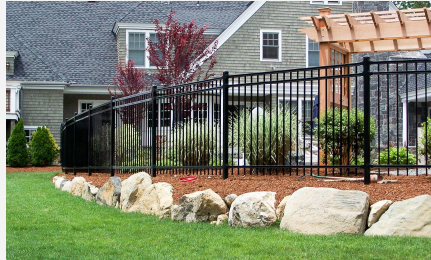
WOODEN PANEL FENCE



GARDEN FENCE



BLACK ALUMINUM FENCE



MASONRY KNEE WALL



MASONRY & METAL COMBINATION



POST & BEAM



VINYL FENCE WITH DECORATIVE LATTICE (or similar)



Section 7

Stormwater Standards

Section 7. Stormwater Standards and Limitations on Fill

The city finds that the uncontrolled drainage of developed land has a significant adverse impact upon the health, safety and welfare of the city by increasing the siltation and pollution of ground and surface water, by contributing excessive nutrients to receiving waters, by diminishing groundwater recharge and by increasing the incidence and severity of flooding. In order to minimize these detrimental effects of stormwater runoff, the following stormwater management regulations are enacted to provide for the mitigation of stormwater impacts from new development and from the redevelopment of existing properties.

Section 7. Stormwater Standards and Limitations on Fill.

a. Generally. The purpose of the stormwater management requirements set forth in this section is to minimize the detrimental effects of stormwater runoff and to provide for mitigation of stormwater impacts from new development and redevelopment, and ensure consistency with latest stormwater standards established by the State of Florida and Southwest Florida Water Management District (SWFWMD).

- (1) The regulations in this section are intended to:
 - (a) Preserve natural lakes, creeks, other water courses, and natural drainage features;
 - (b) Protect surface and ground water quality and quantity;
 - (c) Reduce wind or water caused erosion, loss of valuable top soils, and subsequent sedimentation of surface waters;
 - (d) Prevent creation of flood hazards due to new development;
 - (e) Alleviate existing flood hazards that threaten life or property;
 - (f) Prevent significant loss of life and property due to rainfall runoff; and
 - (g) Protect Outstanding Florida Waters.
- (2) The requirements of this LDC do not supersede those of other state, federal or regional agencies.

b. Applicability and exemptions.

- (1) All proposed development, except as specifically described in this section, shall comply with the standards and criteria set forth in this section.
- (2) The following activities may alter or disrupt existing stormwater runoff patterns, and unless specifically exempted under this code, shall be authorized only through issuance of a stormwater management permit prior to initiation of development:
 - (a) Clearing or drainage of land prior to construction of a project;

- (b) Altering the shoreline or bank or any surface water body; or
 - (c) Altering of any ditches, dikes, terraces, berms, swales, or other water management facilities.
- (3) The following development activities are exempt from the requirements of this Section:
- (a) Single-family dwellings and associated accessory structures, provided they are within a subdivision having a valid stormwater management permit and properly operating stormwater management systems designed and sealed by an engineer;
 - (b) Maintenance work on existing mosquito and arthropod control drainage structures for public health and welfare purposes, provided that the activities do not increase peak discharge rate or pollution load;
 - (c) Maintenance, alteration or improvement of an existing structure which will not change the peak discharge rate, volume, or pollution load of stormwater runoff from the site on which that structure is located;
 - (d) Emergencies requiring immediate action to prevent material harm or danger to persons, when obtaining a permit is impractical and would cause undue hardship in protection of property from fire, violent storms, hurricanes, or other hazards. A report of the emergency shall be made to the city manager as soon as practicable.

c. Standards for stormwater management.

Specifications, standards of design, and detailed technical requirements provided in the manual entitled Crystal River Stormwater Design and Construction Standards.

Stormwater Standards **and Limitations on Fill.**

d. Stormwater management plan requirements.

- (1) A stormwater management plan shall be submitted with an application for development approval. Procedures and requirements for applications for development approval are set forth in Section 9.
- (2) It is the responsibility of the applicant to include in the stormwater management plan sufficient information for evaluation of the environmental characteristics of the affected areas, the potential and predicted impacts of the proposed activity on affected waters, and the effectiveness of reducing adverse impacts. The stormwater management plan shall contain maps, charts, graphs, tables, photographs, narrative descriptions, calculations, explanations and citations to supporting references, as appropriate to communicate the information required by this section.
- (3) The specific contents of the stormwater management plan are as follows:
 - (a) The name, address and telephone number of the applicant;
 - (b) The legal description of the property;
 - (c) An aerial photograph of the project area and the surrounding areas, taken not more than two (2) years prior to the date of the application. Photographs from the Citrus County Property Appraiser or an equivalent source shall be used. The scale shall be not greater than one (1) inch equals six hundred (600) feet. Boundaries of the project site shall be delineated on the aerial photograph;
 - (d) Infiltration or permeability tests and soils borings representative of design conditions, if percolation or exfiltration systems are proposed;
 - (e) A location map;
 - (f) The existing environmental and hydrologic conditions of the site and of receiving waters and wetlands shall be described in detail, including the following:
 - (i) Drainage basin boundaries on a map at a scale of one (1) inch equals one hundred (100) feet;
 - (ii) The direction, flow rate, and volume of stormwater runoff under existing conditions, and, to the extent practicable, pre-development conditions;
 - (iii) The location of areas on the site where stormwater collects or percolates into the ground;
 - (i) A description of all watercourses, water bodies, and wetlands on or adjacent to the site or into which stormwater flows;
 - (ii) Ground water levels, including seasonal fluctuations;
 - (iii) Location of floodplains;
 - (iv) Vegetation;
 - (v) Topography, with a minimum of one-foot contour intervals;
 - (vi) Soils; and
 - (vii) Wells or onsite sewage disposal systems within two hundred (200) feet of drainage retention or detention areas.
 - (g) Proposed alterations of the site shall be described in detail, including:
 - (i) Changes in topography;
 - (ii) Areas where vegetation will be cleared or otherwise damaged or destroyed;
 - (iii) Areas that will be covered with an impervious surface and a description of the surfacing material; and
 - (iv) The size and location of any buildings or other structures.
 - (h) Predicted impacts of the proposed development on existing conditions shall be described in detail, including:
 - (i) Changes in water quality;
 - (ii) Changes in ground water levels;
 - (iii) Changes in the incidence and duration of flooding on the site and upstream and downstream from it;
 - (iv) Impacts on wetlands; and
 - (v) Impacts on vegetation.
 - (i) All components of the stormwater management system and any measures for the detention, retention, or infiltration of water; for the protection of water quality; or for protection from flooding, shall be described in detail, including:

Stormwater Standards **and Limitations on Fill.**

- (i) The channel, direction, flow rate, volume, and quality of stormwater that will be conveyed from the site, with a comparison to existing conditions and, to the extent practicable, predevelopment conditions;
 - (ii) Detention and retention areas, including plans for the discharge of contained water, maintenance plans, and operations plans;
 - (iii) Areas of the site to be used or reserved for percolation including a prediction of the impact on ground water quality (or supply proof of compliance with Chapter 40D, FAC, by means of an ERP permit or letter of exemption);
 - (iv) A plan for the control of erosion and sedimentation which describes in detail the type and location of control measures, the stage of development at which they will be put into place or used, and provision for their maintenance; and
 - (v) Any other information which the developer or the city manager believes is reasonably necessary for an evaluation of the development.
- (j) Construction plans and specifications for all components of the stormwater management system.
 - (k) All runoff calculations including a description of the methodology, assumptions and parameters. If a computer program is used for analysis, a copy of the printout shall be submitted.
 - (l) Stage-storage-discharge computations for any retention/detention areas at the control point, including the computations for the design storm event.
 - (m) The stormwater management plan shall be prepared and certified by a professional engineer registered in the State of Florida.
 - (n) A plan which shows the scheduled maintenance needs shall be set forth. An operation/maintenance manual shall be provided to the responsible entity.
- (4) All stormwater treatment systems shall meet the latest SWFWMD and state standards for water quality and peak discharge. Rate of post-development runoff conditions shall not exceed pre-development runoff conditions.
- (a) The following performance standards shall apply to all new development, except for development exempted under this code. Post development water quality and rate discharge shall be consistent with state and SWFWMD standards.
 - (b) Consistent with state and SWFWMD standards. Stormwater facilities which discharge directly into an outstanding florida water (OFW) shall be subject to higher standards; the Crystal River OFW, including King's Bay, shall provide an additional fifty (50) percent level of treatment.
- e. New Single Family Homes.** The following performance standards shall apply to all new single family residences that are not within an engineered subdivision having a valid stormwater management permit and operating stormwater management system. The intent of the residential stormwater requirement is for the new construction of a residence, or complete reconstruction outside of the existing footprint only. The addition of accessory structures or a reconstruction at the same grade and footprint of an existing structure shall not invoke the requirement of this section:
- (1) Swales or other basins shall be constructed and continually maintained near the property boundary and landward of any mean high-water line and wetland boundaries. These shall be sized to collect the same water quality volume as required by the state and SWFWMD, and based on the areas of potential pollutant generation, which includes all disturbed areas other than rooftops.
 - (2) It is recognized that the elevating of finished floors substantially above existing grade may be necessary. In no case shall the filling of lots cause the conveyance of stormwater across a residential lot to be diminished. This shall be accomplished through the minimization of lot fill through the use of stemwalls, retaining walls or pier construction where necessary, the establishment of sideyard swales, and the protection of existing drainage ways.

Stormwater Standards **and Limitations on Fill.**

f. Limitations on Fill

- (1) **Limitations on placement of fill.** Subject to the limitations of this section, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour.
- (2) **Use of nonstructural fill in Zone A/AE.** In SFHA Zone A, fill on the outside of the footprint of the foundation of single-family through quadruplex residential structures on lots which are not part of a development with a master grading plan approved by the City is prohibited, except minor fill may be used:
 - a. In front yards when necessary for the construction of a driveway to a garage;
 - b. At the front entrances for access to the principal structures;
 - c. For landscaping and drainage under and around structures; and
 - d. For parking slabs, patios, walkways and similar minor site features.
- (3) **Nonstructural fill requirements.** Where nonstructural fill is permitted, the following shall apply :
 - a. Fill shall not be greater than 6-inches on lots greater than 60-feet in width, or not more than 12-inches of site compatible nonstructural fill, where site compatible fill is similar to natural soils;
 - b. Fill shall be graded to provide adequate drainage and to transition to natural grade before property line;
 - c. Not prevent the free passage of floodwater and waves; and
 - d. Not divert floodwater or deflect waves such that damage is sustained by adjacent or nearby property.
- (4) **Use of nonstructural fill in Zone V.** In SFHA Zone V and Coastal A Zone, fill shall be limited to minor quantities of nonstructural, noncompacted fill around the perimeter of a building for landscaping/aesthetic purposes and for drainage, provided the fill will wash out from storm surge (thereby rendering the building free of obstructions) prior to generating excessive loading forces, ramping effects or wave deflection. Minor quantities of fill are limited to depths of not more than 6-inches of site compatible nonstructural fill on lots greater than 60-feet in width, or not more than 12-inches of site compatible nonstructural fill, where site compatible fill is similar to natural soils.
- (5) When more than minor quantities of nonstructural fill are proposed, **the Public Works Director** or their designee shall approve design plans for landscaping/aesthetic fill only after the applicant has provided an analysis by an engineer, architect and/or soil scientist, along with the any supporting data required by **the Public Works Director** or their designee, which demonstrates that the following factors have been fully considered:
 - a. Particle composition of fill material does not have a tendency for excessive material compaction;
 - b. Volume and distribution of fill will not cause wave deflection to adjacent properties;
 - c. Slope of fill will not cause wave run up or ramping; and
 - d. The use of fill shall not create any additional stormwater runoff onto abutting property and the fill gradually transitions to natural grade before the property line.
 - e. Limitations on placement of structural fill in Zone A/AE. Structural fill in Zone A/AE shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour.
- (6) If intended to support buildings and structures, structural fill shall comply with the requirements of the Florida Building Code, state and federal laws and this ordinance.
- (7) If intended for pool decks and patio decks, structural fill and surrounding perimeter walls shall be within the buildable lot area and perimeter walls must tie into the foundation of the primary structure.

Section 8

Administrative

Section 8 Administrative

a. **Authority and Purpose.** These land development regulations shall be known as the “Community Development Code” of the City of Crystal River and are enacted pursuant to the requirements and authority of Article VIII, section 2(b) of the Florida Constitution, F.S. § 163.3202, the city Charter, effective 1987, and the general powers in F.S. ch. 166 (Municipal Home Rule Powers Act), including F.S. § 166.021.

It is the intent of this code to promote public health, safety, and general welfare of the community. It includes but is not limited to the specific municipal purposes below.

- (1) To achieve mixed use development that is appropriate in scale and intensity for its context.
- (2) To establish a relationship between buildings, streets, and Open Spaces that is pedestrian and bicycle friendly.
- (3) To preserve and enhance the City’s natural charm while promoting innovative development that sustainably manages the environment.
- (4) To ensure that a variety of housing types and sizes can be developed to meet the needs of the entire community.
- (5) To promote a variety of safe transportation options with context-based thoroughfare design.
- (6) To promote a public realm of high aesthetic value.

b. **Applicability.** The provisions of this Code shall apply to all development in the city, and no development shall be undertaken without prior authorization pursuant to these regulations.

c. **Development Permits and Development Orders.**

The provisions of the Code and any amendments thereto shall not affect the validity of any lawfully issued and effective development permits and orders as defined in § 166.033(4), Florida Statute if: The development activity has been authorized by a permit approved prior to the effective date of the Code or any amendment thereto; and

- (1) Work has commenced within 12 months of the authorized permit or order; and
- (2) The development activity continues without interruption (except because of war or natural disaster) until the development is complete. If the development permit expires, any further development on that site shall occur only in conformance with the requirements of the Code or amendment thereto.

d. **General Findings.** F.S. ch. 163, requires each Florida local government to enact a single land development regulations (LDRs) which implements and is consistent with the local Comprehensive Plan, and which contains all land development regulations for the city.

e. **General Public Need.** Controlling the location, design and construction of development within the city is necessary to maintain and improve the quality of life in the city as more fully described in the following sections of this Code.

f. **HOA Zoning Reviews.** A Homeowner’s Association (HOA) may request the authority to administer zoning reviews. Such authority requires City Council approval and the City Council has no obligation to grant such authority.

g. **Comprehensive Plan.** The adoption of integrated land development regulations implements the following goals, policies and objectives of the Comprehensive Plan:

- (1) F.S. § 163.3194(1)(b) requires that all land development regulations be consistent with the Comprehensive Plan of the enacting local government. A land development regulation shall be consistent with the Comprehensive Plan if the land uses, densities or intensities, or other aspects of development permitted by such order or regulation are compatible with and further the objectives, policies, land uses and densities or intensities in the Comprehensive Plan and if it meets all other criteria enumerated by the local government.
- (2) The Code incorporates new authorizations, requirements and regulations to implement the objectives and policies of the Comprehensive Plan, and to ensure that all land development activities within the city are consistent with and further the objectives, policies, land uses, densities and intensities in the Comprehensive Plan.
- (3) Nothing in this Code shall be construed to authorize development that is inconsistent with the city Comprehensive Plan.
- (4) It is recognized, however, that situations may arise in the daily administration and enforcement of these regulations whereby strict interpretation and enforcement of the regulations may be contrary to the goals, objectives and policies of the Comprehensive Plan.

Section 8 Administration

- (5) (cont) such situations may arise due to changes in land development priorities or economics, new issues which were not anticipated at the time of the adoption of these land development regulations (LDRs) or the inability to meet competing goals through a single action. In these situations, the goals and policies of the Comprehensive Plan shall take precedence, and the Land Development Regulations (LDRs) shall be interpreted and administered consistent with the overall goals, objectives and policies of the Comprehensive Plan as interpreted by the city council, until such time that these regulations and/or the Comprehensive Plan can be amended to resolve any conflict.
- (6) The city Comprehensive Plan, as thereafter amended, is hereby adopted as the Comprehensive Plan of the city in accordance with F.S. ch. 163.
- (7) Neither this section nor the Comprehensive Plan shall be construed as temporarily or permanently taking property without due process of law. Neither this section nor the Comprehensive Plan shall be construed as affecting validly existing vested rights. Any person alleging the existence of vested rights must demonstrate to the city council's satisfaction the legal requisites of those vested rights. The council shall make the final determination as to the existence of the vested rights alleged. The mere existence of zoning contrary to the Comprehensive Plan shall not give rise to vested rights.
- (8) Upon determination by a court of competent jurisdiction that a portion of this Community Development Code or the Comprehensive Plan adopted hereby is void, unconstitutional or unenforceable, all remaining portions shall remain in full force and effect.

h. Maps by Reference. There is hereby adopted as part of the land development regulations the Future Land Use Map and Map Series of the adopted Comprehensive Plan of the City of Crystal River and the Zoning Map of the City of Crystal River for use in the consistent application of these land development regulations.

i. Interpretation. In the event that any question arises concerning the application of regulations, performance standards, definitions, development criteria or any other provision of this Code, the city manager or designee shall be responsible for interpretation.

j. Abrogation. The standards included in this subpart are not intended to repeal, abrogate or interfere with any existing easements, covenants or deed restrictions duly recorded in the public records of the city.

k. Approval Authority. The following land development applications shall require a recommendation from the Planning Commission and action by the City Council:

- (1) Annexation;
- (2) Comprehensive Plan Amendments;
- (3) Vacation of Public Right-of-Way (ROW)
- (4) Vacation of Plat;
- (5) Zoning / Rezoning;

The following land development applications shall only require action by city manager or designee:

- (1) Construction Plan;
- (2) Lot Splits;
- (3) Lot Line Deviations;
- (4) Preliminary Plat

The following land development applications shall only require action by the Planning Commission:

- (1) Conditional Uses;
- (2) Variances

l. Deviations. Deviations from numeric Code requirements may be granted by the City Manager or his/her designee when the request is within 10% of the relevant requirement. Deviations will be reviewed on a case-by-case basis and are not guaranteed. All other land development plans require action by the Planning Commission.

m. Appeal. Action by staff may be appealed to the City Manager by filing, no later than five business days from the date of staff's written decision, a written notice of appeal with the City Clerk outlining the basis for the appeal. A copy of the notice of appeal shall also be simultaneously filed with the Growth Management Department. The City Manager will schedule a public meeting for City Manager action on the appeal.

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Table 8.1 Public Notice Requirements

APPLICATION TYPE	MAIL	NEWSPAPER	POST
PLANNING COMMISSION (minimum number of days notice required)			
Annexation	10	7	10
Zoning/Rezoning inclusive of PUD initiated other than by city	10	7	10
Large-scale Comprehensive Plan amendment excluding text amendments	10	7	N/A
Small-scale Comprehensive Plan amendment	10	7	10
Variance	10	7	10
Conditional Use (application for approval or revocation of CU)	10	7	10
Vacate Public Rights-of-Way	10	7	N/A
Vacate Plat	10	7	N/A
CITY COUNCIL (number of days notice required)			
Annexation	10	SN	10
Zoning/Rezoning inclusive of PUD initiated other than by city	10	SN	10
Large-scale Comprehensive Plan amendment excluding text amendments	10	SN	N/A
Small-scale Comprehensive Plan amendment	10	SN	10
Vacate Public Rights-of-Way	10	**	10
Vacate Plat	10	**	10
ADMINISTRATIVE (number of days notice required)			
Lot Split / Lot Line Deviation / Lot Combination/ Unity of Title			10

Key:

- SN Statutory Notice
- * Minimum 10 days prior to adoption
- ** Minimum 14 days prior to 1st reading and 7 days prior to adoption

(cont.) Action by the City Manager may be appealed to the City Council by filing, no later than five business days from the date of the City Manager's written decision, a written notice of appeal with the City Clerk outlining the basis for the appeal. A copy of the notice of appeal shall also be simultaneously filed with the Growth Management Department. The written notice of appeal will be placed on a future City Council agenda for Council action on the appeal.

n. **Public Notice.** In addition to those requirements imposed by state law, public notice shall be provided as set forth on Table 8.1. Nothing herein shall require duplication where these requirements are identical to those imposed by state law.

o. **Mailing Requirements.** Unless otherwise required herein, mail notice of a public hearing of a type set forth in Table 8.1 shall contain the following information:

- (1) Title and substance of proposed ordinance, resolution or development order or application;
- (2) Time, date and location of the public hearing; including any instructions for attending or participating in a hearing conducted by video over the internet;
- (3) Location of the property affected by the application with reference to the nearest intersection of two or more streets;
- (4) Name, address and telephone number of the office where additional information can be obtained; and
- (5) Location and times where proposed ordinance, resolution, or development order application may be reviewed.
- (6) All notices shall be provided by first-class mail. Mail notice shall be postmarked no later than the minimum number of calendar days as required in Table 8.1. Proof of mailing shall be retained by the city.
- (7) Mail notice as required in Table 8.1 shall be provided to all property owners of record, excluding property owned by the applicant, within 300 feet of any boundary line of the property to which the ordinance, resolution or development order relates. If any boundary line of the property to which the ordinance, resolution or development order relates is within 300 feet of any portion of a subdivision

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- (8) (cont.) which is governed by an active, Florida not-for-profit corporation homeowners association or condominium association, then mail notice shall also be provided to the homeowners association or condominium association.
- (9) The list of property owners shall be derived from the most recent official tax roll of Citrus County. The applicant shall provide an affidavit attesting to the completeness and accuracy of the property owner's list.
- (10) The city shall prepare and mail all required notices, and provide an affidavit that notice was sent to all property owners included in the property owner's list.
- (11) The applicant shall be responsible for all costs associated with mailing notices.

p. Posting Requirements. The city shall provide the signs, subject to the criteria for size and contents established by the Growth Management Director. The signs shall comply with the city sign code, unless exempt therefrom.

- (1) The City shall install the signs in a workmanlike manner. All signs should be installed so as to withstand normal weather events.
- (2) The City shall post one sign per frontage, except if a parcel has frontage. The signs shall be posted within ten feet of the right-of-way with the locations approved by the city.
- (3) The City shall record a photograph of the sign(s) and an affidavit attesting to the date of installation and the number of signs.

q. Newspaper Requirements. The applicant shall be responsible for all costs associated with newspaper advertisements.

r. Variances. Anyone who is an owner of, or has any legal interest in property affected by the zoning code shall desire a variance, shall file an application at the office of the city clerk.

- (1) The following information is required:
 - (a) The applicant's full name and mailing address;
 - (b) The legal description of the property involved;
 - (c) A plat plan (schematic drawing) of the property involved, showing the location, existing buildings or structures and the location of proposed buildings or structures;
 - (d) A floor plan of any proposed extensions or additions;
 - (e) The purpose for which the property will be used;
 - (f) A concise statement as to why the present regulations create a hardship to the applicant.
 - (g) How the applicant believes each of the variance standards are met.

(2) **Process.** When an application requesting a variance is filed with the city, along with a filing fee as established by resolution, the city shall cause the request to be evaluated based on the standards set forth in this Section and to determine whether the proposed variance is in compliance with the city's Comprehensive Plan. City staff shall prepare and present at the public hearings a written report of its findings and any recommendations.

- (a) Public notice shall be provided as set forth in the Public Notice section. Only one public hearing before Planning Commission is required.
- (b) The Planning Commission shall decide upon the request when the matter is taken up, or if the commission is in need of more information, the commission may so indicate and take the matter up again as specified by the commission. The Planning Commission shall adopt its findings in writing.

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- (3) **Standards.** The Planning Commission may authorize a variance from the terms of this Code as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Code will result in unnecessary and undue hardship. In authorizing a variance, the council shall find:
- (a) That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district.
 - (b) That the special conditions and circumstances do not result from the actions of the applicant.
 - (c) That literal interpretation of the provisions of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this Code and would work unnecessary and undue hardship on the applicant.
 - (d) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
 - (e) That the grant of the variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
 - (f) In granting any variance, the city council may prescribe appropriate conditions and safeguards in conformity with this Code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Code.
- (4) **Commencement of Construction.** When any variance is granted, construction of the structure must be initiated within 18 months from the date of grant or by such time as determined by the commission in the grant. It shall be the obligation of the owner to file written notice with the Growth Management Director that construction has commenced.
- (5) **Transfer of Variance.** A variance in the zoning regulations may be transferred along with the transfer of the property ownership, but only for the specific use and floor plan originally granted.
- s. **Nonconforming Uses & Structures.** A use, building or structure lawfully in existence on the adoption date of this ordinance, that shall be made nonconforming on such date or made nonconforming by an amendment to this Code may be continued so long as it remains the same use and cannot be changed to another nonconforming use. There may be a change of tenant, ownership or management of a nonconforming use, provided there is no change in the nature or character of such nonconforming use.
- (1) **Process.** Existing buildings or premises devoted to a nonconforming use may continue as a nonconforming use subject to the following regulations:
 - (2) **Expansion.** Any single-family nonconforming structure may be enlarged or expanded, including accessory structures, so long as the expansion is in compliance with the yard and building requirements within the zoning district where it is located.
 - (3) **Restoration.** Any nonconforming structure which has less than 50 percent of its previous existing floor area made unsafe or unusable may be restored, reconstructed and used as before. All repairs shall be made within six months after damages occur or such use shall not be rebuilt except as a conforming use.
 - (4) **Repairs.** Normal maintenance, repairs and incidental alterations of a structure containing a nonconforming use is permitted.

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- (5) **Abandonment.** If a nonconforming use of structures and premises in combination is discontinued, vacant, abandoned or not used for a period of six consecutive months, it shall be considered an abandonment thereof and shall not thereafter be used except in conformance with the regulations of the zoning district in which it is located.
- (6) **Partial Destruction.** When 50 percent or more of the existing floor area of a nonconforming structure is destroyed by fire or made unsafe or unusable by other casualty or act of nature, the use of such structure as a nonconforming use shall thereafter be terminated unless the repairs can be made or the reconstruction completed within six months after damages occur. The city council may permit the reestablishment of the nonconforming use where it is determined that the repairs and/or rebuilding of the structure will take longer to complete. If this be the case, the owner of the nonconforming use property should file an application in accordance with the Public Notice requirements to request a reasonable extension of time to complete the repairs or reconstruction.

t. **Planned Unit Development (PUD) Expiration.** Actual construction must begin within a planned unit development within three years of Construction Plan or as conditioned by the City Council. If actual construction has not begun, any vesting which may be claimed thereby shall be void. The applicant may request a 12-month extension prior to expiration. Construction Plan must receive approval within three years of the effective date of the PUD zoning ordinance. If Construction Plan are not submitted or, if submitted, but do not receive approval within three years of the effective date of the PUD zoning ordinance, any vesting which may be claimed thereby shall be void. If actual construction begins within the time required, but terminates prior to final completion, any vesting which may be claimed thereby shall be void except where the Cit has recognized vested rights as established by Florida Common Law or Florida Statutes. Lapse of said site development or building permit shall constitute a termination of construction.

- (1) **Substantial Change.** Substantial changes to PUDs require City Council approval. The following requests shall be considered substantial changes: a change which would alter the land use type adjacent to a property boundary, increase the land use intensity and/or density, or require an amendment to the City Council's conditions of approval.
- (2) **Non-substantial Change.** Non-substantial changes shall be reviewed by staff and approved by the City Manager or designee.

u. Commissions and Agencies

- (1) **Generally.**
- The city council has established the commissions, agencies, and officers in this code for the purpose of implementing the provisions of the code.
 - All procedures pertaining to matters before the commissions, agencies, and officers are set forth in this code.
- (2) **Requirements for all commissions and agencies**
- (3) **Appointment.** All members shall be appointed by the city council.
- (4) **Attendance.** Each appointed member shall attend all meetings. Any member who has been absent from three (3) consecutive regular meetings within a calendar year shall be subject to removal.
- (5) **Officers.** All commissions and agencies, except shall have a chairperson and a vice chairperson.
- (6) **By-laws.**
- Each commission or agency shall enact by-laws to govern its operation and procedures.
 - By-laws shall not conflict with the requirements of this Code. In the event of any conflict between the provisions of this Code and the by-laws, the provisions of the Code shall control.
 - The following topics may be included in the by-laws:
 - The designation of officers;
 - The specific duties of officers;
 - The creation of committees;

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- iii. The creation of committees;
 - iv. Voting procedures;
 - v. Scheduling of meetings;
 - vi. Order of business; and
 - vii. Preparation of minutes.
- (7) **Parliamentary authority.** All meetings may be conducted in accordance with parliamentary procedure as set forth and explained in the latest revised edition of Robert's Rules of Order, which shall serve as the official rules of procedure.
- (8) **Qualifications, removal, and vacancy.** Except as set forth for a specific commission or agency created under the Land Development Code, the following provisions apply to the qualifications and removal of a member and to filling such vacancy as may occur:
- a. No member of the planning commission shall be an elected official or employee of the city.
 - b. Each member of any commission or agency created under the Land Development Code serves at the pleasure of the city council and may be removed at any time without cause.
 - c. When any vacancy occurs for a specific commission or agency created under the Land Development Code, the city council shall appoint a new member to serve the unexpired term of the member whose death, resignation, incapacity, or removal creates the vacancy.
 - i. Appointment of a new member shall be made within two (2) months following the creation of the vacancy.
 - ii. When the unexpired term is two (2) months or less, the city council may appoint a new member to fill the unexpired term and the following full term.
- (9) **Quorum and voting.**
- a. For the purpose of transacting business at any meeting, five (5) members of the commission or agency shall constitute a quorum.
 - b. Approval of actions before the commission or agency requires an affirmative vote of a majority of the members present.
- (10) **Record of decisions.** A record shall be made of all resolutions, transactions, findings, recommendations, and decisions, which record shall be a public record on file in the office of the city clerk.
- v. **Planning Commission**
- (1) **Establishment.** There is hereby created a planning commission, with the roles and responsibilities as set forth herein.
- (2) **Membership and terms.**
- a. The planning commission shall consist of seven (7) members and two (2) alternate members.
 - b. The term of membership shall be three (3) years.
 - c. Membership shall begin on October 1 and end on September 30.
 - 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:
 - i. Two (2) members shall be appointed for one (1) year.
 - ii. Two (2) members shall be appointed for two (2) years.
 - iii. Three (3) members shall be appointed for three (3) years.
 - iv. All subsequent appointments shall be for the full term of three (3) years.

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V. No member may serve more than two (2) successive three (3) year terms. Thereafter, members may be appointed only after they have been off of the planning commission for at least one (1) year. Service for a partial term of less than one and one-half (1½) years shall not constitute a term of service for purposes of this paragraph.

(3) Qualifications for members:

- a. Members of the planning commission shall be required to reside within the city limits of the City of Crystal River, Florida.
- b. It shall be the policy of the City of Crystal River to make reasonable efforts to appoint individuals onto the planning commission who have the qualifications and experience necessary to be effective members of the Planning Commission. In furtherance of this policy, and if possible, the city council of the City of Crystal River shall make a reasonable effort to appoint at least two (2) members to the planning commission who represent two (2) of the following professional positions. Evidence that the member represents the profession includes, but is not necessarily limited to, a current or inactive professional license (unrevoked) or specialized training in the indicated field
 - i. Licensed engineer;
 - ii. Licensed architect;
 - iii. Registered landscape architect;
 - iv. Licensed surveyor;
 - v. Professional planner;
 - vi. Environmental scientist; or
 - vii. Licensed contractor or builder.

- c. If there are no applicants that possess the required qualifications and experience in the above described professions, the city council, after reviewing the applications, shall make a reasonable effort to appoint the most qualified applicant.
 - d. In furtherance of the above stated policy, and if possible, the city council of the City of Crystal River shall make a reasonable effort to appoint at least two (2) members to the planning commission who represent two (2) of the following professional positions. Evidence that the member represents the profession includes, but is not necessarily limited to, a current or inactive professional license (unrevoked) or specialized training in the indicated field.
 - i. Banking, finance, or accounting;
 - ii. Real estate agent or broker;
 - iii. Property appraiser, residential or commercial;
 - iv. Land development; or
 - v. Business owner or manager.
 - e. If there are no applicants that possess the required qualifications and experience in the above described professions, the city council, after reviewing the applications, shall make a reasonable effort to appoint the most qualified applicant.
 - f. Three (3) members shall be at-large
 - g. In addition to the above members, one (1) nonvoting member shall be appointed from the Citrus County School Board. This member shall be the person appointed by the school board to attend those meetings at which the planning commission considers rezoning of land or an amendment to the comprehensive plan that, if approved, will increase the residential density on property that is the subject of an application.
- (4) **Roles and Responsibilities.** The planning commission shall have the roles and responsibilities described below.
- a. To serve as the local planning agency (LPA), pursuant to F.S. ch. 163.3174. As the LPA, the planning commission shall:

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- i. Make recommendations to the city council regarding adoption of a comprehensive plan;
 - ii. Make recommendations to the city council regarding amendment of its adopted comprehensive plan; and
 - iii. Carry out such other duties as may be specified in F.S. pt. II, ch. 163.
- b. To hear, consider, and make recommendations to the city council regarding applications to:
 - i. Amend the official zoning map (also called "rezoning");
 - ii. Amend the text of the Code;
 - iii. Create a subdivision (preliminary and final subdivision plats); and
 - iv. Amend the official zoning map to PUD together with a PUD master plan.
- c. To conduct public hearings and render decisions in compliance with the requirements of this Code on the following matters:
 - i. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this Code;
 - ii. To authorize a variance from a provision of the Code; and
 - iii. To hear and decide applications for site plan approval involving uses subject to supplemental standards, as set forth in this Code.
- d. In carrying out its duties, the planning commission may:
 - i. Establish such committees as may be necessary to gather facts, analyze findings, and make recommendations to the planning commission as a whole;
 - ii. Acquire and maintain such information and materials as are necessary for an understanding of past trends, present conditions, and forces at work to cause changes in these conditions;

- iii. Make or cause to be made any necessary special studies on the location, conditions, and adequacy of facilities in the city; and
- iv. Periodically review the comprehensive plan and Code and recommend amendments to the city council.

X. Community Redevelopment Agency

- (1) **Authority.** Pursuant to F.S. ch. 163, pt. III, there is hereby created an agency to be known as the Crystal River Community Redevelopment Agency.
- (2) **Membership, term, and appointment of additional members.**
 - a. The city council of the City of Crystal River, Florida, shall be the commissioners of the City of Crystal River Community Redevelopment Agency (CRA).
 - b. The city council of the City of Crystal River, Florida, acting in their capacity as the City of Crystal River CRA shall be vested with all rights, powers, duties, privileges and immunities conferred upon such agencies by Chapter 163, Part III, Florida Statutes.
 - c. The city council of the City of Crystal River, Florida, acting in their capacity as the City of Crystal River CRA, shall be subject to all of the responsibilities and liabilities imposed or incurred by the previous board of commissioners of the CRA.
 - d. The city council may appoint two (2) additional persons to act as commissioners of the City of Crystal River CRA, as provided in the Crystal River Code of Ordinances, chapter 2, article IV, section 2-65. The terms of office of the additional commissioners shall be for four (4) years, except that the first person appointed shall initially serve a term of two (2) years. Persons appointed as additional commissioners by the city council are subject to all provisions of Chapter 163, Part III, Florida Statutes, relating to appointed commissioners of a community redevelopment agency.

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- e. The term of office for commissioners of the City of Crystal River CRA, who are also members of the city council of the City Crystal River, shall be concurrent and coterminous with their term of office as members of the city council.
- f. The City of Crystal River CRA shall be vested with all rights, powers, duties, privileges and immunities conferred upon such agencies by Chapter 163, Part III, Florida Statutes.
- g. The city council shall designate from among the commissioners of the CRA, two (2) individuals to act as the chair and vice chair of the City of Crystal River CRA.
- h. The city council of the City of Crystal River shall be authorized to amend this section of the Land Development Code by resolution, after a properly noticed public hearing.

(3) Roles and responsibilities.

- a. The community redevelopment powers as provided under Chapter 163, Part III, Florida Statutes, are hereby assigned to the community redevelopment agency, with exception of the power reserved to the city council as set forth in Section 163.358, Florida Statutes.
- b. The community redevelopment agency shall have the following roles and responsibilities with respect to this Code:
 - i. To hear, consider, and make recommendations to the city council regarding amendments design standards applicable within the CRA overlay district;
 - ii. To hear and render a decision for building permits or site plan approval on all property within the CRA overlay district;
 - iii. To hear and make recommendations to the planning commission for applications for site plan approval for development subject to supplemental standards;
 - iv. To hear, consider, and make recommendations to the city council regarding applications to amend the official zoning map (rezoning) for lots within the CRA overlay district;
 - v. To hear, consider, and make recommendations to the city council regarding amendment of the text of the comprehensive plan pertaining to growth and development within the CRA overlay district; and
 - vi. To hear, consider, and make recommendations to the city council regarding amendment of the future land use map of the comprehensive plan for properties within the CRA overlay district.

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a. **Subdivision and Plats.** It is hereby declared to be the policy of the city to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the city pursuant to the adopted Comprehensive Plan for the orderly, planned, efficient, and economical development of the municipality. Land shall not be subdivided until proper provision has been made for, but not limited to, paved streets, drainage, water, sewage, and capital improvements such as schools, parks, fire, police, administrative facilities and recreation facilities.

The existing and proposed public improvements shall conform to, and be properly related to the proposals showing in the Comprehensive Plan, official zoning map, and the capital budget of the city. It is intended that these regulations shall supplement and facilitate the enforcement of the provisions and standards contained in the building code, zoning ordinance, Comprehensive Plan, and capital improvements budget of the city.

b. **Authority.** The city council does hereby exercise the power to review, approve, and disapprove plats for subdivision of land within the corporate limits of the city. The city council does hereby exercise the power and authority to approve or deny subdivisions of land already recorded in the office of the county clerk, if such plats are entirely or partially developed, except as such authority may have been delegated in this code.

- (1) The plat shall be considered to be entirely or partially developed if:
 - (a) Said plat has been recorded with the office of the county clerk, without prior approval by the city council; or
 - (b) Said plat has been approved by the city council, yet the council finds that the public interest will be best served by vacating all or part of said plat pursuant to the authority of F.S. § 177.101, when the conditions set forth in the statute exist.
 - (c) The provisions of this article shall be administered and enforced by the designated representative of the city. For purposes of administration of the provisions of this article, the director of the Growth Management Department, or designee, shall be the city's designated representative.

c. **Innovative Design.** The provisions of this article are not intended to prevent the use of alternate materials and methods of construction not specifically covered in these regulations, provided that the alternate has been approved by the city. The city must find that the alternate is at least equal to what is prescribed by this Code in terms of quality, strength, effectiveness, fire resistance, durability, and safety. The city may require sufficient evidence be submitted to substantiate any claim made regarding the alternate. If these criteria are not met, the city shall deny the request.

The provisions of this article are not intended to prevent the use of innovative designs not specifically covered in these regulations, provided that the design has been approved by the city. The city may approve any innovative design which is at least equal to what is prescribed by this subpart with regard to quality, efficiency, durability, and safety. The design shall also address wetlands, affordable housing, public improvements, and other applicable concerns of the city. The city may require sufficient evidence be submitted to substantiate any claim made regarding the alternate. If these criteria are not met, the city shall deny the request.

d. **Minor Lot Splits.** Minor lot splits, the division of a single, legally created lot of record into three separate lots, are permitted provided that the following conditions are met:

- (1) Only two new lots may be created from the original legally created lot of record. The original parcel shall be known as the parent parcel and those lots created out of it shall not be entitled to another minor lot split.
- (2) A minor lot split shall not be approved within a platted subdivision when it would **exceed the allowable density in the Comprehensive Plan or conflict with this Code.**
- (3) All other requirements of this Code and the Comprehensive Plan shall apply.
- (4) Flag lots are prohibited.
- (5) Lot splits require written notice for adjacent property owners.
- (6) New lots shall have frontage on an existing publicly maintained street.

e. **Lot Line Deviations and Adjustments**

Lot line deviations and adjustment of the boundary between abutting and legally created lots of record are permitted provided that the following conditions are met:

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- (1) Both lots shall be legally created lots according to the city's land development regulations, and have frontage on an existing publicly maintained street.
- (2) A lot line deviation shall not be approved within a platted subdivision where **the adjusted lot(s) would exceed the allowable density in the Comprehensive Plan or conflict with this Code.**
- (3) All other requirements of the land development regulations and the Comprehensive Plan shall apply.
- (4) Flag lots are prohibited.
- (5) Lot line deviations require written notice for adjacent property owners.

f. Vacation of Plats

An applicant may apply for the vacation of any plat or any part of any plat at any time before the sale of any lot therein, by a written application to the city, to which a copy of such plat shall be attached, requesting the same to be vacated.

g. Platting Required

- (1) No person shall sell or transfer any land subject to this article by reference to a plat before a final plat has been approved and recorded. Nothing herein shall be construed as affecting the validity of transfers of title to interests in lands, whether by private act or operation of law.
- (2) This article is not intended to abrogate any legally enforceable easement, covenant, or any other private agreement of restriction; provided that, where the provisions of this article are more restrictive and impose higher standards than the easement, covenant, or other private agreement or restriction, the requirements of this article shall govern.

h. Phased Developments

- (1) Any subdivision involving phasing or staged development shall be identified in written and graphic form in the application for Preliminary Subdivision review and shall designate, for information purposes only, all construction phases and the proposed development schedule. All construction phases in a development shall be constructed to be capable of operating independently or in conjunction with other constructed phases with respect to drainage, vehicular circulation, utilities, and other public improvements and services.
- (2) Modifications to approved phase boundaries may be administratively approved by the city following submission of a new written and graphic description of such modifications, provided that such phasing does not conflict with any previously approved construction drawings or with the requirements of this article.

i. Subdivision Plat Review Process

It shall be unlawful for any person to submit a plat for the subdivision of land located in the city to the county clerk or the clerk's representative for the purpose of recording such plat in the office of the clerk until said plat has been approved by the city council under the provisions of this article and signed by the city mayor. In the event an unapproved plat is recorded, it shall be deemed invalid and shall be stricken from the public records upon adoption of an appropriate resolution by the city council. No changes, erasures, modifications, or revisions shall be made to any plat after approval by the city council.

There are four stages of review for subdivision plat approval as follows:

- (1) Pre-application Meeting
- (2) Preliminary Subdivision Review
- (3) Construction Plan Approval
- (4) Final Plat Approval

j. Pre-application Meeting

- (1) The pre-application meeting with the Growth Management Department will give the applicant the opportunity to present the proposal before incurring the costs in time and expense associated with a formal application and will acquaint the applicant with subdivision procedures and requirements and any concerns of the city regarding the property in question.
- (2) All applicants for subdivision approval shall attend a pre-application meeting. The city will not accept an application for Preliminary Subdivision review until this requirement is met. The applicant may schedule a pre-application meeting by contacting the Growth Management Department. A pre-application meeting will be scheduled within seven business days of the applicant's request. The meeting will include representatives from the following city departments: Community Development, Public Works, and Public Safety.

k. Preliminary Subdivision Review

- (1) A Preliminary Subdivision shall not be submitted to the city until the applicant has had a pre-application meeting.
- (2) **Following the pre-application meeting, the applicant may formally submit. Refer to Table 9.1 for the Preliminary Subdivision submittal requirements.**
- (3) **The development coordinator will determine sufficiency of the Preliminary Subdivision application and provide their determination in writing. Once all required items have been submitted, the application will be distributed to the appropriate staff reviewers.**

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- (4) City reviewing staff has 30 business days to submit comments back to the development coordinator. **The development coordinator will compile all comments and provide them to the applicant within 5 business days of receiving staff comments.**
- (5) This process is repeated for subsequent submittals. Pursuant to §166.033(2), Florida Statutes, when an application for a development permit or development order is certified by a professional listed in s.403.0877, Florida Statutes, before a third request for additional information is issued the city will offer a meeting to attempt to resolve outstanding issues. The city will not request additional information from the applicant more than three times, unless the applicant waives this limitation in writing. If not waived, the city will proceed to process the application for approval or denial.
- (6) Once the applicant receives comments from the city and outside agencies, the developer has 90 days to submit a response. **If the applicant does not respond within 90 days, the Growth Management Director may require payment of a new application fee.**
- (7) The Preliminary Subdivision submitted to the city shall be drawn by a professional surveyor or engineer registered in the state. The Preliminary Subdivision shall be drawn at an appropriate and uniform scale not smaller than one inch equals 100 feet.
- (8) **Where a New Neighborhood is created, all Preliminary Subdivisions shall demonstrate consistency with the requirements of Table 4.6 of this code.**
- (9) The applicant shall be granted **twenty four months** from the date of Preliminary Subdivision approval in which to submit Construction Plan for the Construction Plan review. After this time elapses, the Preliminary Subdivision approval will expire; the Preliminary Subdivision may be resubmitted but shall be subject to any changes in regulations. An extension of an additional six months in which to submit Construction Plan **may be granted by the Growth Management Director designee.**

I. Construction Plan Review

- (1) Following approval of the Preliminary Subdivision or for non-residential and multi-family sites **not proposing to subdivide**, the applicant shall submit Construction Plan to the Growth Management Department for all proposed improvements in and adjoining the subdivision or site. Said Construction Plan shall be drawn, signed, and sealed by a professional engineer registered in the State of Florida. City staff will review the Construction Plan for compliance with all applicable construction and design standards and specifications and ensure that the Construction Plan conform to the approved Preliminary Subdivision or applicable code requirements.
- (2) Construction Plan shall be submitted within **twenty four months** of Preliminary Subdivision approval.
- (3) Refer to Table 9.2 for the Construction Plan submittal package requirements.
- (4) All new development within the city shall be required to connect to the city's municipal sanitary sewer and potable water systems.
- (5) The **development coordinator** will determine the sufficiency of the Construction Plan application **and** provide written notice of any missing items. Once the Construction Plan application package is determined sufficient, the development coordinator will distribute the package to city staff.
- (6) **City reviewing staff has 30 business days to submit comments back to the development coordinator. The development coordinator will compile all comments and provide them to the applicant within 5 business days of receiving staff comments.** Please note: outside agencies (Citrus County, FDOT, etc.) may not abide by the city's schedule. The city will make every reasonable effort to follow up with outside agencies for comments; however, those may be received and provided to the applicant at a later time.
- (7) This process is repeated for subsequent submittals. Pursuant to §166.033(2), Florida Statutes, when an application for a development permit or development order is certified by a professional listed in s.403.0877, Florida Statutes, before a third request for additional information is issued the city will offer a meeting to attempt to resolve outstanding issues. The city will not request additional information from the applicant more than three times, unless the applicant waives this limitation in writing. If not waived, the city will proceed to process the application for approval or denial.
- (8) **Once all comments have been addressed, staff will issue an approval letter.**

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n. Final Plat Review

Following Construction Plan approval, the developer may submit a final plat for approval when any one of the following conditions exist:

- (1) All public improvements have been installed and accepted by the city and (if applicable) all private improvements have been installed and approved by the city.
- (2) In the absence of the completion of all improvements referenced in this section, provision of security for such installation as required by this article has been made.
- (3) Applicants shall apply for the final plat review by furnishing the Growth Management Department with the number of copies of the final plat as the city requires, the fee for final plat review as approved by the city, and other articles deemed necessary by the city. The final plat shall be designed to conform to the approved Preliminary Subdivision. Refer to Table 9.3 Final Plat Checklist for final plat submittal packages and the design standards established in this Code and as required in F.S. ch. 177, as amended.
- (4) No amendments shall be made to the declaration of covenants, conditions and restrictions relating to: utility easements, stormwater management, the minimum percentage of annual assessments set aside for landscaping, or effective period of the Declaration or termination of the Declaration shall be made without prior approval of the City of Crystal River.
- (5) **The development coordinator will determine sufficiency of the final plat application package. Once the final plat application package is determined sufficient, the development coordinator will distribute the package to the city's consulting surveyor, city attorney, and city engineering firm for review.**
- (6) The development coordinator will email comments to the applicant from the surveyor, city attorney, and city engineer.
- (7) The process will be repeated for subsequent submittals until the city's consulting surveyor, city attorney, and city engineer's comments have all been satisfactorily addressed. The final plat will then be scheduled for the next city council meeting. Pursuant to §166.033(2), Florida Statutes, when an application for a development permit or development order is certified by a professional listed in s.403.0877, Florida Statutes, before a third request for additional information is issued the city will offer a meeting to attempt to resolve outstanding issues. The city will not request additional information from the applicant more than three times, unless the applicant waives this limitation in writing.

If not waived, the city will proceed to process the application for approval or denial.

- (8) City Staff will schedule the final plat on the agenda of the City Council. Under no circumstances will the final plat be scheduled on a City Council agenda unless all required documents have been received, including two Mylar copies signed by the owner. The Council shall approve or disapprove said final plat based upon compliance with the certification and security requirements and with all other requirements and provisions of this article and other applicable policies, ordinances, laws, and regulations. Upon approval by the City Council, said final plat shall be signed by the Mayor of the city and entitled to be recorded by the clerk of county court under the applicable provisions of F.S. ch. 177. The appropriate fee to cover the recording of all documents associated with the final plat shall be the responsibility of the applicant. City staff will be responsible for taking the documents to be recorded.

o. Public Improvements

- (1) The installation of all improvements shall be subject at all times to inspection by the city. The developer shall employ an engineer registered in the State of Florida to observe the work during construction to ensure compliance with approved plans. Upon completion, the engineer of record shall certify that the improvements have been installed and completed in accordance with approved Construction Plan. The developer shall submit to the city all required test reports, the required number of copies of high-quality, reproducible as-built drawings, and digital as-built drawings in the format requested by the city prepared to the specifications of the city and certified by the engineer of record showing the actual installation of all improvements.
- (2) Upon satisfactory final inspection of any public improvements, such improvements may be approved by the city's Public Works Department. Approval of such improvements does not imply acceptance for maintenance by the city or any waivers of the city's sovereign immunity from liability.
- (3) Upon satisfactory final inspection of any public improvements, acceptance of as-built drawings and required test reports, the city shall accept responsibility for the maintenance of such improvements, provided that such improvements are on land which the city owns or for which it has accepted an offer of dedication or easements. Such acceptance shall be evidenced by a written or stamped acceptance of improvements executed by the Public Works Department. Unless and until the city acquires such interests, maintenance of such improvements shall remain the sole responsibility of the developer.

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p. Assurance for Completion and Maintenance of Improvements

- (1) **Performance security.** In order to receive final plat approval before the installation of all improvements, the developer shall provide and maintain sufficient full performance security guaranteeing the installation and acceptance of all public on-site and off-site improvements, and the installation and approval of all private on-site or off-site improvements. Where security is required, the applicant shall deliver an estimate certified by a professional engineer for the complete construction of all improvements in compliance with the approved Construction Plan and specifications, design of the final plat and the requirements of these regulations.
 - (2) In order to receive final plat approval after installation and approval of specific public or private improvements, but prior to installation and approvals of all public or private improvements, the developer shall provide sufficient partial performance security guaranteeing the installation of any remaining improvements not yet installed. Approval for posting a partial performance security must be given by the appropriate infrastructure department as it relates to the improvement. If all public improvements have been approved and accepted by the city, and private improvements have been approved and inspected by the city, the developer shall not be required to provide performance security upon final plat approval. The performance security shall be released by the city when all public improvements are installed, inspected and accepted, and when all private improvements are installed, inspected and approved pursuant to this article.
 - (3) The applicant shall deliver performance security in the amount of 110 percent of the estimated construction costs of the improvements that such improvements will be built according to the final plat, and the requirements of these regulations. The applicant will file security in the amount of 20 percent paving and drainage, and 20 percent for all other improvements, of the engineer's estimated cost of the initial security for maintenance of the improvements upon completion.
 - (4) Where approved performance security has been provided and the improvements have not been installed according to the approved construction drawings, this Code or the terms of the performance security instrument, the city may, upon ten days' written notice to the parties to the instrument, declare the performance security to be in default and exercise the city's rights thereunder. Upon default, no further permits or approval shall be granted for the project until adequate progress toward completion of the remaining improvements is shown as determined by the city.
- The following terms and conditions shall apply to the different forms of security as indicated in this section:
- (a) **Performance bond.** The applicant shall deliver to the city a good and sufficient performance bond guaranteeing the construction of the subdivision improvements and that such improvements shall be free from defects in materials and workmanship. All bonds required by this section shall be issued from a company licensed as a surety in the state. In addition, the bond shall contain an agreement that the principal and surety therein agree to pay the city all court costs and reasonable attorney's fees incurred by the city if the city commences legal action to enforce the terms of the bond. The form of the bond submitted under this section shall be approved by the city and shall be filed with the office of the City Clerk.
 - (b) **Letter of credit.** The applicant shall deliver to the city a good and sufficient letter of credit issued by a banking institution located in the county that such improvements shall be free from defects in material and workmanship. A letter of credit shall be accepted as security where the total cost of the subdivision improvements does not exceed \$500,000.00. The developer shall execute a written agreement with the city authorizing the city to draw upon the letter of credit if the developer fails to fully and timely complete the performance, payment, or maintenance obligations undertaken by the developer. Only one letter of credit shall be accepted as security for a developer's construction obligation, or maintenance obligation, with respect to a subdivision or development, and multiple, combined, partial or successive letters of credit to secure the construction of a single subdivision, or the maintenance thereof, will not be accepted. Any letter of credit furnished the council shall contain an agreement that the surety or financial institution shall pay the council costs, including reasonable attorney's fees, if the council finds it necessary to commence legal action on the security. The form of the letter of credit submitted under this section shall be approved by the city and shall be filed with the office of the **City Clerk**.
 - (6) **Maintenance security.** Where a request is made for acceptance for maintenance by the city of public improvements, security for maintenance in the amount of 20 percent of the construction cost of paving and drainage, and 20 percent of the construction cost of all other public improvements, shall be posted with the city. The security shall be in the form provided for in this section and provide that the city shall be indemnified if the applicant does not replace of

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fully repair any public improvements in the subdivision which are defective in materials or workmanship, or which were not constructed in compliance with approved plans and specifications, the design of said final plat or the requirements of these regulations. The terms of the security shall provide that the security shall expire two years from the date the improvement was accepted for maintenance by the city, unless the city serves by mail to the applicant written notice that the improvements are defective in materials or workmanship or were not constructed in compliance with the approved plans and specifications, the design of said final plat, or the requirements of these regulations within the two years.

- (7) **Inspections.** As the improvements are being constructed within the subdivision, the city staff or consulting engineer or their representatives shall have the right and privilege to inspect and visit the tract for the purpose of ensuring that all improvements are being constructed in conformity with the provisions of these regulations and said approved Construction Plan and regulations. The city's public works director or his authorized representative shall be specifically notified of the commencement and completion of the following items of construction so that an immediate inspection can be performed to assure construction in conformity with said approved Construction Plan and specifications and the requirements of these regulations:
- Drainage facilities, lift stations and sanitary sewer lines, and all other appurtenances, prior to backfilling.
 - Stabilized subgrade.
 - Curb, base, and concrete work.
 - Roadway base.
 - Surface course.
 - Permanent reference monuments and permanent control points.
- (8) The failure to notify the city's staff or their designated representatives of the commencement and completion of the construction of such items may be good cause for the city's staff to refuse to issue a certificate of completion.
- (9) **Issuance of certificate of completion.** Upon completion of construction of the improvements, the applicant or his authorized representative shall provide to the city's public works director the following items:
- A letter stipulating that construction of the improvements has been completed and requesting final inspection and approval.
 - The testing reports and certificates of compliance from material suppliers.
 - Three sets of as-built Construction Plan and a digital copy in a format required by the city.

The as-built set of plans must bear the official seal of a currently registered professional engineer licensed by the state.

- If a municipality is accepting a public water system, there must be a document indicating municipal acceptance of the construction of the water system.
 - A document of certificate of completion (DEP form 17-1,205(81) or as amended) must be presented to the city upon completion and final acceptance of construction of a sewer collection system.
- (10) Upon receipt of the items listed in this section, the city's public works director or his authorized representative shall review said data and make a final inspection of the constructed improvements and shall notify the applicant of any items of noncompliance with said construction with the design contained in the final plat, the approved Construction Plan and specifications, and the provisions and requirements of these regulations. A certificate of completion shall be issued by the city when the construction of said improvements is completed in conformity with the design contained in the approved Construction Plan and specifications, and the provisions and requirements of these regulations.
- (11) **Time for construction of sidewalks.** No person shall occupy, inhabit, or dwell in any structure on any lot or parcel of land in a subdivision until after the developer of the subdivision, or the owner of such lot or parcel of land in a subdivision, shall have first constructed and installed in the right-of-way of any public street or streets abutting such lot or parcel of land, and on the side of such street or streets nearest such lot or parcel of land, a sidewalk extending the entire distance that such lot or parcel of land abuts the public street or streets. The sidewalk shall be constructed in accordance with specifications and requirements of the regulations applicable to the construction of sidewalks within subdivisions, and shall conform in all respects to the applicable portion of the plans and specifications for construction of public improvements in the subdivision submitted by the developer prior to approval of the plat by the city council. No certificate of occupancy shall be granted or issued for the occupancy of any structure on any lot, piece, or parcel of land in a subdivision until after the sidewalk required by this section has been installed as herein required and finally inspected and approved by the city's public works director.
- (12) **Extended time for construction of sidewalks.** The developer shall be responsible for constructing sidewalks and such sidewalks shall be installed prior to the final inspection of the subdivision improvements for the issuance of a certificate of completion; provided, however, that a developer desiring to

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defer construction of the sidewalks until dwellings have been constructed on the subdivision lots may extend the time for construction of the sidewalks for a period of time not to exceed two years from the date of recording of the subdivision plat.

q. Private Improvements

Upon satisfactory final inspection of any private improvements, receipt of as-built drawings and required test reports, the city shall approve all such improvements. Such approval shall be evidenced by a written or stamped approval of improvements executed by the Public Works Department. Maintenance of such private improvements remains the sole responsibility of the developer. Approval of such improvements does not imply acceptance for maintenance by the city or any waivers of the city's sovereign immunity from liability.

r. Sales Centers and Model Homes

- (1) Following Construction Plan approval, building permits for model homes and sales centers may be issued. All model homes and sales centers shall be constructed and located in such manner as to comply with all requirements of this subpart and all other applicable laws, including adequate sewer and water service.
- (2) All homes shall be provided with adequate access to an approved and constructed street by completion of their construction and so situated to minimize pedestrian or vehicular traffic through areas of ongoing construction activity. This shall occur prior to the issuance of a certificate of occupancy.
- (3) The number of model homes shall be limited to no more than ten percent of the total number of homes to be built in the subdivision.

t. Improvements

Each subdivision shall contain improvements designed and constructed according to the requirements and specifications of this Code, the City Manual of Standards and the applicable policies, regulations, and ordinances of the city and the laws of the state. The following services and facilities are required improvements within subdivisions:

- (1) Streets paved, designed, and constructed for public use according to the standards of this Code.
- (2) Sidewalks designed and constructed for public use according to the standards of this Code.
- (3) Drainage and water management facilities designed and constructed according to the standards and requirements of the Code. The term "drainage," where appropriate, shall include, but not be limited to, swales, ditches, storm sewers, seepage basins, culverts, side drains, retention or detention basins, crossdrains, and canals.

- (4) Wastewater and potable water services designed, and constructed for public use according to the standards of this Code.
- (5) A water system based upon the required standards of the Florida Department of Environmental Protection, the land development regulations and other applicable regulations.
- (6) Approved street signs, markers and traffic signals to control and circulate traffic within the subdivision's street network in accordance with the Florida Uniform Manual of Traffic Control Devices (MUTCD), published by the Florida Department of Transportation (FDOT), and the City Manual of Standards.
- (7) Such other improvements as deemed necessary to comply with the requirements of the land development regulations and to protect public health, safety, and welfare because of topography or other problems of the tract.
- (8) **Recreation facilities and public Open Space.** Where a development proposes multiple phases of construction, recreational facilities and required Open Space improvements shall be complete as a proportional share of the entire development. By way of example, but not limitation, if phase one develops 25% of the total proposed residential units or non-residential square footage, **no less than** 25% of the required Open Space improvements shall be completed. Refer to Section 3 for required Open Space standards.

u. Transfer of Development Rights (TDR)

- (1) **Generally**
- (2) **Purpose and intent.** This chapter sets forth procedures for the creation of Transfer of Development Rights (TDR's) in accordance with the City of Crystal River Comprehensive Land Use Plan, Future Land Use Element. Such procedure is consistent with the policies set forth in F.S. 163.3177(6) and F.S. 163.3177(11)(a). The intent of TDR's is to facilitate the preservation of the Three Sisters parcel, an environmentally sensitive parcel from development by transferring density away from such parcel onto suitable sites within the city.
- (3) **Definitions.** The following definitions are specifically applicable to the TDR process:
 - a. **Transfer of development right(s).** One (1) or more units of residential density created by the Crystal River City Council via the planned development process for transfers from donating parcels to receiving parcels.
 - b. **Donating parcel.** The Three Sisters Spring's parcel per plan, Goal 4, Objective 4.1, Policy 4.2(A) and 4.2(B)

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- c. *Receiving parcel.* That parcel of land, designated via the Planned Development process, which receives TDR's from a donating parcel.
- d. *TDR planned development.* A planned development created pursuant to the City of Crystal River Land Development Code, Chapter 4, Section 4.04.00 et. seq., specifically labeled as a "TDR Planned Development" upon approval by the Crystal River City Council and, concurrent with said approval, upon the assignment of TDR's to a receiving parcel.

v. Eligibility for planned development with transfer of development (PD-TDR).

- (1) Planned developments with transfers of development rights (PD-TDR) may be proposed for two (2) or more contiguous or noncontiguous tracts of land to facilitate transfers of development rights from environmentally sensitive areas as defined in Future Land Use Element, Goal 4, Policy 4.2(A) and (B), to less sensitive areas. The PD-TDR will allow a specific number of residential units of density to be transferred from one parcel (donating parcel) to another (receiving parcel), and the donating parcels shall be rezoned as coastal preservation (donating parcel) and the receiving parcel, PD-TDR (receiving parcel). As a result of the transfer, receiving parcels may be developed at a gross density that exceeds that provided on the receiving parcel's applicable land use category. The process and standards for planned developments in Chapter 4, Article 4.04.00 et. seq. shall apply to the PD-TDR Master Plan for the receiving parcel with the following additional requirements:
 - a. The planned development may be implemented as a unified development plan including both the donating and receiving parcels. The donating parcel shall be effectively zoned as a coastal preservation district under the Crystal River Land Development Code. In the alternative, TDR's may be created pursuant to a bifurcated process; the donating parcel shall be initially designated as a Coastal Preservation District and thereafter, the number of TDR's to be created and utilized shall be established with the receiving areas determined via a subsequent PD-TDR on a future receiving parcel.

- b. The donating parcels shall be the Three Sisters Springs parcel.
- c. The maximum number of units that can be transferred from the donating parcel shall be:
 - i. If the donating parcel has entitlements approved thereon but said entitlements are below the maximum density allowable under the currently applied city future land use designation and zoning district, transferred TDR's shall be the maximum build out of the donating parcel per gross acre less the permitted density of the donating sites development rights.
- d. If not all available TDR units are initially transferred to a receiving site, they may remain titled with applicant in a holding status for future use. The remaining units may only be transferred to a receiving parcel at a later date, by way of an approved PD-TDR Plan to the zoning map.
- e. The donating parcel shall be designated on the zoning map and shall be protected as a conservation area.
- f. Development of receiving parcels shall be consistent with Goal 4.0, Obj. 4.1 and Policy 4.2 of the City of Crystal River's Future Land Use Element.
- g. The receiving sites for the PD-TDR areas shall be evaluated for their viability as areas of increased development. Allowance of this increased density shall be subject to an evaluation of factors that include availability and capacity of public infrastructure and services, no impacts to wetlands or environmentally sensitive areas, the land uses and development patterns of the surrounding areas and criteria of Policy 4.2(B) of the plan.
- h. Reasonable notice of hearings, as required by the City of Crystal River Code of Ordinances and/or Florida Statutes, shall be provided to those entitled to such notice.

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w. Development Agreements

- (1) **Generally.**The city council of the City of Crystal River (council), in its sole and exclusive discretion, may enter into development agreements with any person having a legal or equitable interest in real property within the incorporated limits of the city as is provided in F.S. Ch. 163 and as further set forth under the terms of this chapter.
- (2) **Scope and limitations.**The entry into a development agreement by the city shall in no way whatsoever limit or modify any legislative power by the city to adopt ordinances, resolutions, regulations or to make executive, administrative or legislative decisions of any kind, which it had the power to make prior to the entry into such development agreement, except to the degree that the development agreement by its express terms and not by implication, gives vested rights to the property owner as to certain development permissions, required improvements, and similar matters. No development agreement shall, by its expressed terms or by implication, limit the right of the city to adopt ordinances, regulations or policies that are of general application except as is expressly provided by F.S. Ch. 163.
- (3) **Request fee.** A property owner desiring to enter into a development agreement with the city shall make a written request for such development agreement to the city manager and pay the fee as is established by resolution of the council. Such written requests shall identify the lands which are desired to be subject to the development agreement, and shall identify all legal and equitable owners having any interest in such property, and such ownership interest shall be certified by a title company or an attorney at law licensed to practice in the state. If any partnerships, corporations, joint ventures or other entities, other than individuals, own a legal or equitable interest in the subject property, all principals and other persons with interest in such partnerships, corporations, joint ventures or other entities shall be revealed.
- (4) **Placement of request on city council's agenda, determination by board, refunding of fee.**Upon receipt of such a request, the city manager shall place the matter on the city council's agenda, and the council shall, in its sole discretion, determine whether or not it desires to pursue negotiations with the property owner relative to the entry into a development agreement. If the council determines not to proceed with further negotiations or discussions regarding the development agreement, the fee paid by the property owner shall be refunded. If the council instructs the city manager to proceed with further negotiations, the fee shall thereafter be nonrefundable, regardless of whether or not a development agreement is ultimately reached.
- (5) **Development proposal, contents.** Upon the council's determination that it desires to proceed with further negotiations relative to a development agreement, the property owner shall promptly submit a development proposal for the subject property to include the following information:
 - a. Legal description of the land subject to the agreement.
 - b. The persons, firms or corporations having a legal or equitable interest in the land.
 - c. The duration of the development agreement, which duration shall not exceed thirty (30) years. However, it may be extended by mutual consent of the city and the developer, subject to public hearing process in accordance with F.S. Ch. 163.
 - d. The development uses desired to be permitted on the land, including population densities and building intensities and height.
 - e. A description of all existing and proposed public facilities that will service the development, including who shall provide such facilities; the date that any new facilities, if needed, will be constructed; and a schedule to ensure public facilities are available concurrent with the impacts of the development.
 - f. A description of any reservation or dedication of land for public purposes.
 - g. A description of all local development permits approved or needed to be approved for the development of the land.
 - h.

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- h. The zoning and present land use categories of all abutting property.
 - i. A registered state surveyor's certified property boundary survey.
 - j. All land subject to the jurisdictional regulations of the Southwest Florida Water Management District (SWFWMD), the State Department of Environmental Protection (FDEP), and the Army Corps of Engineers (ACOE) shall be shown on a survey of the property.
 - k. All existing and proposed utilities and the manner in which existing utilities will be extended to the site and/or expanded for the use of the development, including water, sewer, gas, electricity, CATV and sanitary effluent reuse/disposal and other utilities.
 - l. A conceptual master drainage plan for the development indicating thereon the existing drainage features and land topography, along with and superimposed thereon, the proposed drainage features indicating clearly the means by which the final developed land will collect, regulate and conduct the drainage runoff from the lands developed and tributary thereto.
 - m. Any further information that the city manager may require because of the particular nature or location of the development proposal, including proposed phases. The city manager shall have the right to waive any submission requirement that is not relevant to the particular proposal; provided, however, that if any submission requirement is initially waived, the development agreement shall expressly provide when such information is to be provided and that development is not to commence until such information is provided according to the development agreement terms.
- (6) **Vesting of rights; limitation on rezoning or land use plan amendments.** The submission of a request for consideration of a development agreement; the council's willingness to pursue discussions; the resultant negotiations regarding a development agreement; the payment of any application fees for the submission of any application; engineering plans, surveys and any other expenditures or efforts in prosecution of the development agreement, provided for in this article by a property owner, shall not vest any rights whatsoever in any zoning or land use designation [as] such property owner, nor shall it in any manner whatsoever limit the council from undertaking any rezoning or land use plan amendments that it would be otherwise legally entitled to undertake.
- (7) **Review of proposal by city manager; tentative agreement.** The city manager shall review the development proposal of the owner and shall meet and negotiate with the owner regarding the appropriate development of the property and the terms and condition in which such property should be developed as the city manager shall deem to be appropriate and necessary for the protection of the public interest and consistent with city's land use plan and land development resolutions and code.
- (8) **Terms reduced to contractual form; transmission to city council; hearings procedures; approval.**
- a. At such time as the city attorney has reduced the terms of the proposed development agreement to written contractual form the agreement shall be placed on the agenda of the planning commission for a public hearing and recommendation as to entering into the development agreement. Such public hearing shall be advertised in a newspaper of general circulation in Citrus County, and such notice shall be advertised approximately seven (7) days before the public hearing. Notice of intent to consider a development agreement shall also be mailed to all affected property owners abutting the property boundaries before the first public hearing by the local planning agency. The day, time and place at which the city council public hearing will be held shall be announced in the planning commission public hearing. The notice shall specify the location of the land subject to the development agreement; the development uses proposed on the property; the proposed population densities and building heights; and shall specify where a copy of the proposed agreement can be obtained.
 - b. At the council meeting the council may, by vote of not less than three (3) members of the council, approve the form of a development agreement and authorize the chairman to execute the agreement for the council.

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- (9) **Minimum requirements.** Any development agreement approved under the provisions of this chapter shall contain not less than the following requirements:
- a. A legal description of the land subject to the agreement and the identification of all persons having legal or equitable ownership therein.
 - b. The duration of the development agreement, which duration shall not exceed twenty (20) years. However, it may be extended by mutual consent of the city and the developer, such extension being subject to the public hearing process necessary for the initial approval of the development agreement. No development agreement shall be effective or be implemented by a local government unless the local government's comprehensive plan and plan amendments implementing or related to the agreement are found in compliance by the state land planning agency in accordance with F.S. §§ 163.3184, 163.3187.
 - c. The development uses permitted on the land, including population densities, building intensities and building height.
 - d. A conceptual site plan indicating phases if the property is to be phased and containing such information as may be required by the city manager to properly consider the development proposal. If a site plan is required in rezoning process, all the requirements of that site plan process and submittal shall be met prior to development.
 - e. A description of the public facilities that will service the development, including designation of the entity or agency that shall be providing such services. Additionally, if new facilities are needed to serve the project, the date by which such facilities will be constructed and a schedule to ensure that the public facilities to be available concurrent with the impacts of the development will be provided. The development agreement may provide for a letter of credit to be deposited with the city to secure the construction of any new facilities that are required to be constructed.
- Alternatively, such construction may be a condition precedent to the issuance of any building permits or other development permissions. If the new public facilities are in place and operating at the time development permits are requested, no such letter of credit shall be necessary unless such facilities are not adequate to serve the project.
- f. A description of any reservation or dedication of land for public purposes and any impact fee credit request that may result from such dedication or reservation.
 - g. A description of all local development permits approved or needed to be approved for the development of the land, specifically, to include at least the following:
 - i. Any required rezoning.
 - ii. Any required comprehensive plan amendments.
 - iii. Any required submission to the Withlacoochee Regional Planning Council.
 - iv. Any required permissions of the FDEP.
 - v. Any required permissions of the ACOE.
 - vi. Any required permission of the SWFWMD.
 - vii. Any required permissions of the United States Environmental Protection Agency and other governmental permissions that are required for the project. Any final local development order authorizing construction under the concurrency provisions of the city's Comprehensive Plan.
 - h. The development agreement shall specifically provide that such development permissions will be obtained at the sole cost of the property owner and, that if any development permissions are not received, development can still proceed without such permissions in certain phases, and that no further development of the property shall be allowed until such time as the council has reviewed the matter and determined whether or not to terminate the development agreement or to modify it in a manner consistent with the public interest.

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Under these conditions, action and reliance on the development agreement or expenditures in pursuance of its terms of any rights accruing to the property owner thereunder, shall not vest any development rights in the property owner, nor shall it constitute partial performance entitling the property owner to a continuation of the development agreement.

- i. A specific finding in the development agreement that the development permitted or proposed is consistent with the city's Comprehensive Plan and the land development regulations of the city or, that, if amendments are necessary to the zoning district designation or land use plan designations on the subject property, that such development agreement is contingent upon those amendments being made and approved by the appropriate governmental agencies.
- j. The council may provide for any conditions, terms, restrictions or other requirements determined to be necessary for the public health, safety or welfare of its citizens and such conditions, terms or restrictions may be more onerous or demanding than those otherwise specifically required by the land development standards then existing in the city, and may provide for off-site improvements, screening, buffering, setbacks, building height restrictions, land coverage restrictions and similar types of matters that would not otherwise be required of the development under the existing city ordinances and regulations; provided, however, that there exists a rational nexus between the necessity of these conditions and the projected impacts of the proposed development.
- k. A statement indicating that failure of the development agreement to address a particular permit, condition, term or restriction shall not relieve the property owner of the necessity of complying with the law governing such permitting requirements, conditions, terms or restrictions, and that any matter or thing required to be done under existing ordinances of the city shall not be otherwise amended, modified

or waived unless such modification amendment or waiver is expressly provided for in the development agreement with specific reference to the code provisions so waived, modified or amended.

- k. At the council's discretion, the development agreement may provide that the entire development, or any phase of such development, be commenced or be completed within any specific period of time and may provide for penalties in the nature of monetary penalties, the denial of future building permits, the termination of the development agreement or the withholding of certificates of occupancy for the failure of the property owner to comply with any such requirement.

(9) Land development regulations of county to govern; effect of amendments and new ordinances.

- a. The ordinances and regulations of the city governing the development of the land at the time of the execution of any development agreement provided for under this chapter shall continue to govern the development of the land subject to the development agreement for the duration of the development agreement. At the termination of the duration of the development agreement, all then existing codes shall become applicable to the project, regardless of the terms of the development agreement, and the development agreement shall be modified accordingly. The application of such laws and policies governing the development of the land shall not include any fee structure, including any impact fees then in existence or thereafter imposed. The city may apply ordinances and policies adopted subsequent to the execution of the development agreement to the subject property only if the city has held public hearings and determined that such new ordinances and policies are:
 - i. Not in conflict with the laws and policies governing the development agreement and do not prevent development of the land uses, intensities or densities as allowed under the terms of the development agreement;

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- ii. Essential to the public health, safety and welfare and expressly state that they shall apply to a development that is subject to a development agreement;
 - iii. Specifically anticipated and provided for in the agreement; and the city demonstrates that substantial changes have occurred in pertinent conditions existing at the time of the approval of the development agreement, or the development agreement is based on substantially inaccurate information supplied by the developer.
 - b. Subject to the criteria of F.S. Ch. 163, all development agreements shall specifically provide that subsequently adopted ordinances and policies of general application in the city, specifically including impact fees and concurrency management systems, shall be applicable to the lands subject to the development agreement, and that such modifications are specifically anticipated in the development agreement.
- (10) **Annual review; report on findings; revocation or modification procedures.** The city shall review all lands within the unincorporated area subject to a development agreement not less than once every twelve (12) calendar months to determine if there has been demonstrated good faith compliance with the terms of the development agreement. If the council finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms of the development agreement, the agreement may be revoked or modified by the city upon sixty (60) days' notice to the property owner as shown on the records of the county property appraiser. Such termination or amendment shall be accomplished only after public hearings and notice as is required in this article for the adoption of a development agreement. Amendment or cancellation of the development agreement by mutual consent of the city and the property owner may be accomplished following the notice and public hearing requirements required for initial adoption of the development agreement as is set forth in this chapter.
- (11) **Recording procedure.** Not later than fourteen (14) days after the execution of a development agreement, the city shall record the agreement with the clerk of the county circuit court. The burdens of the development agreement shall be binding upon, and the benefits of the agreement shall inure to all successors in interest to the parties to the agreement.
- (12) **Effect of state and federal laws enacted after agreement.** If state and federal laws are enacted after the execution of a development agreement which are applicable to and preclude the parties compliance with the terms of the development agreement, such agreement shall be modified or revoked as is necessary to comply with the relevant state or federal laws, such modification or revocation to take place only after the notice and public hearing provisions provided for the adoption of a development agreement have been complied with.
- (13) **Actions for injunctive relief.** Any party, any aggrieved or adversely affected person, as defined in F.S. [§] 163.3215(2), or the state land planning agency may file an action for injunctive relief in the county circuit court to enforce the terms of a development agreement or to challenge compliance of the agreement with the provisions of F.S. [§§] 163.3220—163.3243.
- (14) **Execution; legal status.** All development agreements shall be executed by all persons having legal or equitable title in the subject property, including the fee simple owner and any mortgagees, unless the city attorney approves the execution of the development agreement without the necessity of such joinder or subordination on a determination that the substantial interests of the city will not be adversely affected hereby. A development agreement is determined to be a legislative act of the city in the furtherance of its powers to plan, zone and regulate development within its boundaries and, as such, shall be superior to the rights of existing mortgages, lienholders or other persons with legal or equitable interest in the subject property and the development agreement, and the obligations and responsibilities arising thereunder on the property owner shall be superior to the rights of such mortgagees or lienholders and shall not be subject to foreclosure under the terms of mortgages or liens entered into or recorded prior to the execution and recordation of the development agreement.

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Table 9.1: Preliminary Subdivision Checklist

Applicants shall apply for the Preliminary Subdivision review by furnishing the city with the following documents and information:

✓ Required Documents

- Completed Preliminary Subdivision application**
- Copy of recorded deed**
- Owner/agent affidavits (original signatures, all owners)**
- Property record card**
- Boundary survey**
- Three 24-inch by 36-inch certified Preliminary Subdivision Plan sets**
- Traffic Study with improvement recommendations**
- CD, flash drive, storage device or electronic transmittal of the Preliminary Subdivision in PDF format.**
- Title Opinion** of an attorney licensed in the State of Florida or a certification by an abstractor or a title company dated no earlier than 30 days prior to the submittal showing all persons or entities with an interest of record in the property, including but not limited to the record fee owners, easement holders, mortgage and lien holders, leasehold interest holders, judgment interest holders, and parties with any interest in the land by reason of probate or other legal proceedings. The report shall include the tax identification number for the property and copies of documents such as deed, easements, etc., referenced in the title opinion.
- Preliminary Subdivision application fee**

✓ Required Information

- 100-year flood elevation:** 100-year flood elevations shall be included.
- Location of fire hydrants.** Proposed location(s) demonstrating a maximum of 500 foot spacing (or current NFPA spacing requirement).
- Any other information reasonably required by the city.**
- Title block:** The title or name of the proposed subdivision and the name and address of the owner of the tract proposed for development and the name and address of the engineer and surveyor engaged to prepare and design the Preliminary Subdivision.
- Legend:** Date, scale of plat, north arrow, current zoning, total number of lots, and minimum lot size.
- Legal description:** A full and detailed legal description of the tract to be platted and its approximate acreage.

✓ Required Information

- Vicinity map:** A vicinity map, at scale, showing the proposed development in relation to the abutting land uses and streets.
- Thoroughfare Sheet:** All thoroughfare types labeled including location, name, and right-of-way and pavement width, sidewalks, on-street parking, both on and immediately contiguous to the subdivision tract will be shown. A summary table with percentages of each type shall be included.
- Existing / Proposed Zoning and Land Use.** A colored or labeled map depicting the zoning and land use.
- Lot Types Sheet:** The proposed lot and housing types with appropriate lot lines, dimensions and lot numbers shall be shown. Lots shall be numbered in consecutive order. A summary table with percentages of each type shall be included.
- Open Space Sheet:** All open space types labeled, existing parklands, easements, lakes, and waterways within the tract to be subdivided shall be shown on the plat. The purpose for such easements shall be indicated. A summary table with percentages of each type shall be included.
- Parks and recreation dedication:** Land to be dedicated for parks and recreation shall be shown and its approximate acreage indicated.
- Dedications and reservations:** All parcels of land proposed to be dedicated or reserved for public use, such as roads, easements, parks, sidewalks, bike or pedestrian trails, shall be indicated on the plat. Proposed rights-of-way and street names shall be indicated.
- Topography:** Contour intervals of one foot, except where determined to be unreasonable by the Growth Management Director.
- Proposed building setback lines:** Proposed building setback lines shall be shown on the plat.
- Finished floor elevations:** Finished floor elevations shall be shown on plans and follow uniform flow patterns with adjacent streets. Finished floor elevations shall be coordinated with the lot grading to ensure positive drainage. No flooding or standing water will accumulate on any given lot.
- Benchmarks:** Plans shall show benchmarks used to determine construction elevations in subdivision. Plans shall include description and elevation of benchmarks or temporary benchmarks to be used on-site.
- Stormwater layout:** The plat shall include the location of retention ponds and other stormwater facilities. Stormwater calculations are not required at this time; however, the applicant should show an arrow indicating the direction of flow of surface drainage.
- Phase lines (boundaries):** The plat shall include the boundary lines of each proposed phase of the development.
- Transportation analysis:** A traffic analysis shall be required with methodology approved by the City.
- Preliminary (non-binding) concurrency review application:** A non-binding concurrency review is performed at this stage of the development review process to determine whether there are any level-of-service issues.
- Tree removal application and tree survey:** A tree removal application and tree survey. This may also be submitted with the Construction Plan at the applicant's discretion. Please note: There is a separate application and fee for tree removal.

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Table 9.2: Construction Plan Checklist (1 of 2)

Applicants shall apply for the Construction Plan review by furnishing the city with the following documents and information:

✓ Required Documents	✓ Required Information
<ul style="list-style-type: none"><input type="checkbox"/> Completed application<input type="checkbox"/> Concurrency application<input type="checkbox"/> Capacity letter for the provision of potable water and wastewater<input type="checkbox"/> Copy of recorded deed<input type="checkbox"/> Owner/agent affidavit (original signatures, all owners)<input type="checkbox"/> Property record card<input type="checkbox"/> Two sets of 24-inch by 36-inch certified Construction Plan<input type="checkbox"/> Boundary and topographical survey<input type="checkbox"/> Title Opinion<input type="checkbox"/> Copy of architectural plans<input type="checkbox"/> Two sets of landscaping and irrigation plans, 24 inches by 36 inches, by a landscape architect<input type="checkbox"/> Two sets of stormwater management calculations<input type="checkbox"/> Two sets of lift station calculations<input type="checkbox"/> Copy of the completed Southwest Water Management District application for permit<input type="checkbox"/> Two copies of the geotechnical report<input type="checkbox"/> One copy of the photometric survey<input type="checkbox"/> A CD , flash drive or other storage device of the Construction Plan, architectural plan, and landscaping and irrigation plan in PDF format<input type="checkbox"/> Construction application review fee and concurrency application review fee<input type="checkbox"/> All documents included in the Preliminary Subdivision submittal, if applicable.<input type="checkbox"/> Engineer's letter of certification including total infrastructure construction costs.	<p style="text-align: center;">Reference the following page for the required information.</p>

Section 9 Process

Table 9.2: Construction Plan Checklist (2 of 2)

Applicants shall apply for the Construction Plan review by furnishing the city with the following documents and information:

✓ Required Information

- All Construction Plan and support documents both on site and off site shall bear the date, seal and signature of the project engineer
 - Size.** The standard size sheet for Construction Plan submitted for review shall be 24 inches by 36 inches
 - If applicable, the Construction Plan shall be in conformance with the Preliminary Subdivision
 - Location.** The plans shall include a location map that shows the location of the project in the broad context of the city
 - Scale.** Construction Plan shall be drawn to scale using such a scale that all required features are readily discernible. The permit-issuing authority shall make the final determination whether the plans are drawn to the appropriate scale
 - Construction Plan shall include the name of the applicant, name of the development, north arrow, and legend
 - Legal description and acreage or square footage
 - Date of plan
 - Property boundaries
 - Zoning of the property and surrounding properties
 - Property lines with dimensions
 - Street right-of-way lines
 - Utility or other easement lines
 - Topographic information.** Existing contours at one-foot intervals based on field surveys or photogrammetric survey extending a minimum 100 feet beyond the tract boundary. The topographic survey shall be certified by a land surveyor, registered in the state
 - Soils information.** Identification of on-site soils shall be drawn on the face of the plan using the Soil Survey of Citrus County Area, Florida. An applicant may challenge this determination by demonstrating (through the testing of a geotechnical engineer) that the identified soils are not classified correctly. If the above determination is concurred with by the city engineer, then these alternative soil determinations will be used in preparing the plans
 - Environmental Study & Wetlands survey.** Stake and survey of environmentally sensitive areas shall be shown on the Construction Plan. An environmental impact assessment is required for significant or ecologically fragile areas
 - 100-year flood elevation information.** Where the 100-year flood elevation is shown on the county flood insurance rate (FIRM) maps, as amended, the applicant shall show the location of the 100-year flood elevation. Data shall be shown for all areas within the 100-year flood zone, as indicated on the FIRM maps. In the above circumstance, the developer will be responsible for the necessary drainage basin studies to establish the 100-year flood elevation. This work will be prepared to the satisfaction of the city engineer. If the proposed development will create a change to the existing 100-year flood elevation, this change will be reflected in an amendment to the FIRM maps. The applicant shall submit a letter of map amendment to FEMA, and will need to provide evidence to the city that FEMA has agreed to the amendment prior to receiving Construction Plan approval
 - Tree survey.** The tree survey submitted at the Preliminary Subdivision shall be overlaid on the Construction Plan to show trees in relation to proposed improvements. All trees proposed for removal shall be indicated on the plan
- Existing Improvements:**
- Existing vehicle accommodation areas designating surface material and showing the layout of existing parking spaces and direction of travel lanes, aisles, or driveways
 - Existing streets, private roads, sidewalks, and other walkways on the site and in the surrounding area
 - Existing curbs and gutters, curb inlets and curb cuts, and drainage grates
 - Existing other stormwater or drainage facilities, including manholes, pipes, and drainage ditches.
 - Existing underground utility lines including water, sewer, electric power, telephone, gas, and cable television, indicating size where applicable
 - Existing above-ground utility lines, streetlights and other facilities
 - Existing fire hydrants
 - Existing buildings, structures, and signs, with dimensions
 - Existing exterior light fixture locations.
 - Existing dumpster locations
 - Existing land use of the property and surrounding area
- Proposed Improvements:**
- Existing land use of the property and surrounding area
 - Size of every lot created
 - Lot dimensions, including widths. Front, side and rear yards shall be designated
 - Location and dimensions of all buildings and signs on the property, as well as the setbacks
 - Principal building elevations showing building heights and proposed sign areas
 - Location and dimensions of all recreational areas, with each area designated as to type of use (Detailed description of recreation facility may be required)
 - Areas intended to remain as usable Open Space. The plans shall clearly indicate whether such Open Space areas are intended to be offered for dedication to public use or to remain privately owned
 - Streets labeled by classification and street name, showing where curb and gutters are to be provided and indicating street paving widths.
 - Curbs and gutters, curb inlets and curb cuts, and drainage grates
 - Other stormwater or drainage facilities, including manholes, pipes, drainage, ditches, swales, retention ponds, etc.
 - Drainage calculations
 - Sidewalks and walkways, showing widths and surface material
 - Bridges
 - Water system; demand size, material, and location of mains, valves, and hydrants, with submittal of profile where required
 - Sewer system; demand size, material, and location of lines, with submittal of profile where required
 - Underground and above-ground utility lines, street lights and facilities
 - Dumpsters
 - New contour lines resulting from earth movement (shown as solid lines) with no larger than one-foot intervals, or detailed profiles and cross sections
 - Location, dimensions, and materials of all signs, fences, etc.
 - Vehicle accommodation areas (including parking areas, loading areas and circulation areas, all designated by surface material and showing dimensions and layout of proposed parking spaces and the dimensions and direction of travel lanes, aisles, and driveways. Also include total square feet of off-street parking area, parking landscape area requirement, the number of spaces, including required spaces for persons with disabilities, and calculations for determining parking demand
 - Street signs, traffic signs and markings, e.g., stop signs, stop bars, speed limit signs, etc. (according to the city's Manual of Standards and the Florida Uniform Manual of Traffic Control Devices)
 - Landscape and irrigation plan.
 - Phasing plan. If the development is to be phased, the Construction Plan need to indicate phasing lines and provide documentation to ensure the first phase can stand on its own as well as subsequent phases and their reliance only on the preceding phases
 - The city's Manual of Standards sheets, as applicable
 - Photometric survey

Section 9 Process

Table 9.3: Final Plat Checklist

The following documents are required for submittal of the final plat package for review:

✓ Required Documents

- Completed application.
- Owner/agent affidavit (original signatures, all owners).
- Property record card.
- Three paper copies of the final plat with joinder and consents. Three paper copies of as-builts (record drawings) prepared and certified by a professional land surveyor.
- Two Mylars of the final plat.
- Boundary survey (signed and sealed).
- Certificate of ownership.
- Engineer's letter of certification including total infrastructure construction costs.
- Performance bond or other approved surety if infrastructure improvements are not complete.
- Title opinion of an attorney licensed in the state or a certification by an abstractor or a title company dated no earlier than 30 days prior to the submittal showing all persons or entities with an interest of record in the property, including but not limited to the record fee owners, easement holders, mortgage and lien holders, leasehold interest holders, judgment interest holders, and parties with any interest in the land by reason of probate or other legal proceedings. The report shall include the tax identification number for the property and copies of documents such as deed, easements, etc., referenced in the title opinion.
- Certificate of completion (if infrastructure is completed prior to recording). The maintenance bond is required for a certificate of completion.
- Certification of the plat by a professional land surveyor.
- Certification of engineer that the plat agrees with the Construction Plan.
- Dedication of improvements to the city; bill of sale, warranty or special warranty deed.
- Dedication of maintenance responsibility to homeowners'/property owners' association.
- Proposed homeowners'/property owners' association documents.
- A CD , flash drive or other storage device of final version of PDF, DWG files (once approved by the city).
- A CD , flash drive or other storage device of approved as-builts prepared and certified by a professional land surveyor.
- Final platting and recording fees.

✓ Required Information

- The final plat shall be 24 inches by 36 inches in size and have an appropriate and uniform scale of not smaller than one inch to 100 feet. A three-quarter-inch margin shall be provided on all sides, except a two-inch margin shall be provided on the left side next to the binding. The sheet number and total sheet numbers shall be clearly indicated on each page. Each sheet shall contain a title block with the name of the site, written and graphic scale, north arrow and date.
- The plat should be tied into the state plane coordinate system.
- The cover sheet shall include a general vicinity map drawn to scale and including significant orientating features, a complete legal description including the section, township, and range, the name, address, and telephone number of the owner or the name and address of the president and secretary if the owner is a corporation, the area of the property in both square footage and acreage, a recent aerial photograph identifying the project area and having a scale no smaller than one inch to 400 feet.
- The final plat shall contain sufficient data to determine readily and locate accurately on the ground the location, bearing, and length of every right-of-way line, lot line, easement boundary line, and block line, including the radii, arcs, and central angles of all curves.
- Certificate of ownership.
- Certification of the plat by a professional land surveyor registered in the state.
- Each permanent reference monument (PRM) shall be shown on the plat by appropriate designation.
- All permanent control points (PCPs) shall be shown on the plat by an appropriate designation. It is the land surveyor's responsibility to furnish the clerk or recording officer of the county his certificate that the permanent control points have been set and the dates they were set, in accordance with a surveyor's certification form established by the county.

Section 10

Supplemental Regulations

a. Docks & Boat Structures

- (1) **Docks and boat structures.** This section shall provide standards for docks, boat davits, boat lifts, boat covers, and boathouses.
- (2) **Boat Structures as a Principal Structure.** Docks may be permissible as a principal structure on lots apparently platted for such purpose, subject to the following standards:
 - a. The lot is owned by the owner of a development lot in the surrounding subdivision;
 - b. The lot has less than two hundred fifty (250) square feet of land;
 - c. The dock shall not extend beyond the property line for the lot; and
 - d. The dock shall not be required to comply with the setback standards in this code, but shall not extend beyond the side property lines as extended into the water perpendicular to the shoreline.
- (3) **Boat Structure Approval Requirements.** Where permitted, the following standards apply to boat structures:
 - a. Property owners wishing to build, remodel, or repair these structures shall first obtain a city building permit and undergo the appropriate city building inspection.
 - b. The maximum height of a boat davit, boat lift, boat cover or boathouse shall be seventeen (17) feet over the mean high water line to the highest point of the structure, with the elevation certified by the builder. No other structure constructed over the waters of the city shall exceed a height of six (6) feet over the mean high water line.
 - c. Covered docks, boathouses, boat covers and other structures constructed over the water shall not be enclosed on any side.
 - d. Neither a boat cover nor the roof of a boathouse shall be used as a deck, patio, dive platform, elevated viewing area or any type of use that would permit the occupation of the roof area. Boat covers and boathouses shall not include railings around the roof area or ladders or other devices for access to the roof area.
 - e. Nothing in this section shall prohibit the erection or maintenance of any unenclosed boathouse or boat cover on a water shore line provided, however, that any such boathouse or boat cover shall be required to meet the minimum side yard setback if any, specified in this Section. Such side yard setback shall be measured from the extension of the side lot line into the water, perpendicular to the shoreline, at the point where it intersects with the mean high water line.
 - f. No dock or other structure constructed over water shall include flotation devices that contain non-encapsulated styrofoam-type materials. Any dock or other structure constructed over water with flotation devices that contain non-encapsulated styrofoam-type materials shall be considered a non-conforming structure upon the adoption of this regulation. Flotation devices containing non-encapsulated styrofoam-type materials, which are used in such structures, are prohibited.
 - g. In accordance with the Crystal River Comprehensive Plan, residential boat docks and docking and mooring facilities shall be limited so as to include only one (1) boat slip per one hundred (100) feet of shoreline, or part thereof. Previously-platted duplex and multi-family lots may have one (1) boat slip per fifty (50) feet of shoreline, or part thereof. If a permit application for a dock or docking facility appears to include vessel-docking facilities greater in number than the permissible number of boat slips, the applicant shall be required to designate which docking facilities are boat slips, as defined herein, and which docking facilities are not boat slips, as defined herein. The permit for such dock or docking or mooring facility shall include a condition that only the designated boat slips shall be used for the permanent docking or mooring of boats or vessels.
 - h. Such structures need not be required to meet rear yard or waterfront setback requirements, but, except as provided hereinafter for joint docks, shall comply with any applicable side yard setback. Such side yard setback shall be measured from the extension of the side lot line into the water, perpendicular to the shore line, at the point where the side lot line intersects with the mean high water line.

a. Docks & Boat Structures (cont.)

- i. Residential docks shall meet all FDEP requirements and limitations so as to either not require a permit or written authorization from the FDEP or to obtain a letter of consent from the FDEP.
- j. Joint docks and boat slips, including attached boat covers, boat lifts, and boat davits, serving more than one (1) lot or parcel of land are permissible, provided the owners of such lots or parcels record an executed and effective agreement providing for the dock's location and joint use, access to the dock for all users, and enforceable joint maintenance obligations. A joint dock or boat slip may be located on a property line or within a side yard setback, as long as it serves the owners of both affected lots or parcels. The owners' agreement shall be recorded on the public records of Citrus County, at the owner's' expense, before the permit for the joint structure is issued.
- k. Boat davits and boat lifts are permissible on seawalls and on permitted boat docks. Such structures shall be constructed pursuant to sound engineering practices sufficient to protect the structural integrity of seawalls. Boats stored on such structures shall not protrude beyond the side yard setback. Such side yard setback shall be measured from the extension of the side lot line into the water, perpendicular to the shoreline, at the point where it intersects with the mean high water line.
- l. No fill or dredge activity is authorized by a permit for a dock or other structure issued according to this section. A separate permit is required for fill and dredge activities except such activity that is necessary to install pilings.
- m. No structure or combination of structures in Crystal River shall impede navigable waterways. To enforce this requirement the following additional limitations apply:
 - i. Where a canal is 100 feet wide or more, structures may not project more than 25% of the canal width in the waterward direction.
 - ii. Where a canal is less than 100 feet wide, structures may not project more than 22% of the canal width in the waterward direction.
 - iii. Structures are prohibited within ten feet of either side of or adjacent to rip-rapped areas.
 - iv. Structures must not impede safe navigation or extend into the navigable channel. To determine the navigable channel the City has the right to request additional survey information at their sole discretion.
- n. When a structure is found by the city manager to be severely dilapidated or deteriorated and presents a navigational or safety hazard, the city manager may direct the property owner to sufficiently repair the structure so as to remove the hazard or to remove the structure. The owner shall have ninety (90) days to repair or remove the structure, which ninety (90) days may be extended for additional thirty-day periods by the city manager for good cause shown. after such period of time, the city may cause the structure to be removed and shall charge the costs of such removal to the owner.
- o. Boats stored in the water shall not discharge any sewage into the Crystal River or any of its tributaries.

b. Portable accessory structures

- (1) Portable accessory structures are those without a permanent foundation and capable of being moved intact. Portable accessory structures shall meet all the requirements for accessory structures and are restricted as follows:
 - a. Such structures are limited to one (1) per lot.
 - b. Anchoring is required subject to City approval.
 - c. Such structures are prohibited in the waterfront setback.
 - d. Trailers, mobile homes, and tractor trailers shall not be used as accessory structures.
 - e. No mechanical equipment shall be operated within or attached to the structure.

d. Wetlands & Shoreline Protection

- (1) For all property within one hundred fifty (150) feet of King's Bay, Crystal River, and all navigable tributaries the following provisions shall apply:
 - a. Wetlands shall be preserved in their natural state. No fill may be placed in a wetland, and the wetland may not be altered; and
 - b. Storage of hazardous materials as defined by the EPA under Title III of the Superfund Amendments and Reauthorization Act (SARA) shall be prohibited.
- (2) The following wetland protection provisions shall apply:
 - a. For lots or parcels that are cleared adjacent to wetlands, silt screens shall be placed between the construction site and the wetland to prevent erosion and siltation;
 - b. Any wetlands shown on the site plan to remain undisturbed that becomes damaged during construction shall be completely restored. Complete restoration means that the restored area shall function equivalently to the wetland prior to damage; and
 - c. Septic tanks shall be prohibited within wetlands.

e. Wellfield Protection

- (1) The purpose of this section is to provide criteria for regulating and prohibiting the use, handling, production and storage of certain substances which may impair present and future public potable water supply wells and wellfields.
- (2) **Applicability.** Regulations in this section for the designated wellfield protection areas are to be applied in addition to regulations found elsewhere in this Code.
- (3) Wellfield protection area.
 - a. A wellfield protection area is hereby established to include all land within a five hundred-foot radius of:
 - i. A public potable water wellhead; or
 - ii. A site officially designated as a future wellhead by the city council at an advertised public hearing.
 - b. The following uses shall be prohibited within the wellfield protection area:
 - i. Above ground storage of hazardous wastes without secondary containment;
 - ii. Cemeteries;
 - iii. Commercial or industrial uses which handle, use, or store hazardous materials as defined by the EPA under Title III of the Superfund Amendments and Reauthorization Act (SARA);
 - iv. Discharges of industrial wastewater to groundwater;
 - v. Gasoline service stations;
 - vi. Injection wells, including drainage wells or other facilities which provide for the disposal of stormwater directly into the aquifer absent normal percolation;
 - vii. Junkyards or salvage operations;
 - viii. Septic tanks;
 - ix. Solid waste disposal facilities;
 - x. Underground storage tanks; and
 - xi. Wastewater treatment facilities.
- (4) Storage tanks for the operation of a potable water well and storage tanks for substances used for the treatment of potable water are exempt from the provisions of this section.

f. Swimming Pools & Enclosures

(1) **Swimming pools and pool enclosures.**

The following is applicable to all zoning districts. All swimming pools with an overhead enclosure (whether attached to the principal structure or not) shall adhere to the setback requirements of the principal structure. A swimming pool that lacks the above referenced enclosure shall adhere to the following setback requirements:

- a. Side yard: Ten (10) feet.
- b. Rear yard: Ten (10) feet.
- c. Side yard, adjacent to street: Ten (10) feet.
- d. Front yard: not permitted (see exception below).
- e. Waterfront: Ten (10) feet from the mean high water line.

A swimming pool shall not be permitted to be sited in the front yard unless the front façade of the house addresses the bay or river and the rear yard addresses the street. In such a case, waterfront setbacks shall be utilized in the front.

If a swimming pool is located in a side yard or a side yard that fronts the street, the swimming pool shall be set back a minimum of ten (10) feet behind the front plane of the house.

- (2) If the site is designed in such a way that stormwater may flow unimpeded into the abutting waterway the applicant may be required to install a natural berm of eight (8) inches in height or a natural swale of eight (8) inches in depth between the edge of the pool deck and the water.
- (3) All pools shall provide fencing or enclosures in compliance with the requirements of the Florida Building Code.
- (4) A screen enclosure may be installed instead of, or in addition to, a fence or wall, provided that the screen enclosure meets all the requirements of accessory structures.

- (5) No overhead electric power lines shall pass over any pool, nor shall any power line be nearer than ten (10) feet horizontally or vertically from the pool's edge, unless enclosed in conduit and rigidly supported.
- (6) Pool equipment may be located within the side yard setback, but not closer than five (5) feet to side or rear yard lot line.

g. Outdoor Lighting

- (1) **Outdoor Lighting.** 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.
- (2) **Shielding.** All exterior illuminating devices, except those that are exempt shall be fully or partially shielded.
- (3) "Fully shielded" 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.
- (4) "Partially shielded" shall mean that those fixtures so designated shall have a light distribution in which the candlepower per one thousand (1,000) lamp lumens does not numerically exceed twenty-five (25) lumens (two and one-half (2½) percent at an angle of ninety (90) degrees above nadir (horizontal), and one hundred (100) lumens (ten (10) percent) at a vertical angle of eighty (80) degrees above Nadir. This applies to any lateral angle around the luminaire.
- (5) Light spillage. Continuous light spillage onto neighboring properties shall not exceed one (1) foot-candle as measured at the lot line.

g. Outdoor Lighting (cont.)

- (6) **Low Intensity Exemptions.** Low intensity fixtures which have a maximum candle power of less than one thousand (1,000) candelas are exempt.
 - (7) **Safety Lighting Exemption.** Required safety lighting for towers (i.e., cellular) is exempt.
 - (8) **Illumination types.** Incandescent, noble gas tube, quartz, fluorescent (filtered) and LED illumination types are permitted. All other illumination types require Growth Management Director approval.
 - (9) **Wall packs.** Lights shall be fully shielded, limited to ancillary entrances.
 - (10) **Sign lighting.** Externally illuminated signs shall use a "fully shielded" light directed solely at the sign.
 - (11) **Gooseneck lighting.** Gooseneck lighting fixtures are strongly encouraged.
 - (12) **Streets, paths, and parking lots.** New lighting in walkable areas shall be decorative and should range from ten (10) to twenty (20) feet in height.
- (3) Motor homes, travel trailers, travel campers, recreational vehicles, and similar vehicles regularly or periodically utilized for dwelling purposes shall not be parked overnight in any zoning district except in an area specifically designated by this code for that purpose. Motor homes, travel trailers, travel campers, recreational vehicles, and similar vehicles, when unoccupied, may be parked or stored in a completely enclosed building, or a carport attached to a principal building, or in a side or rear yard.
 - (4) Boats (not including canoes and kayaks), boat trailers, utility trailers, and similar vehicles shall not be parked overnight in any zoning district except in compliance with the following standards:
 - (a) Such vehicles may be parked or stored in a completely enclosed building, or a carport attached to a principal building.
 - (b) Such vehicles shall display a current license or registration when a license or registration is required for the operation of the vehicle.
 - (c) One (1) such vehicle may be parked in a side or rear yard.
 - (d) One (1) such vehicle may be parked in a driveway, provided that the following standards are met:
 - (i) The vehicle shall not reduce the amount of available parking below the standard required by this LDC.
 - (ii) The vehicle shall not be located partially or wholly within the right-of-way.
 - (iii) The vehicle shall not be located in such a manner as to impede access by public safety personnel, public safety equipment, or pedestrians to the principal building.

g. Commercial & Recreational Vehicles

- (1) The following standards apply to commercial vehicles, recreational vehicles, boats, and trailers.
- (2) Only one (1) commercial vehicle may be parked overnight in a residential zoning district, provided that the following conditions are met:
 - (a) The vehicle is designed, used, or maintained primarily for the transportation of property;
 - (b) The vehicle has an empty gross vehicle weight of ten thousand (10,000) pounds or less; and
 - (c) The vehicle does not have a motorized cooling unit.
 - (d) The limitation shall not apply to trucks that are actively loading or unloading materials, merchandise, or goods, or performing maintenance or repair services.

Reserved.

Section 11

Signage

a. General Provisions

- (1) **Purpose.** The purpose of this chapter is to regulate the time, place, and manner in which signs shall be permitted in the city, including standards for their fabrication, erection, use, maintenance, and alteration. These shall promote a safe, vibrant, and economically viable community that ensures that streets and buildings are equally amenable to pedestrians and vehicular users.
- (2) **Applicability.** It is the intent of the city to comply with all applicable laws, statutes, regulations, and federal and state court decisions regarding the regulation of signs, and not to engage in any form of content-based regulation of sign messages that are prohibited by federal or state constitutions, statutes, or court decisions. The regulations of this chapter shall apply to all districts. Unless otherwise noted, a permit shall be required for the erection, placement, alteration, or reconstruction of any sign.
- (3) **Severability.** If any decision, subsection, sentence, phrase or portion of this section is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion of these standards shall be deemed separate and distinct, and holding shall not affect the validity or constitutionality of the remaining portions of this chapter, which shall remain in full effect.
- (4) **False advertising on signs and nuisances.** No person shall display false statements upon signs in such a manner as to mislead the public as to anything sold, services to be performed or information disseminated. No person shall display any sign in such a manner as to constitute a nuisance to surrounding properties or uses.
- (5) **Occupation tax; contractor's license.** No person shall engage in the business of erecting, painting or maintaining signs within the city, unless and until the person has paid a business tax receipt and registered with the city.
- (6) **Prohibited signs.** Such signs shall be removed as stated in this code. Prohibited signs erected on public rights-of-way or other publicly owned property may be removed without prior notice.
- (7) **Substitution clause.** A protected noncommercial message of any type may be substituted, in whole or in part, for the message displayed on any sign for which the sign structure or mounting device is legal without consideration of the content. This applies to all permitted signage. Such substitution of the message may be made without additional approval, permitting, registration or notice to the city.

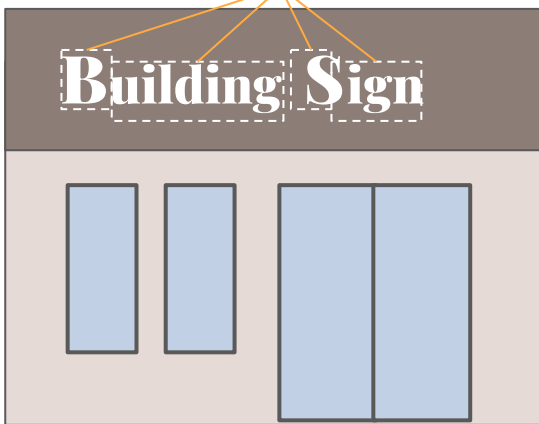
b. Measuring Signs

- (1) **Single and Two Faced Signs.** Signage is measured by area (length multiplied by width). Where two sided signs are proposed, the area of both sides of the sign are added together to calculate the sign area.
- (2) **Three or More Faces on Signage.** Where a sign has 3 or more sides, the sign area is equal to fifty (50) percent of the sum of all sign areas.
- (3) **Free-Form or Sculptural Signs.** Spherical, free-form, sculptural or other non-planar sign area is measured as fifty (50) percent of the sum of the areas using only the four (4) vertical sides of the smallest four-sided polyhedron that will encompass the sign structure.

a. Measuring Signs (Cont.)

- (4) **Building or wall mounted signs.** Sign copy mounted as individual letters or graphics against a wall, fascia, mansard, or parapet of a building or surface of another structure, that has not been painted, textured, or otherwise altered to provide a distinctive background for the sign copy, is measured as the sum of the smallest rectangle(s) that will enclose each word and each graphic in the total sign.

Four areas are added together to calculate sign area



c. General Requirements

- (1) **Sign Height.** Sign height is measured as the vertical distance in feet from the ground, sidewalk or other surface to the highest point of the sign face or sign structure, whichever is higher. Where the ground is uneven, the average elevation is utilized to determine the starting point of the measurement.
- (2) **Sign Visibility.** The area around the sign shall be properly maintained clear of brush, trees, and other obstacles so as to make the sign readily visible.
- (3) **Sign construction.** With the exception of portable and temporary signs as permitted in this chapter, signs shall be permanently attached to the ground, a building, or another structure by direct connection to a rigid wall, frame, or structure.
- (4) **Sign wiring.** Signs with internal electrical wiring or lighting equipment, and all external lighting equipment shall be inspected and approved by the city in accordance with existing and prevailing electrical codes. All wiring to electrical signs or to lighting equipment directed to ground signs shall be underground and ground fault circuit interrupter (GFCI) protected.
- (5) **Sign setbacks.** Freestanding signs shall be set back a minimum of five (5) feet from the right-of-way (ROW) line and located outside of the clear visibility triangle.
- (6) **Sign Design.**
- Signage, including overall design, materials, and illumination shall be compatible with the overall design of the main building.
 - Except where noted otherwise in this section, finish materials for signs shall be as follows:
 - Wood: painted, stained, or natural; or a finished material similar to wood.
 - Metal: copper, brass, galvanized steel, or aluminum composite.
 - Stucco or brick
 - Fabric awnings (i.e., canvas)
 - Paint and vinyl (applied directly onto building walls or window glass).
 - Sign Shape.** Signs shall be composed of standard geometric shapes and/or letters of the alphabet, or as a sponsor motif (bottle, hamburger, ice cream cone, etc.) All elements of a sign structure shall be unified in such a way not to be construed as being more than one (1) sign.

c. General Requirements (cont.)

(7) Sign Illumination.

- a. **Brightness Limits.** The brightness of an illuminated sign shall not exceed thirty (30) foot-candles at any one (1) point on the sign face.
- b. **Fluctuations in Lighting.** No sign shall have blinking, flashing, scrolling, fading, or fluctuating lights or other illuminating devices that have a changing light intensity, brightness or color or form. No revolving or rotating beam or beacon of light, including but not limited to searchlights, shall be utilized or permitted as part of any sign.
- c. **Shielding of Illumination Source.** Any light from an illuminated sign or a flood or spotlight illuminating the sign, shall be stationary, shielded, and directed so that the light or brightness shall:
 - i. Illuminate only the surface area of the sign
 - ii. Not interfere with the safe vision of motorists, bicyclists or roadway users
 - iii. For spot-lit signs, the sign base and/or proposed landscaping shall be designed to conceal the base of the light fixture to the extent feasible.
- d. **Colored Lamps.** The use of colored lamps for external lighting of signage is not permitted.
- e. **Externally Mounted Gas Filled Tubes.** Externally mounted gas tubes filled with neon or other noble gases shall not be permitted.

- (8) **Sign Appearance, Maintenance, and Removal.** The following maintenance requirements shall be observed for all signs visible from any public street, and any deficiency shall be corrected within thirty (30) days of being detected unless otherwise determined by the administrator:
 - a. No sign shall have more than ten (10) percent of its surface area covered with disfigured, cracked, ripped or peeling paint or poster paper.
 - b. No sign shall stand with bent or broken sign facings, broken supports, loose appendages or struts, or be allowed to stand more than fifteen (15) degrees away from the perpendicular.
 - c. No sign shall have weeds, trees, vines, or other vegetation growing upon it or obscuring its view from the street from which it is to be viewed.
 - d. No internally illuminated sign shall stand with only partial illumination.
- (9) Whenever the use of a building or premises by a business or occupation is discontinued for at least three (3) months, then the signs pertaining to that business or occupation shall be removed. If the owner or lessee fails to remove it, the building official shall give the owner fifteen (15) days written notice to do so. Upon failure to comply, the building official may remove the sign at cost to the owner, with the following exceptions:
 - a. Businesses who are relocating within the city shall be permitted to retain signage for up to six (6) months unless the building is reoccupied.
 - b. A 6-month extension shall be permitted upon written request.

c. General Requirements (Cont.)

c. Sign cabinets and structures to which another sign face may ultimately be attached can conform to this requirement by:

- i. Painting over the existing sign with a color that harmonizes with the building.
- ii. Removing sign pan faces and replacing them with blank panels.
- iii. Placing a fitted sign wrap over the cabinet that completely obscures the underlying sign face, is fitted snugly over the existing cabinet, is secured and has no loose or hanging ties, ropes or supports.

(10) **Illegal Signs.** A sign damaged in excess of fifty (50) percent of its replacement cost or a sign depicting, describing or relating to specified sexual activities as defined in the Crystal River Adult Entertainment Licensing Ordinance shall be considered to be illegal and shall be removed immediately.

(11) **Non-Conforming Signs.**

- a. All permitted nonconforming signs shall be grandfathered and considered to be in compliance with this Code.
- b. Subject to the limitations imposed by this ordinance, a nonconforming sign may be continued and shall be maintained in good condition as required by this ordinance. However, a nonconforming sign shall not be:
 - i. Structurally changed, but its pictorial content may be changed
 - ii. Structurally altered to prolong its use except to meet safety standards.

- iii. Altered in any manner that increases the degree of nonconformity.
- iv. Expanded.
- v. Continued in use after cessation or change of the business or activity to which the sign pertains.
- vi. Reestablished after damage from natural causes if the estimated cost of reconstruction exceeds fifty (50) percent of replacement cost. A nonconforming sign damaged or destroyed by an unintentional or intentional third party (non owner) acts or omissions shall be allowed to be reconstructed regardless of the percentage of damage provided the nonconforming use is not expanded.
- vii. Continued in use when a conforming sign or structure is permitted and erected on the same lot of record.
- viii. Continued in use when any land use to which the sign pertains has ceased for a period of thirty (30) consecutive days.

c. General Requirements (Cont.)

- ix. Nonconforming signs are allowed when the existing use has new ownership which results in a change in the name or logo, and any permitted alteration, modification or reconstruction. Modifications shall be limited to the replacement of a sign panel, replacing individual letters and logos within the same area or repainting a sign face. This does not permit changes to the structure, framing, erection or relocation of the sign unless such changes will bring the sign into regulatory conformance.
- c. Blank nonconforming signs. When a sign face remains blank, which is defined as void of advertising matter, for six (6) months or longer, the entire sign structure shall lose its nonconforming status and shall be treated as an abandoned sign. Signs displaying an "available for lease" or similar message or partially obliterated faces that do not identify a particular product, service, or facility shall be deemed blank.

d. Community Redevelopment Area (CRA)

- (1) **Applicability.** The standards below shall only apply to signage in the CRA. Should conflict arise between these standards and those found elsewhere in this chapter, the standards below shall take precedent. All other standards that are conveyed in this chapter and not in conflict with those conveyed below shall apply.
 - a. Context. Signage shall elicit a character and form that is sensitive to the city's history while promoting a human scale that is amenable to pedestrians and vehicles.
 - b. Illumination Illumination of signs in the CRA is limited to the following:
 - i. Illuminated signage may only be externally lighted using a fully shielded gooseneck light fixture.
 - ii. Colored lamps for external lighting of signage is not permitted.

e. Sign Permits

- (1) **Sign permits required.** No sign shall hereafter be erected, moved, added to, repaired (over fifty (50) percent of value), or structurally altered without first submitting a site plan, making payment of the required fee, and obtaining a sign permit.
- (2) **Signage erected without a permit.** Signs or sign structures previously erected without a valid sign permit shall be in violation of this article and shall be deemed illegal. It shall be mandatory to obtain a sign permit for an illegal sign if allowable, or to immediately remove such sign upon notice that the structure is illegal. The notice shall contain a time period for removal.

e. Sign Permits (Cont.)

- (4) **Review and action by the administrator.** No sign permit issued under the provisions of this article shall be considered valid unless signed by the administrator.
- (5) **Review and action by the building official.** In addition, any illuminated sign or sign structure thirty-two (32) square feet and above in size shall be reviewed by the city's building official. All permits are subject to the requirements contained in the latest adopted Florida Building Code.
- (6) **Permit issuance.** If it appears that the structure is in compliance with all the requirements of this article and all other laws and ordinances of the city, the department shall issue a sign permit with a signature by the administrator.

f. Prohibited Signs.

- (1) The following types of signage shall be prohibited in all zoning districts throughout the City of Crystal River.
- (2) **General to All:** Signage violating any provision of any state law relative to outdoor advertising.
- (3) **Abandoned or Deteriorated Signage in Which:**
 - a. The structure no longer contains a sign.
 - b. The structure or bracing is rusted, unkempt, dilapidated, or unsightly.
 - c. The sign references a business that has been closed (out of business) for more than thirty (30) days.
- (4) **All Billboards are Prohibited; Including:**
 - a. Classic billboard—For pedestrian and vehicle traffic along a street or highway.
 - b. Vinyl billboard—brighter appearance, often due to UV defensive paint.

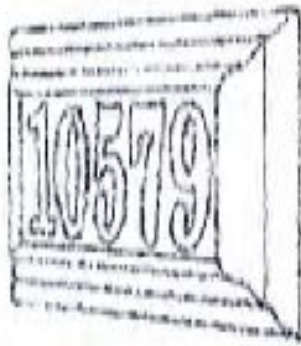
- c. Painted billboard—Increasingly rare due to graphically produced billboards.
 - d. Poster—Promotes local products at one-half (½) or less the size of a classic billboard.
 - e. Mobile billboard—May use a "memorable" ad to elicit an audience response.
 - f. Three-dimensional billboard—Promotes artistry to secure viewer's attention.
- (5) **Electronic Message Board Signage; Except**
 - a. Stationary electronic window signs
 - b. Electronic message signs
 - c. Changeable copy signs
 - (6) **Feather Flags:** Term "feather flag" comes from the shape, which resembles a bird's feather.
 - (7) **Inflatable Signs:** Signage erected and maintained by air or gas to convey an advertisement.
 - (8) **Moving, Flashing, or Audible Signs:** Permanent or temporary signs or devices that are moving, flashing or audible and are designed to attract one's attention and can potentially distract drivers; Except: signs displaying the time and/or temperature only.
 - (9) **Off-Premises Sign; Except:** A sign, flag, or banner that is erected by the city, county, state, or federal government.
 - (10) **Portable or Mounted Vehicular Signs:** Any sign mounted, attached or painted on a trailer, boat, or motor vehicle when parked, stored, or displayed conspicuously on a permanent or semi-permanent basis in a manner intended to attract the attention of the public for the purpose of advertising or identifying a business.

f. Prohibited Signs (Cont.)

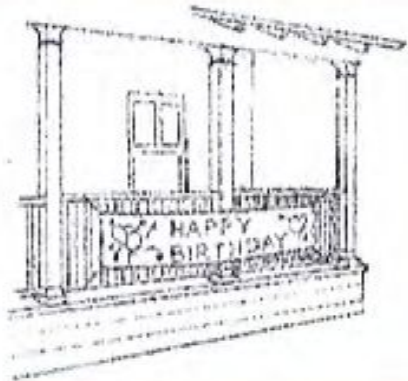
- a. Such signage shall be permitted when the copy or message relates only to the business or establishment of which the trailer, boat, or vehicle itself is a part; pertains to the sale, rent, lease or hiring of such vehicle; or is a noncommercial message.
 - a. Vehicles or trailers displaying signs may not be parked in such a manner that they function primarily as commercial advertising devices.
- (6) **Roof Signs:** Including those attached to a Mansard or Gambrel roof; Except:
- a. Vertical marquee signs—In compliance with standards for this sign type.
 - b. Reserved.
- (7) **Public Right-Of-Way (ROW) Signs; Except:** Signs that are erected by a public agency that either controls or has permission to locate signage in the public right-of-way.
- (8) **Signage Situated in a Manner that Constitutes a Hazard to Pedestrian or Vehicular Traffic, Including:**
- a. Signs that obstruct sight distance along a public right-of-way (ROW).
 - b. Signs that tend by their location, color, illumination, or nature to be confused with or obstruct the view of official traffic control signs or signals
 - c. Signs that obstruct the flashing lights of an emergency vehicle.
- (9) **Signage Situated in a Manner that Obstructs Free Ingress and Egress From:**
- a. A required door
 - b. A window
 - c. A fire escape
 - d. Other required exit way
- (10) **Water or Marsh Area Signage; Except:** Signage that is located on private property and is in compliance with the standards found in this ordinance or any signage that is installed by an agency of the city, county, state, or federal government.
- (11) **Signage Affixed to a Private Residence or Dwelling, or Displayed Upon the Grounds Thereof; Except:** The following sign types, as conveyed in this code:
- a. Address numerals
 - b. Banner (residential)
 - c. Flag sign
 - d. General informational sign
 - e. Historical marker and monument sign
 - f. Nameplate sign
 - g. Warning and no trespassing sign
- (12) **Signage Attached to or Painted on Any of the Following:**
- a. Trees, rocks or other natural features
 - b. Fences or fence posts
 - c. Light poles or utility poles.
Except: Signs that are attached to a light pole, utility pole, or fence by a utility or government shall be permitted.

g. Sign types that do not require a permit.

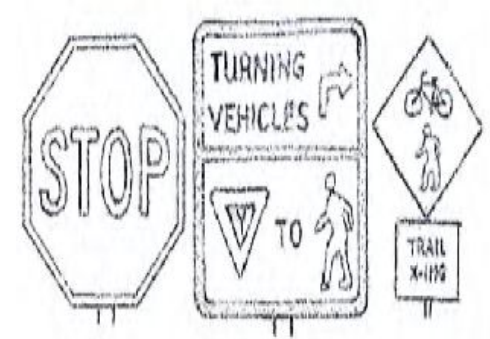
Address Numeral Sign

Description	
<i>Address numeral sign.</i> Address numeral signs establish the physical address or location of a lot or structure as recognized by 911, the police, fire department, or the rescue service.	
Permitted Zones	All Zones.
Sign Height	Residential uses: 3 in. min.; 6 in. max. (State of Fl. min.) Non-residential uses: 6 in. min.; 12 in. max. (State Fl. min.)
Number of Signs:	1 per address located on the property.
Additional Provisions:	1. Address numbers shall be sited upon the primary street frontage that a structure fronts. 2. One and Two-family residential dwellings may include the name and/or address of the occupant and similar uses customarily associated with residential structures.

Banner (Residential) Sign

Description	
<i>Banner (residential) sign.</i> A residential banner sign is a temporary sign type that often contains characters, illustrations, or ornamental figures applied to its cloth, plastic, or fabric backing. Typically, it is used to communicate personal messages and celebrations (i.e., Welcome Home!, Happy Birthday!, etc.).	
Permitted Zones	All one and two-family residential use lots.
Sign Area (size):	30 sf. max.
Number of Signs:	1 banner per property.
Period of Display	A banner shall not be displayed for more than 5 consecutive days.

Directional and Informational Sign

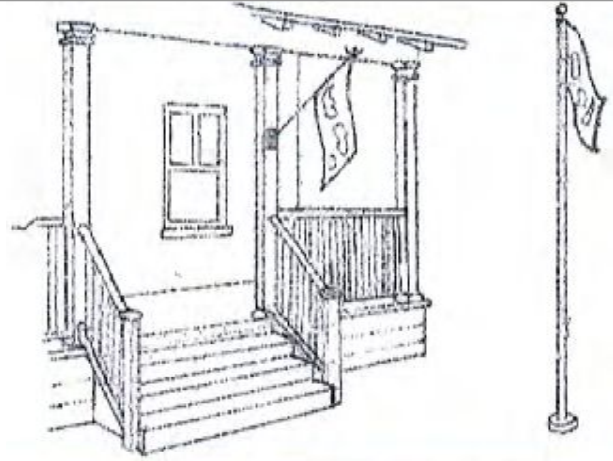
<p>Description</p> <p><i>Directional and informational sign.</i> A directional and informational sign provides information and directional aid (including regulations) to both vehicles and pedestrians on public as well as private property. It may be supported by either a single or double pole. Examples include: "stop", "entrance", "rest room", "loading zone", "no parking", "drive thru", "trail crossing", "turning vehicles", "underground utilities", etc.</p>	
<p>Permitted Zones</p>	<p>All zones.</p>
<p>Sign area (size):</p>	<p>9 sf. max.</p>
<p>Sign height:</p>	<p>3 sf. max.</p>
<p>Sign Elevation.</p>	<p>Refers to the "distance", as measured, between the ground and the bottom of the sign. The pole may exceed the maximum length conveyed to provide support for the sign but shall not exceed the height of the top of the sign.</p>
<p>Public right-of-way (ROW): 5 ft. min.; 8 ft. max. Private property: 1 ft. min.; 2 ½ ft. max.</p>	
<p>Number of Signs</p>	
<p>Public ROW: Per federal, state, and local regulations.</p>	
<p>Private property: Maximum of 2 per curb cut.</p>	
<p>References</p>	<p>Signs on public streets and highways shall conform to the uniform manual of traffic control devices.</p>



Flag Sign

Description

Flag sign. A flag sign is a type of sign consisting of one (1) or more fabrics. The fabric may contain distinctive colors, patterns, logos or symbols. Flags are often used as a symbol of a government or a similar entity or organization.



Permitted Zones

All Zones.

Additional Standards

Single or Two-Family Lots

All Other Lots

Vertical Flagpole Standards

Flag Area (Size):

24 sf. max. (4' x 6')

96 sf. max. (8' x 12')

Flagpole Height:

25 feet max.

40 feet max.

Wall Mounted Flagpole Standards

Flag area (size):

15 sf. max. (3' x 5')

24 sf. max. (4' x 6')

Flagpole length:

8 ft. max.

12 ft. max.

Number of Flag Poles per Property

Vertical Flagpole: 1 vertical pole max.

Wall Mounted Flagpole: 3 wall mounted poles max.

Number of Flags per Pole Type.

Vertical flagpole: 3 flags per pole max.

Wall mounted flagpole: 1 flag per pole max.

No more than 6 flags are permitted to be flown in combination on one (1) or more approved vertical flagpole or wall mounted flagpole.



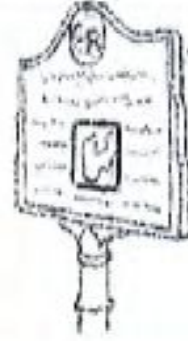
General Information (Temporary) Sign

Description	
<p><i>General information (temporary) sign.</i> This is a temporary sign that may be freestanding or mounted to a wall or window. It is used for short intervals of time to convey an event or activity to the public.</p>	
Permitted Zones	All Zones.
Freestanding Sign Design	
Post and Stake Materials	A large single post, large twin post, and small single stake shall be constructed of a vinyl or wood frame. A small twin post shall be constructed of a metal frame.
Post and Stake Measurements.	<p>Large single post: Height: 72" max.; width: 5" max.; arm length: 47" max.</p> <p>Large twin post: Height: 72" max.; width: 5" max.; distance from ground to base of sign: 1 ft. min.; 4 ft. max.</p> <p>Small twin pole: Height: 42" max.; width (diameter): 1.5 in.</p> <p>Small single stake: Height: 42" max.; width (diameter): 1.5 in.</p>
Sign Location, Attachments, and Illumination.	The top of the sign shall be sited at or below the top of the vertical post or stake. Signs shall contain no reflective elements, flags or projections; and shall not be illuminated.
General Information Sign: Residential Property	
Signs per street frontage:	1 max. on private property, a min. of 10 ft. from street ROW.
Size of freestanding sign:	6 sf. max.
Type of sign support permitted:	Large single post or small twin post or small single stake.
General Information Sign: Non-Residential Property	
Signs per street frontage:	1 max. on private property a min. of 10 ft. from street ROW.
Size of freestanding sign:	20 sf. max
Size of wall or window sign:	12 sf. max.
Type of sign or support permitted:	Wall or window sign; large twin post or small twin pole sign.
Period of Display	Seven (7) days prior to the beginning of an event one (1) sign may be erected in the front of the property (outside of the right-of-way) or one (1) sign may be mounted in a window or on a wall adjacent to a building's primary entrance. The sign shall be removed no more than five (5) days following the conclusion of the event. Signage may be used to promote an activity or occasion such as new construction, property listed for sale or rent, candidate endorsement following commencement of the qualifying period during an election, a grand opening, a special event, or a similar activity.

Historical Marker and Monument Sign

Description

Historical marker and monument sign. A historical marker and monument sign is recognized by local, state and federal authorities as having historical significance.



Permitted Zones

All Zones.

Sign width (freestanding sign or wall sign):

12 in. min.

Sign height (freestanding sign or wall sign):

42 in. max.

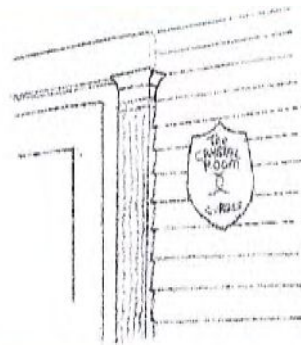
Height of top of sign (freestanding or wall mounted):

78 in. max.

Nameplate Sign

Description

Nameplate sign. A nameplate sign is used to advertise a use, designation, or similar title that is affiliated with the property or structure but subordinate to the primary residence.



Permitted Zones

All zones.

Sign area (size):

2 sf. max

Signs mounted on the front wall:

1 max.; within 2 ft. of the front door.

Additional Provisions

Sign shall not have illumination directed specifically upon it, nor shall it be animated.



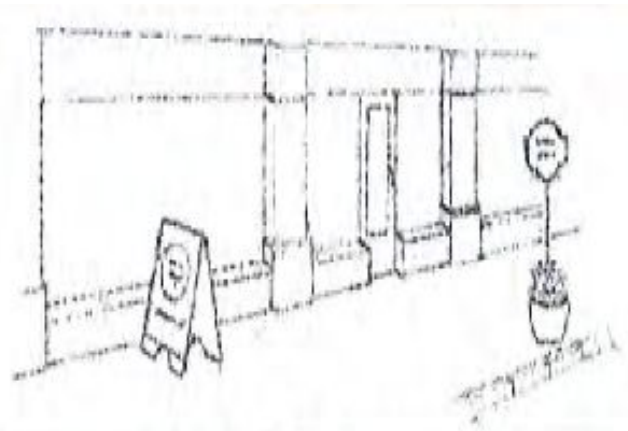
Sidewalk Sign

Description

Sidewalk sign. A sidewalk sign provides secondary signage for individual shopfronts or businesses and is typically located on or adjacent to the sidewalk that fronts a building.

A-frame signs. This relatively standard type of sidewalk sign is often used in a "shopfront" or "main street" setting to attract the attention of pedestrians by highlighting the name of the shop or business, as well as the day's "specials" or "sale items."

Pedestal signs. This unique type of sidewalk sign is ideal for both pedestrians and vehicles in a "shopfront" or "main street" setting. The sign is composed of a "flowerpot" base, pedestal (pole), and sign face that highlights the name of the shop or business.




Permitted Zones	All zones	
A-frame signs:	All zones	
Pedestal signs:	Community Redevelopment Area (CRA)	
Sign Type:	A-Frame Sign	Pedestal Sign
Signable area (area of sign):	6 sf. max.	2.25 sf. max.
Sign width:	30" max.	18" max.
Pedestal (pole) width:	N/A	1.5" diameter max.
Base width (flower pot):	N/A	24" max.
Height.		
Top of pedestal sign (height):	N/A	72" max.
Sign height:	42" max.	18" max.
Base height (flower pot):	N/A	18" max.
Distance, ground to base of sign:	6" min.	48" max.
Materials		
Frame and Base:	Stained/painted wood.	Clay, metal, concrete pot.
Sign Face:	Chalk or dry erase board.	Metal.
Post:	N/A	Metal or wrought iron.


Additional Provisions

1. Signs shall not be illuminated.
2. Plastic or unfinished plywood shall be prohibited sidewalk sign materials.
3. A business may only have one (1) A-frame sign or one (1) pedestal sign. It shall be located on the primary sidewalk that provides access to the business. If the distance between the building and back of the curb is greater than twenty (20) feet then the business may have one (1) of each sign.
4. Where permitted in the CRA, sidewalk signs may be sited in the public right-of-way. Elsewhere in the city, sidewalk signs shall be located entirely on private property.
5. Sidewalk signs located on or adjacent to a sidewalk shall not encroach upon or interrupt the required four (4) foot accessible pedestrian path.
6. A-frame signs may only be displayed during business hours and shall be removed when closed.

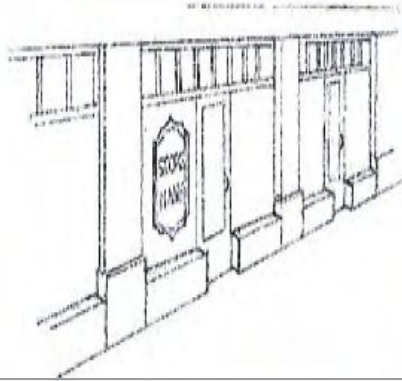
Stationary Electronic Window Sign

Description	
<i>Stationary electronic window sign.</i> A stationary electronic window sign is a small-scale secondary or accessory sign that is placed just inside and upon the window of a business, allowing it to be viewed or read from the exterior of the building by both vehicles and pedestrians. Examples include, but are not limited to, "open," "lotto," "beer," "vacancy," "ATM," etc.	
Permitted Zones	All zones excluding any lot in which the primary use is one- or two-family residential.
Signable Area	Individual sign (size): 2 sf. max. Aggregate of all signs (size): 5 sf. max.
Signs per building or store:	3 max.

Warning or No Trespassing Sign

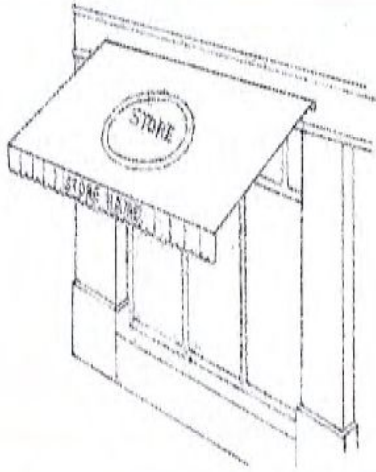
Description	
<i>Warning or no trespassing sign.</i> A warning or no trespassing sign is intended to convey the potential for danger or discourage one (1) from entering onto the private property of another person.	
Permitted Zones	All zones.
Size	Individual sign: 4 sf. max. Height of top of sign (pole or wall mounted): 78 in. max.
Signs per building or property:	Signs per building or property: 1 max. per building façade or per side of the property.

Window or Door Sign

Description	
<i>Window or door sign.</i> A window or door sign is placed inside or upon a window or door in such a manner as to be viewable from the exterior of the building. Window or door signs may be permanent or temporary and often consist of individual letters or designs.	
Permitted Zones	All zones excluding any lot in which the primary use is one- or two-family residential.
Signable Area	Sign area (percent of coverage permitted for each window bay or door): 25% max.
Location	Signs per building (window bays or doors): Unlimited; so long as the sign area for each window bay or door is not exceeded.

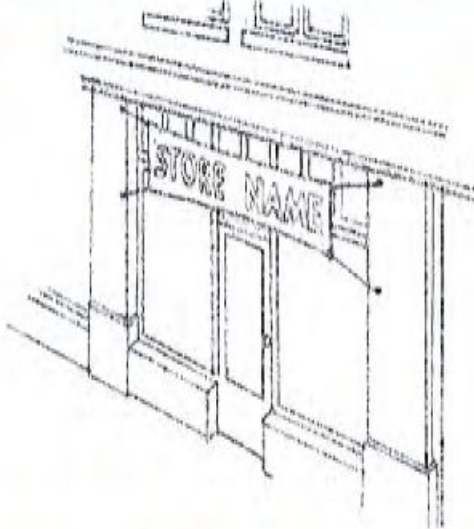
h. Sign types that shall require a permit

Awning Sign

<p>Description</p> <p><i>Awning sign.</i> An awning sign is a traditional storefront fitting that projects in a sloping manner from the facade of a building, shielding window shoppers from both inclement weather and the sun. Such protection may also benefit shop owners through increased energy savings and reduced costs. Signs may be painted, screen printed, or applied directly onto the sloping plane or valance of an awning.</p>	
<p>Permitted Zones</p>	<p>All zones, excluding any lot in which the primary use is one- or two-family residential.</p>
<p>Width of Awning:</p>	<p>Storefront width max.</p>
<p>Signable Area—Sloping Plane.</p>	<p>Sign area (size): 25% coverage max. Lettering height: 18 in. max.</p>
<p>Signable Area—Valance.</p>	<p>Sign area (size): 75% coverage max. Sign height: 8 in. min.; 16 in. max. Lettering height: 8 in. max.</p>
<p>Signs per Awning.</p>	<p>Per Sloping Plane: One sign max. Per Valance: One sign max.</p>
<p>Sidewalk</p>	<p>Clearance height: 8 ft. min. Setback from curb: 2 ft. min.</p>
<p>Upper Stories.</p>	<p>Sign copy on upper stories: Not permitted.</p>
<p>Materials</p>	<p>Primary: Metal and Fabric. Prohibited: Vinyl and Plastic.</p>
<p>Miscellaneous</p>	<p>Open-ended awnings shall be required in the Community Redevelopment District (CRA).</p>



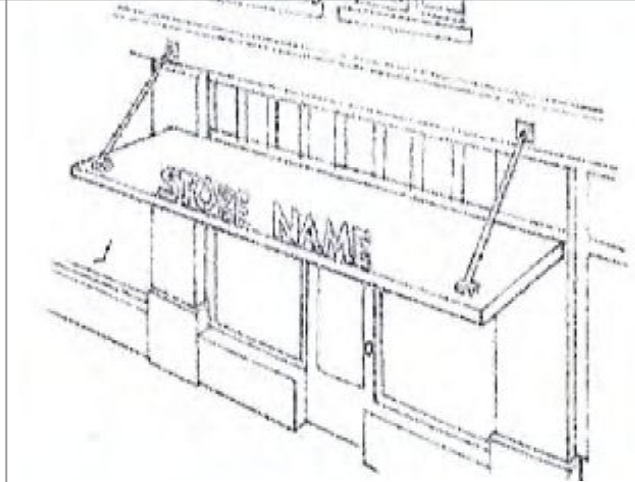
Banner (Non-Residential) Sign

<p>Description</p> <p><i>Banner (non-residential) sign.</i> A banner is a non-residential, attached sign that is temporary. A banner sign may or may not contain characters, letters, or illustrations. When present, such ornamentation is applied to the cloth, plastic or fabric "backing" material that comprise the banner sign.</p>	
<p>Permitted Zones</p>	<p>All zones, excluding any lot in which the primary use is one- or two-family residential.</p>
<p>Signable Area.</p>	<p>Sign Area (Size): 30 sf. max.</p>
<p>Location</p>	<p>Signs per Building: 1 per business</p>
<p>Materials</p>	<p>Permitted Materials: Vinyl or canvas</p>
<p>Additional Provisions</p>	<p>Banners shall be mounted on a building or similar solid structure on the property Banners shall not be mounted on fences, poles, wires, or similar devices Banners shall not be used as permanent signage and shall be removed upon expiration.</p>
<p>Period of Display</p>	<ol style="list-style-type: none"> 1. Banners may be displayed for a thirty-day period, four (4) times per year (may be consecutive). 2. Where permanent signage has not yet been erected for a new business, but the permanent sign has been approved by the city, a banner shall be allowed during the interim period so long as the following conditions are met: <ol style="list-style-type: none"> a. The temporary sign shall not be displayed for more than one hundred twenty (120) days after the permit is approved; and b. The banner shall comply with all applicable requirements listed above.

Canopy Sign

Description

Canopy sign. A canopy sign is a traditional storefront fitting that projects horizontally from the facade of a building, shielding window shoppers from both inclement weather and the sun. Such protections may also benefit the shop owner through increased energy savings and reduced costs. Signs may be painted, screen printed, or applied directly to the top or side of the awning.



Permitted Zones	All zones, excluding any lot in which the primary use is one- or two-family residential.
Canopy width:	Storefront width max.
Signable area (size):	1 sf. per linear foot of canopy width max.
Letter height:	16 in. max
Letter thickness:	6 in. max.
Signs per canopy:	1 sign max.
Sidewalk	Clearance height: 8 ft. min. Setback from curb: 2 ft. min.
Upper stories:	Sign copy is not permitted on canopies.
Materials	Primary: Metal. Prohibited: Vinyl and Plastic



Marquee Sign

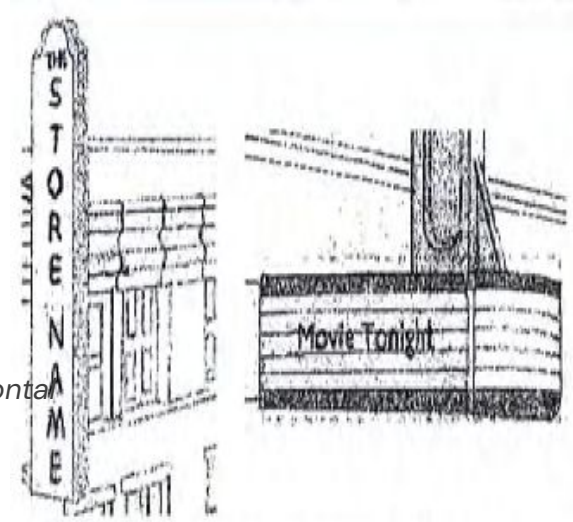
Description

Marquee sign. A marquee sign may be mounted to or hung from a marquee that projects horizontally or vertically from the façade of a building to express a figural design and message to motorists and pedestrians. Such signs often have patterned or neon lighting and changeable or painted lettering.

Vertical marquee. A linear, vertically oriented structure that projects outward at a ninety (90) degree angle from the façade of the building or at a forty-five (45) degree angle from the corner of the building. A vertical marquee may extend above the building's parapet or terminate below the cornice.

Horizontal marquee. A canopy-like structure integrated into the façade that projects horizontally over the sidewalk and is typically centered upon the entrance. A horizontal marquee may serve as the base for a vertical marquee.

Horizontal



Permitted Zones

All zones, excluding any lot in which the primary use is one- or two-family residential.

Vertical Marquee Sign Standards

Signable Area (Size):	Sign width: 24 in. max. Sign depth: 10 in. max.
Lettering Width:	75% of sign width max.
Signs per building:	1 max.
Clear height (above sidewalk):	12 ft. min.
Extension above roofline:	10 ft. max. (shall not extend above eave of a pitched roof).
Remarks	A vertical marquee may be combined with a horizontal marquee per the standards below.

Horizontal Marquee Sign Standards

Signable area (size):	5 sf. per linear ft. of shopfront width up to 250 sf. max.
Sign width:	Shopfront width, max.
Sign height:	5 ft. max.
Lettering Width:	75% of sign width max.
Signs per building:	1 max.
Clear height:	10 ft. min.
Setback from curb:	2 ft. min.
Remarks	A horizontal marquee may be combined with a vertical marquee per the standards above.

Monument Sign

Description

Monument sign. A monument sign is a low-profile freestanding sign whose base is solid from one (1) side or edge to the other side or edge. There is no open space located between the ground and the bottom of the sign. This type of sign is used to mark a business or the entrance to a development and often contains a distinguishable base (foundation) middle, (signable area), and top (cap).



Permitted Zones	All zones, excluding any lot in which the primary use is one- or two-family residential.				
Signable Area:	Single Tenant	Multi-Tenant			
CRA except Hwy 19.	20 sf. max.	3—5 tenant spaces on one parcel - sign area may be increased by 125%.	6—10 tenant spaces on one parcel - sign area may be increased by 150%.	11—17 tenant spaces on one parcel - sign area may be increased by 175%.	18 or more tenant spaces on one parcel - the sign area may be increased by 200%.
Hwy 19 and Hwy 44.	40 sf. max.				
All other areas in the city.	20 sf. max.				
Entrance to a private residential community.	20 sf. max.				

Copy Area Requirements

Changeable copy:	40% max. (manual changeable copy signage)
Electronic message sign:	40% max. (see section commercial canopy sign., table electronic message sign)

Height

Total Sign Height:	CRA except Hwy 19: 6 ft. max. Hwy 19 and Hwy 44: 9 ft. max. All other areas in the city: 6 ft. max. Entrance to residential community: 6 ft. max.
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Base Height	1 ft. min.; 4 ft. max. ^{1,2}
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¹The base on a monument sign shall not count against the signable area, but shall count against the height.

²The base on a monument sign shall occupy a minimum of one hundred (100) percent of the width of the sign face.

Location

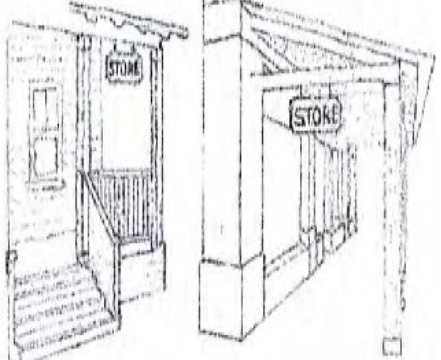
1. Only one (1) signs per primary frontage (from which the site derives its address).
2. Within a multi-tenant development, each individual tenant may not have a freestanding sign.
3. On a corner lot, one (1) monument sign shall be permitted on the secondary thoroughfare, not to exceed one-half (½) of the size of the sign on the primary thoroughfare (where building derives its address).

Mural Sign

<p>Description</p> <p><i>Mural sign.</i> A mural sign is a permanent sign that is comprised of text and graphic elements painted directly on the wall of a secondary building façade. They fill the un-built gaps within the urban fabric, typically along a side street, alleyway, pedestrian passage, or public space. Murals should generate visual interest and pride in the community, possibly providing a backdrop for photographs and related social media, as they are intended to be visible to both pedestrians and vehicles. A mural should always be accompanied by additional sign types, often sited along the primary façade of the business.</p>	
<p>Permitted Zones</p>	<p>All CG, CH, and CW zones within the city's Community Redevelopment District (CRA); except for any lot in which the primary use is one- or two-family residential.</p>
<p>Signable Area.</p>	<p>Area (mural sign): 1000 sf. max. Width (mural sign): 100 sf. max. Height (mural sign): 50 sf. max.</p>
<p>Height above ground:</p>	<p>3 ft. min.</p>
<p>Projection out from wall (if mural is not painted):</p>	<p>8 in. max.</p>
<p>Signs per building: Except:</p>	<p>1 max. 2 max. when located along a parking area, an alleyway, or a pedestrian passage.</p>
<p>Miscellaneous</p>	<p>Within a multi-tenant development, each individual unit may not have a mural sign.</p>

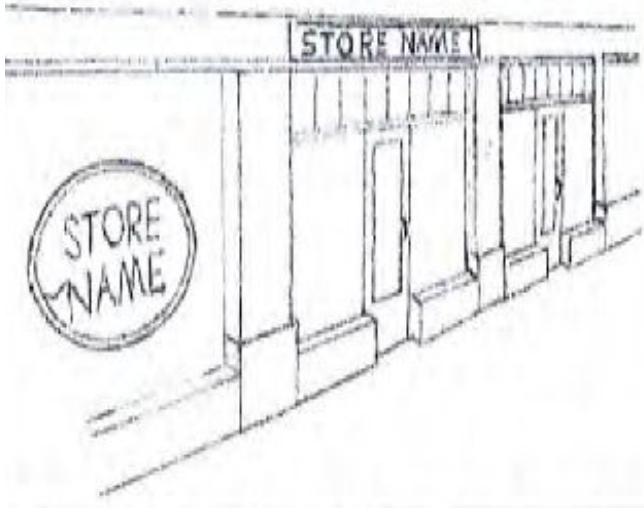


Suspended Sign

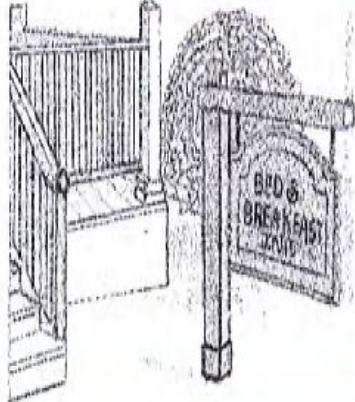
<p>Description</p> <p><i>Suspended sign.</i> A suspended sign mounts to the underside of a beam or ceiling that comprises a porch, breezeway, gallery, arcade, or similar frontage area. The sign should be hung well out of reach of pedestrians, often in a manner that permits it to swing slightly. Suspended signs are small, pedestrian scaled, and easy to read from both sides with all exposed edges "finished."</p>	
<p>Permitted Zones</p>	<p>All zones, excluding any lot in which the primary use is one- or two-family residential.</p>
<p>Signable Area Standards</p>	<p>Sign area: 6 sf. max. Sign width: 3 ft. max. Sign height: 3 ft. max. Sign thickness: 4 in. max.</p>
<p>Signs per building:</p>	<p>One per shopfront, max. One additional sign may be located along an auxiliary elevation at a secondary entrance.</p>
<p>Sign location or placement:</p>	<p>Shall be centered on the primary beam between the columns that comprise the façade's frontage (i.e., porch); or sited midway upon an overhang located over a sidewalk or walkway (i.e., gallery or arcade).</p>
<p>Clearance height: (sidewalk to base of sign):</p>	<p>7 ft. 6 in. min.</p>
<p>Upper Story Business</p>	
<p>A second story retail or service-oriented business may have: One (1) single tenant suspended sign. Suspended sign shall not exceed six (6) square feet in area. Suspended sign shall be located outside first floor entrance to the primary stairway.</p>	
<p>Additional "upper floor" (non-commercial) businesses that share a common first floor entrance may have: One (1) shared (multi-tenant) wall sign. Wall sign shall not exceed three (3) square feet in area. Wall sign shall be located outside of the first floor entrance to the primary stairway.</p>	



Wall Sign

Description	
<p><i>Wall sign.</i> A wall sign consists of two sub-types, the band sign and the board sign. Both signs are comprised of individual cut or painted letters or graphics. These are applied directly to the façade of the building or applied to a sign board that is attached flat against the building's façade. Wall signs do not extend above the building's roof line/cornice.</p> <p><i>Band sign.</i> This sub-type of the wall sign is located directly above the main entrance and runs horizontally along the "expression line" or entablature of the building.</p> <p><i>Board sign.</i> This sub-type of the wall sign may be attached to any part of a building's facade.</p>	
Permitted Zones	All zones, excluding any lot in which the primary use is one- or two-family residential.
Aggregate Signable Area.	
Primary or secondary façade:	1 sf. per linear foot of façade width up to 100 sf. max.
Auxiliary façade:	0.5 sf. per linear foot of façade width up to 100 sf. max.
Sign width:	Façade width, max.
Sign height:	1 ft. min.; 5 ft. max.
Number of signs per facade:	4 per facade max., shall not exceed aggregate signable area.
A primary or secondary façade fronts a street or it contains a customer entrance into the bldg. An auxiliary façade fails to front a street or it lacks a customer entrance to the building. Within a multi-tenant development, the front/side façade of each unit may have two (2) wall signs.	
Lettering on the sign, maximum width:	75% of the signable area or the sign cabinet.
Lettering on the sign, maximum height:	75% of the signable area or sign cabinet. 45" max.
Projection from façade.	
Raceway:	8 in. max.
Letter depth:	8 in. max.
Changeable copy:	Permitted—See service station signs.
Electronic message sign:	Not permitted.
Upper Story Business	
A second story retail or service-oriented business may have:	
One (1) single tenant wall sign. Wall sign shall not exceed three (3) square feet in area, max.	
Wall sign shall be located outside of the first floor entrance to the primary stairway.	
Additional "upper floor" (non-commercial) businesses that share a common first floor entrance may have:	
One (1) shared (multi-tenant) wall sign. Wall sign shall not exceed three (3) square feet in area.	
Wall sign shall be located outside of the first floor entrance to the primary stairway.	

Yard Sign

<p>Description</p> <p><i>Yard sign.</i> A yard sign is a permanent, stand-alone sign that is sited in the front or side yard between a public right-of way and the façade of a building. It is ideal for lower intensity commercial uses, or any use in which the character of the building or surrounding neighborhood is primarily residential.</p>	
<p>Permitted Zones</p>	<p>All zones, excluding any lot in which the primary use is one- or two-family residential. Signage shall be permitted for a bed and breakfast, home occupation, or live work unit.</p>
<p>Pole Material</p>	<p>Framing: One (1) vertical pole and one (1) horizontal pole comprised of either vinyl or wood.</p>
<p>Pole Measurements.</p>	<p>Pole height: 6' max. Pole width: 5" max. Pole arm length: 47" max.</p>
<p>Sign Measurements.</p>	<p>Sign area: 6 sf. max. Sign width: 36 in. max. Sign height: 36 in. max.</p>
<p>Top of the sign shall be:</p>	<p>Attached or hanging from the horizontal pole.</p>
<p>Clear height (from ground to base of sign):</p>	<p>12 in. min.</p>
<p>Overall sign height (ground to top of sign):</p>	<p>5 ft. max.</p>
<p>Signs per building (mounted in the yard):</p>	<p>1 max.</p>
<p>Miscellaneous</p>	<p>Yard signs shall be parallel or perpendicular to the public ROW, but in no case shall they be located within the ROW.</p>
<p>Sign Material.</p>	<p>The sign shall not promote or contain: Illumination, reflection, projections, flags.</p>



i. Supplemental Sign Regulations

Changeable Copy Sign

Description	<i>Changeable copy sign.</i> Unlike an electronic message sign, a changeable copy sign is a type of electronic or manual sign that occupies forty (40) percent of the signable area of a monument sign. Words and numbers may be displayed so long as they are not changed more than once every forty-eight (48) hours. Examples of appropriate copy include, but are not limited to: fuel type and cost. The accompanying space comprising the monument sign may contain the brand name and logo of a gasoline company, charging company, or the brand name and logo of the service station or gas station.	
Permitted Zones	UC-1 zones.	
Type of Sign		
"Changeable Copy" Portion of the Monument Sign	Changeable Copy as a % of the Signable Area	
The changeable copy portion of a monument sign shall not exceed the maximum percentage conveyed to the right and shall not be changed more than once every forty-eight (48) hours. Numbers, text, decimals, and periods that are either electronically or manually conveyed shall be permitted as part of the changeable copy. Size and diameter shall be based on the speed limit of the road in which the sign fronts.	Electronic copy: 40% max. Manual copy: 40% max.	
Speed Limit¹	Size of Numbers and Letters¹	Diameter of Decimal/Period¹
35 mph and lower	6 inches tall max.	1 11/32 inches max.
40 mph and lower	7 inches tall max.	1 7/8 inches max.
45 mph and lower	8 inches tall max.	1 7/8 inches max.
¹ Standard Alphabets for Highway Signs—U.S. Dept of Commerce, Bureau of Public Roads, Office of Highway Safety.		

Commercial Canopy Signs

Description	
<i>Commercial canopy sign.</i> A commercial canopy sign provides shelter and protection for people, vehicles, and equipment. It is a common sight at gas stations, garden centers, and over toll booths and walkways.	
Permitted Zones	CH UC-1 zone, excluding any lot in which the primary use is one- or two-family residential.
Canopy Signage and Design	
Signage on the posts that support the canopy roof:	The only signage permitted to be attached to the poles that support a canopy are "height warning" signs (one (1) per column - three (3) square feet maximum) and "numbers" (two (2) per column - one (1) square foot maximum) that are used to delineate an item on the ground that is located adjacent to a pole.
Signage on the canopy roof:	No visible signage shall be permitted on the canopy roof. This includes "banding", which acts as type of signage on a canopy.
Signage on items adjacent to the support posts:	Each gasoline pump, charging station pump, or similar item shall be permitted to display the brand name and logo of the parent company or the brand name and logo of the business (store).
The canopy roof's shape, color, and materials:	The roof of a canopy shall compliment the shape, color, and composition of the exterior of the primary building. In the CRA District a canopy shall also convey a pitched roof.

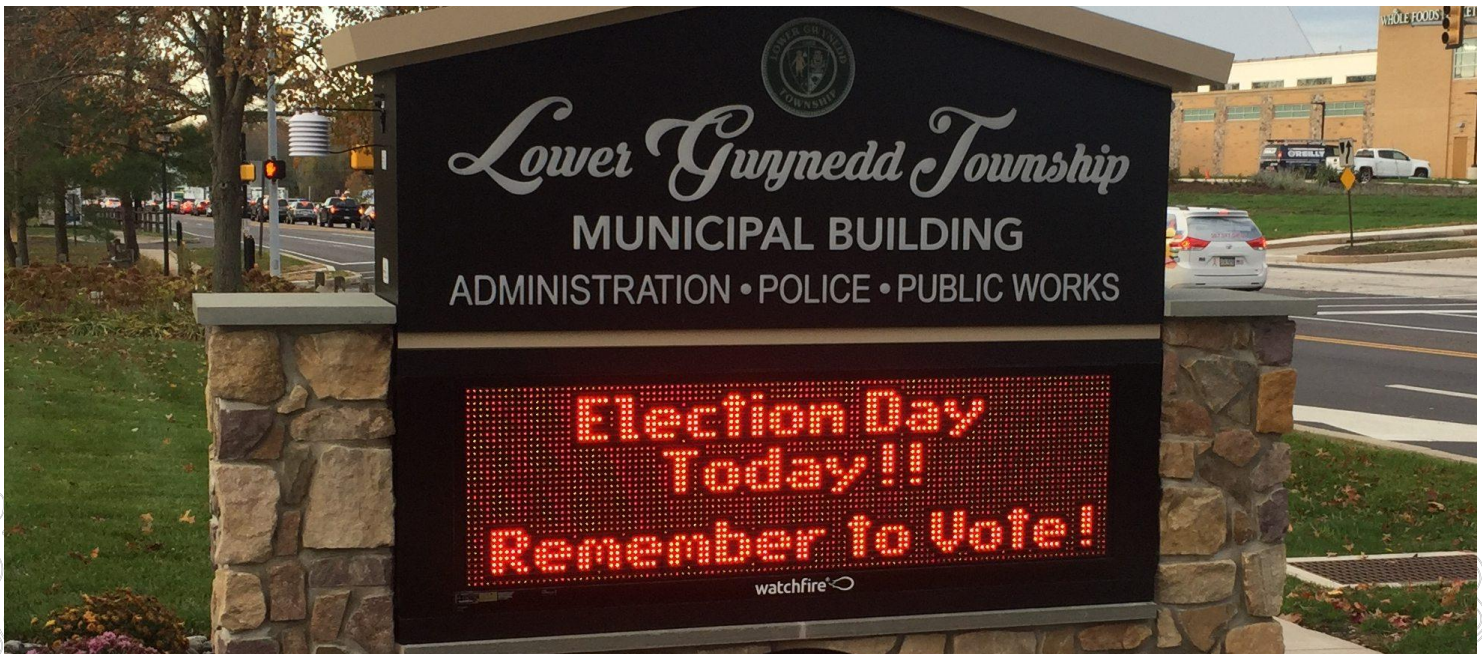
Drive-Through Establishment Sign

Description	<i>Drive-through establishment sign.</i> A drive-through establishment sign is a monument sign that is designed to be sighted within a vehicular drive-through lane that is located at a restaurant, dry cleaner, bank, pharmacy, or similar type of establishment.	
Permitted Zones	Any zone in which a drive-through establishment is a permitted land use.	
Signable Area.	CRA District, Except for Hwy. 19	Elsewhere, including Hwy. 19 and Hwy. 44
One "individual" sign per drive through lane: or	25 sf. max.	30 sf. max.
Two "split face" signs per drive through lane equal to one-half (½) of the total square footage associated with the "individual sign" above: or	12.5 sf. max. (2 Signs)	15 sf. max. (2 Signs)
Three "split face" signs per drive through lane equal to one-third (⅓) of the total square footage associated with the "individual sign" above:	Not applicable — — — — — —	10 sf. max. (3 signs)
Sign height:	6 ft. max.	6 ft. max.
Height of the base of the monument sign	1 ft. min.; 4 ft. max. ^{1,2}	
Property Located in CRA (except Hwy 19).	Only one drive through lane is permitted per property. The drive through lane may have one "individual" sign or one "split face" sign (with two (2) sign faces).	
Property Located Outside CRA (including Hwy 19 and Hwy 44).	No more than two (2) drive through lanes are permitted per property. Each drive through lane may have one "individual" sign, one "split face" sign (with two sign faces), or one "split face" sign (with three sign faces).	
Sign Board Screening.	Drive-through lanes and sign boards shall never be located in the front yard of an establishment. If located to the rear, no screening shall be required. If located on a public right-of-way or side yard, screening shall be required and take the form of a wall, fence, or an appropriate amount of landscape planting to effectively screen the menu board from view.	
Sign Board Canopy.	Drive-thru canopies shall be permitted but shall not contain any signage or corporate/trademark colors. They shall be a maximum of ten and one-half (10.5) feet tall. Both the form and architecture shall be consistent with the design standards for the district. If these are not present, the form and architecture shall coordinate with that which is found on the primary building.	
<ol style="list-style-type: none"> 1. The base on a monument sign shall not count against the signable area but shall count against sign height. 2. The base on a monument sign shall occupy a minimum of one hundred (100) percent of the width of the sign face. 		

Electronic Message Sign

Description	<i>Electronic message sign.</i> An electronic message sign is capable of displaying words, symbols, figures or images that can be electronically changed by remote control or a similar automatic means of control.
Permitted Zones	Any non-residential property fronting US 19 or State Road 44 that is located within the Urban Center 1 (UC-1) or Institutional / Utilities (IU) Zoning District.
Specific Requirements:	
Sign type:	An electronic message sign shall be part of a larger monument sign, not to exceed forty (40) percent of overall signage.
Signage display:	Shall remain static for a minimum of seven (7) minutes. The change of display, message or copy must be "instantaneous" with no fading or special effects.
Prohibited Signs	<ol style="list-style-type: none"> 1. Animated signs. 2. Flashing lights, traveling messages, scrolling or other movement. 3. Interactive displays* 4. Emission of sound or odor.
Brightness:	Brightness shall not exceed 0.3 foot candles above ambient light levels measured at a distance of two hundred (200) ft. perpendicular from the sign base.
Controls	<ol style="list-style-type: none"> 1. Must have automatic brightness control keyed to ambient light levels to ensure that illumination of the sign display shall be adjusted as ambient light conditions change. Upon request of city, a sign owner shall provide the city with acceptable evidence that the sign complies with these illumination standards. Such evidence shall consist of testing by an independent third party using a foot candle meter or similar device. 2. shall be programmed to go dark if there is a malfunction.
Size, number, and types of permitted signs:	<ol style="list-style-type: none"> 1. Total surface area shall not exceed forty (40) percent of a monument sign. 2. One (1) sign shall be permitted per property, regardless of the number of businesses operating on said property. 3. Signs shall not be permitted as wall signs, portable signs, vehicle signs, vehicle mounted or trailer mounted signs, and shall not otherwise be permitted to be affixed to any building. 4. Signs shall not be permitted for identification of individual tenants or businesses in malls, shopping centers, or multi-tenant buildings.
Exemptions:	Traffic control devices and related government signs which are necessary for public health, safety and welfare are exempt from all of the above.

*including, but not limited to, recognition based on electronic key codes, phone calls or texting, facial recognition or automated license plate recognition.



Live Work Unit Sign

<p>Description</p>	<p><i>Live work unit sign.</i> A Live work unit allows for other types of signage that are permitted within the city. A live work unit is a building that serves as both the residence and place of business of the proprietor. The most popular form of live work unit involves a townhome building comprised of an apartment or condo over top of a storefront or walk in office. However, a live work unit may also be arranged in a single-family home, only the residential component is located to the rear of the unit and the storefront or walk in office is served by the door that fronts the primary street.</p>
<p>Permitted Zones</p>	<p>Any zoning district that permits both townhomes and commercial or business uses.</p>
<p>Permitted Sign Types:</p>	
<ol style="list-style-type: none"> 1. <i>Projecting sign.</i> A "building attached" sign located on the principal frontage that is hung perpendicular to the building's façade using decorative or wrought iron brackets. 2. <i>Suspended sign.</i> A "building attached" sign located on the principal frontage. The sign shall be mounted to the underside of the beams or ceilings that comprise the porch, gallery, arcade, or similar covered area. 3. <i>Wall sign.</i> A "building attached" sign located on the principal frontage. The maximum aggregate sign area shall not exceed one square foot per linear foot of principal frontage. 4. <i>Yard sign.</i> A "freestanding sign" located in the yard fronted by the principal frontage. 	
<p>Signs per building or property.</p>	<p>One (1) sign only, unless the unit is located on a corner lot. In this case the secondary frontage may also have one (1) of the above sign types. If specific standards are cited for a secondary frontage then these shall be adhered to.</p>



j. Examples of Signs that Require a Permit

AWNING SIGN	BANNER	CANOPY SIGN
MARQUEE SIGN	MONUMENT SIGN	MURAL SIGN
PROJECTING SIGN	SUSPENDED SIGN	WALL SIGN
YARD SIGN	CHANGEABLE COPY SIGN	COMMERCIAL CANOPY SIGN
DRIVE THROUGH ESTABLISHMENT	ELECTRONIC MESSAGE SIGN	LIVE WORK UNIT SIGN

Section 12

Definitions

Section 12 Definitions

a. Graphics

The graphics, tables, and text utilized throughout this code are regulatory. In case of a conflict, text shall control over tables and graphics. Further tables shall control graphics.

b. Defined Terms

The following terms shall have the following meanings.

Alley. A narrow thoroughfare between and especially behind buildings and further described in Table S2.

Applicant. A developer or an authorized agent of a developer.

Balcony. An open air cantilevered structure.

Awning. Mounted to a building and extends over doors, windows or patios to provide shelter from the sun and rain. Awnings may be of different materials, such as fabric or metal.

Bed and Breakfast Inn. An establishment primarily engaged in providing lodging and meals exclusively for registered guests, not the general public, using an on-site kitchen and dining area. The host or staff resides within the main building to prepare and serve meals, assist guests with local information, and offer hospitality typical of that given to houseguests. A host or staff member is continuously present whenever the business is actively serving guests.

Block. The aggregate of lots, passages, lanes, and Alleys bounded on all sides by streets.

Block Depth. A block measurement that is the horizontal distance between the front property line on a block face and the front property line of the parallel or approximately parallel block face.

Block Length. A block measurement that is the horizontal distance along the front and corner property lines of the lots comprising the block.

Canopy. A freestanding structure which may be constructed of cloth or of rigid materials, including but not limited to metal, wood, concrete, plastic or glass, which is attached to and supported by columns, poles or braces extended to the ground. Canopies are not affixed to a building.

Canopy Sign. A sign which is suspended from, is attached to, is supported from or forms a part of a canopy.

Change in Use. A change in use of property occurs whenever the essential character or nature of the activity conducted on a lot changes. This occurs whenever:

1. The change involves a change from one principal use category to another.

4. A land use within a planned unit development is added or amended which increases the overall intensity of development within the PUD.
5. A business or enterprise, different in type and category, intends to operate from the same lot, property and/or space from the previously existing business or enterprise.
6. A change in the status of property from unoccupied to occupied or vice versa does not necessarily constitute a change in use. Whether a change in use occurs shall be determined by comparing the two active uses of property without regard to any intervening period during which the property may have been occupied, unless the property has remained unoccupied for more than 180 consecutive days or has been abandoned.
7. A change in ownership of a business or enterprise or a change in the name shall not be regarded as a change in use.
8. The intent of these provisions is to provide for the elimination of nonconforming structures and uses.

Complete Street. A street designed to enable safe mobility for all users, whether traveling in motor vehicles, on bicycles, public transportation, or as a pedestrian.

Dedication. The intentional appropriation of land by the owner to the county for public use and/or ownership.

Density. The number of dwelling units located in an area of land, usually denoted as units per acre.

Dwelling Unit. A building or portion thereof, designed or used exclusively for residential occupancy, but not including hotels, lodging houses, motels, or mobile homes.

Easement. A legal interest in land, granted by the owner to another person or entity, which allows for the use of all or a portion of the owner's land for such purposes as access or placement of utilities.

Facade. The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements. The front facade is any building face adjacent to the front property line.

Frontage. The linear footage of property abutting a dedicated street or highway as measured along a lot or parcel of land. The length of the property line of any one parcel along a street on which it borders. For businesses in shopping centers it shall be measured along the front face of that portion of the building occupied by the business.

Section 12 Definitions

Grade. The average level of the finished surface of the ground story adjacent to the exterior walls of a building.

Greenhouse. Any building that is constructed of glass, plastic, or other transparent material in which plants are grown under climate-controlled conditions and includes hoop houses and other similar structures.

Gross Floor Area. The sum of all areas of a building, including accessory storage areas, working spaces, or living spaces and any basement floor area used for retailing activities, the production or processing of goods, or business offices. It shall not include attic space having headroom of seven feet or less and balconies, off-street parking and loading areas, enclosed porches, roof decks, roof gardens, or basement floor area other than specified above.

Height. The height of a building is defined as the vertical distance from the finished floor elevation to the top plate of the wall and the top of the building ridge or parapet. Within the floodplain, height is measured from either the base floodplain elevation or the finished floor elevation, whichever is lower.

Landscape Area. Area on a lot not dedicated to a structure, parking or loading facility, frontage buffer, side and rear buffer, or interior parking lot landscaping.

Live/Work Unit. A building consisting of a commercial and/or office component with a residential component. Typically, the ground floor is a non-residential use or studio and the residence is on the upper floors.

Lot. A parcel of land occupied or intended for occupancy by a use permitted in this article.

Lot, Corner. A parcel of land abutting at least two vehicular rights-of-way, excluding an Alley, at their intersection.

Lot Coverage. The percentage of a lot developed with principal or accessory structures and impervious surfaces, such as driveways, sidewalks, and patios.

Lot, Flag. A parcel of land having its only access to the adjacent vehicular right-of-way, excluding an Alley, through a narrow strip of land.

Lot, Interior. A parcel of land abutting a vehicular Right-of-way, excluding an Alley, along one (1) Property Line; surrounded by Lots along the remaining Property Lines.

Lot, Through. Also referred to as a double frontage lot. An interior lot having frontage on two approximately parallel vehicular rights-of-way, excluding an Alley.

Lot Area. The computed area contained within the property lines; it is typically denoted in square feet or acres.

Lot Depth. The distance measured from the midpoint of the front line to the midpoint of the opposite rear line of the lot. Refer to Figure (D1) Lots.

Lot Width. The horizontal distance between the Side Property Lines, measured at the Front Property Lines.

Maximum Coverage, Open Space. The maximum amount of impervious coverage is provided per Open Space Type and includes, but is not limited to, parking facilities, driveways, sidewalks, paths, and structures as permitted.

Maximum Percentage of Open Water Body. The maximum amount of area within an Open Space Type that may be covered by an open water body, including, but not limited to, ponds, and lakes.

Mean high water: The average height of the high water over a nineteen-year period. For shorter periods of observation, it means the average height of water after corrections are applied to eliminate known variations and to reduce the result to the equivalent of a mean nineteen-year value. The mean high water line along the shores of land immediately bordering on navigable waters is recognized and declared to be the boundary between the foreshore owned by the state in its sovereign capacity and upland subject to private ownership.

Mean high water line: The intersection of the tidal plane of mean high water with the shore.

Memorial Park. A park designed for contemplation or recreation, commemorating the death of an individual or of many people through a natural or other disaster, or through military action.

mews. See passageway definition.

Multiple Occupancy Complex. A commercial use, i.e. any use other than residential or agricultural, consisting of a parcel of property, or parcel of contiguous properties, existing as a unified or coordinated project, with a building or buildings housing more than one occupant.

Nonconformance. A structure, use, lot, or site characteristic that was legally constructed, platted or operated prior to the effective date of or Amendment to this code, but which Amendment to this code would prohibit.

Occupancy. The portion of a building or premises owned, leased, rented, or otherwise occupied for a given use.

Open Space Type. The permitted and regulated types of Open Spaces in this code.

Open Water. A pond, lake, reservoir, or other water feature with the water surface fully exposed.

Section 12 Definitions

Outbuilding. Roofed accessory structure(s) located within the designated portion of the yard.

Outdoor Light Fixture. An outdoor illuminating device, outdoor lighting or reflective surface, lamp or similar device, permanently installed or portable, used for illumination, decoration, or advertisement. Such devices shall include, but are not limited to, lights used for: (a) Buildings and structures; (b) Recreational areas; (c) Parking lot lighting; (d) Landscape lighting; (e) Architectural lighting; (f) Signs (advertising or other); (g) Street lighting; (h) Product display area lighting; (i) Building overhangs and open canopies; and (j) Security lighting.

Owner. The owner of property, the tenant, agent, or person having the beneficial use of the building, structure, or property upon which a sign may be located.

Parking. An open area intended for the parking of vehicles.

Parcel or Parcel of Land. A contiguous quantity of land in possession of, owned by, or recorded as property of the same claimant person in the public records of Citrus County, Florida, as of the effective date of this chapter.

Passageway, Pedestrian. A pathway designed for use by pedestrians; it can be located mid-block allowing pedestrian movement from one street to another without traveling along the block's perimeter.

Permanent. Designed, constructed and intended for more than short-term use.

Pervious Surface. Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material, such as permeable pavers or a vegetated roof.

Plat. A map, drawing, or delineated representation of the division or subdivision of lands, being a complete and exact representation of the division or subdivision and other information in compliance with the requirements of all applicable provisions of any applicable ordinance and Part I, article 177, Florida Statutes.

Porch. An open air roofed structure.

Primary Street. A street designated on the Regulating Plan that receives priority over other streets in terms of setting front property lines and locating building entrances.

Principal Use or Structure. Also referred to as the principal building. A building that contains the dominant use of the lot. It is typically located toward the front of the lot.

Property Line. Also referred to as lot line. A boundary line of a parcel of land or lot.

Property Line, Rear. The boundary of a lot that is approximately parallel to the front property line; this line separates lots from one another or separates a lot from an Alley.

Property Line, Side. The boundary of a lot that is approximately perpendicular to the front and rear property lines; it is not adjacent to the public right-of-way.

Prohibited Tree. All tree species listed by the Florida Exotic Pest Plant Council as a Category I invasive.

Protected Tree. All non-prohibited trees twelve (12) inches DBH or more." (already in code just not in definition section)

Right-of-way (ROW). A strip of land acquired by the state, county or any municipality by reservation, dedication, forced dedication, prescription, or condemnation, and intended to be occupied or occupied by a road, crosswalk, sidewalk, bike path, electric transmission lines, oil or gas pipeline, water pipeline, sanitary sewer, stormwater, or other similar uses.

Roof Line. A horizontal line intersecting the highest point or points of a roof.

Scale. The relative size of a building, street, sign, or other element of the built environment.

Setback. The horizontal distance from a property line inward, beyond which a structure may be placed. Structures or other impervious surfaces are not permitted within a setback, unless specifically permitted in this code (e.g. sidewalks).

Sign. Any writing, pictorial presentation, number, illustration, or decoration, flag, banner or pennant, or other device which is used to announce, direct attention to, identify advertise or otherwise make anything known. The term sign shall not be deemed to include the terms "building" or "landscaping" or any architectural embellishment of a building not intended to communicate information, nor any holiday lights or decorations.

Size, Open Space. The minimum and maximum acreage of the Open Space Type is measured within the parcel lines of the property.

Story. A habitable level within a building measured from finished floor to finished floor.

Story, Ground. Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the frontage, excluding basements or cellars.

Story, Half. A story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.

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Story, Upper. Also referred to as upper floor. The floors located above the ground story of a building.

Street. A strip of land or way subject to vehicular traffic (as well as pedestrian traffic) which provides direct or indirect access to property, including, but not limited to, alleys, avenues, boulevards, courts, drives, highways, lanes, places, roads, terraces, trails or other thoroughfares.

Street Face. The facade of a building that faces a right-of way.

Street Frontage. Minimum percentage of vehicular right-of-way frontage required. The minimum percentage of the Open Space perimeter, as measured along the outer parcel line, that shall be located directly adjacent to a vehicular right-of-way, excluding alley frontage. This requirement provides access and visibility to the Open Space. Buildings oriented toward open spaces with qualified frontage types and sidewalks may serve as frontage in lieu of streets. For example, a meadow open space.

Structure, Principal. Also referred to as the principal building. A building that contains the dominant use of the Lot. It is typically located toward the front of the Lot in the front Build-to Zone or behind the Front Yard Setback.

Swale. A low lying, naturally planted area with gradual slopes that facilitate the transport, absorption, and/or filtration of stormwater.

Title Opinion. The written opinion of an attorney licensed in the State of Florida or a certification by an abstractor or a title company dated no earlier than 30 days prior to the submittal showing all persons or entities with an interest of record in the property, including but not limited to the record fee owners, easement holders, mortgage and lien holders, leasehold interest holders, judgment interest holders, and parties with any interest in the land by reason of probate or other legal proceedings. The report shall include the tax identification number for the property and copies of documents such as deed, easements, etc., referenced in the title opinion.

Thoroughfare Type. The permitted and regulated types of streets in this code. Refer to the Thoroughfare Types section for more information and a list of the permitted Thoroughfare Types.

Transect. A cross-section or cutaway showing a continuum of human habitats ranging from conservation lands to a comparatively intense city core.

Transect Zone. A description of the existing or intended characteristics of a zone within the transect so that land uses and thoroughfares are consistent and contribute to the context.

Tree Canopy. The uppermost area of spreading branches and leaves of a tree.

Tree, Canopy: a tree at maturity having a minimum height of 40ft and a minimum crown width of 30ft.

Tree, Understory: a shade tolerant species 15-50 ft in height at maturity which may grow under the crowns of larger trees.

Use. Also referred to as land use. A purpose or activity that may occur within a building or on a lot.

Water Body. A body of water, such as a river, pond, or lake that may be man-made or naturally occurring.

Zoning District. A designation given to each lot within the jurisdiction that dictates the standards for development on that lot. May be referred to as "Zoning".



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