



**DEPARTMENT OF PLANNING AND DEVELOPMENT
2014 SMALL SCALE
COMPREHENSIVE PLAN AMENDMENT,
ATLAS AMENDMENT AND
PLANNED UNIT DEVELOPMENT**

GRCP-M-14-061

**APPLICATION NUMBER: CPA-AA-PUD-13-01 McLaughlin Consulting Services, Inc.
for George Decker**

DATE: September 18, 2014

PREPARED BY: Cynthia L. Jones, Senior Planner, Geographic Resources and Community Planning Division, and Joanna L. Coutu, AICP, Director Land Development Division

This application is a request to amend the Generalized Future Land Use Map of the Citrus County Comprehensive Plan, to amend the Land Use Atlas Map of the Land Development Code and to establish a Planned Unit Development (PUD).

GENERALIZED FUTURE LAND USE MAP REQUEST (GFLUM):	From: CL, Low Intensity Coastal and Lakes District To: CLC, Coastal and Lakes Commercial District Approximately 3.6 acres
LAND USE ATLAS MAP REQUEST (LUAM):	From: CLR, Coastal and Lakes Residential District To: CLC, Coastal and Lakes Commercial District Approximately 3.6 acres
LOCATION:	Section 35 (Carried under 34), Township 18 South, Range 16 East. Further described as, Lots 5, 6, 7, 8, 9, 10, 10.1, 11, 11.1, 11.2, 11.3, 12, 12.1 and 2B000 in the Ozello area, Citrus County, Florida.
SURROUNDING GENERALIZED FUTURE LAND DESIGNATIONS:	North – CL, Low Intensity Coastal and Lakes Residential District South – CL, Low Intensity Coastal and Lakes Residential District East – CL and CON, Conservation District West – CL, Low Intensity Coastal and Lakes Residential District
SURROUNDING LAND USE ATLAS MAP DESIGNATIONS:	North – CLR, Coastal and Lakes Residential District South – CLR, Coastal and Lakes Residential District East – CLR and CON, Conservation District West – CLR, Coastal and Lakes Residential District
SURROUNDING EXISTING LAND USES:	North – Ozello Community Park, a Citrus County park facility South – Developed single family residential and vacant residential East – Developed single family residential West – Developed single family residential and vacant residential
SOIL INFORMATION:	According to the <i>Soil Survey of Citrus County, Florida</i> (1988), the soil types found on the property are listed as follows: Quartzipsamments, 0 to 5 percent slope. This soil is nearly level to gently sloping. It has been reworked and shaped by earth moving equipment and generally filled with sandy soil material.
FLOOD ZONE:	According to the Flood Insurance Rate Map (FIRM), the subject property appears to be located in Flood Zone V14, Base Flood Elevation of 13, as found on Community-Panel Number 120063-0200CB.

BACKGROUND: The property was formerly developed with the Pirates Cove Development which included a restaurant/tavern (7,339 SF), a 10 unit one-story motel (2,400 SF), and recreational vehicle sites. The site received substantial storm damage from the 1993 and 1996 storms. In 2007 it was determined that the structures had received substantial damage and must meet current codes for reconstruction. A building permit to demolish the restaurant/tavern building and the 10 unit motel building were issued in 2010. No further work has been done onsite.

The applicant initially proposed development of the site via a Development Agreement in 2012, in addition to the requested Comprehensive Plan Amendment and Atlas Amendment. At that time, the applicant had proposed a shared parking arrangement with the adjacent County park and boat ramp, and had planned for construction of a canoe/kayak launch and bathrooms in conjunction with that Agreement. The applicant requested that the Development Agreement remain on hold until the outstanding items/staff concerns could be addressed within the Comprehensive Plan Amendment. The applicant has since withdrawn the request for a Development Agreement as well as any proposal for usage with the County park and boat ramp, and instead has submitted the same Master Plan via the Planned Unit Development process.

The lands under application are located outside of the Planned Service Area (PSA). The lands under application are not located within a Corridor Planning Zone, or within a Commercial Node, and lie within the Coastal High Hazard Area (CHHA) and the Velocity Zone (V14).

SUMMARY OF AGENCY COMMENTS: This application is a small scale Comprehensive Plan and Atlas Amendment, and therefore is not required to petition to State agencies for comment. If approved, a copy of this amendment will be sent to all appropriate State agencies as a courtesy.

SUMMARY OF PUBLIC COMMENTS: We have received letters and petitions submitted which are included in the packet.

STAFF ANALYSIS: The subject property consists of approximately 14 lots, which are remnants of an unrecorded subdivision, and contains \pm 3.6 acres. The subject property includes a portion of a road from the unrecorded subdivision, some of which are subject to questionable ownership. The applicant has submitted a street vacate application (SV-13-02) in an effort to resolve these issues. Following a recent meeting with the applicant, he plans to withdraw the street vacate and instead request a plat vacate for all portions of the unrecorded subdivision within the project limits.

On July 12, 2013 the applicant submitted a document entitled "Final Planning Review Considering the appropriate land use controls to be applied to Pirate's Cove", herein after called the "Planning Review". This Planning Review was for a four-story, 33-room resort condominium with a restaurant and 88,512 SF building area under roof. The total building area of 88,512 SF would result in a floor area ratio (FAR) of 0.442 (44.2%) which exceeds the FAR of 0.3 (30%) in the CLC District as outlined in Policy 17.3.20 of the Comprehensive Plan. Since that time application DA-12-03 has been withdrawn and a PUD application has been submitted, and application CPA-AA-13-01 has been renumbered to CPA-AA-PUD-13-01.

On August 8, 2014 an application for the Planned Unit Development was received. The submittal included limited materials needed for review and did not include revised site or

building plans. Instead, the applicant requested that staff utilize the previously submitted plans for DA-12-03 and CPA-AA-13-01.

On August 28, 2014 staff received a letter from Mr. Williford, the applicant's architect, where the stated intention of the letter was to modify the previously submitted site and building plans. The letter cites ten items which will be changed for the revised site and building plans which are to be resubmitted thru the PUD process. It is noted that item # 2 changes the room count from 33 to 70. The applicant will be submitting revised plans which will reduce the total building area resulting in a FAR of 30%. At this time, other than Mr. Williford's letter, staff has not received updated sections for the Planning Review, revised building or site plans, and revised concurrency discussion as it relates to sanitary sewer, potable water, and solid waste.

There are many portions of the Planning Review which are still applicable, however many of the sections would be considered by Citrus County staff to be superseded.

As part of the review for the DA letters were received from the following agencies:

Department of Health (DOH)/Environmental Health (February 4, 2013): DOH cannot permit the system due to its size and the system will need to be permitted by the Department of Environmental Protection (DEP). The applicant has the option of presenting the plan to the DEP and asking for a waiver to apply to the DOH variance board.

Citrus County Sheriff's Office-Fire Chief (January 31, 2013): One comment is provided: The water tank shall be sized sufficiently to supply the fire sprinkler system as required by NFPA 101 – 28.3.5.1 and Section 9.7.

(It should be noted that their review was based on the submittal for a 33-room resort condominium.)

CONCURRENCY DISCUSSION: The applicant submitted a letter dated March 30, 2013 which included the potable water demand estimate (15,500 gpd), sanitary sewer demand estimate (12,960 gpd), drainage area size estimate, and solid waste demand estimate (12.8 cubic yards per day) for the 33 room development. As a follow up to the March 30, 2013 letter, the applicant provided a letter dated June 10, 2013 which included reports and demand calculations in support of the concurrency review. At that time, review was based on the submittal for a 33 on the development, concurrency was considered to have been met.

However, the concurrency determination changed as a result of the August 28, 2014 letter from Mr. Williford which increases the number of rooms from 33 rooms to 70 rooms. The applicant will need to submit revised demand calculations for potable water, sanitary sewer, solid waste and drainage for the revised 70 room project in order to demonstrate concurrency for the project.

A. Request for Land Use Change:

1. Concurrency:

- a) Sanitary Sewer – Central sanitary sewer service is not currently available. The applicant has indicated that a private onsite performance based aerobic septic system will be utilized. Although concurrency had previously been demonstrated for

- the 33 room development, the applicant will need to demonstrate concurrency for the increased to 70 rooms.
- b) Potable Water – Potable water service is available to the site from the Ozello Water Association via a six” PVC water main. The Ozello Water Assn. had indicated that potable water needs can be supplied for the 33 room hotel, however fire flow needs could not be supplied using the existing water mains. Although concurrency had previously been demonstrated for the 33 room hotel, the applicant will need to demonstrate concurrency for 70 rooms as proposed.
 - c) Solid Waste – The applicant has indicated the property will utilize commercial solid waste collection. Although concurrency has not been demonstrated for the 70 room hotel, solid waste concurrency should not be an issue since the Citrus County Landfill currently has available capacity.
 - d) Drainage – Drainage calculations have been submitted addressing drainage concurrency. Although concurrency has not been demonstrated for the 70 room hotel, the site should be able to meet drainage requirements for the proposed development, considering the overall impervious surface area remains unchanged from the previous submittal for the 33-rooms.
 - e) Schools – This is a proposal for a commercial land use with transient occupancy, as such development of this site will not impact Citrus County’s school facilities.
- 2. Consistency with Comprehensive Plan** – The applicant has submitted Comprehensive Plan Consistency documents in both the Planning Review (Section 7 entitled Future Controls) and the PUD submittal. The applicant states that the proposed amendment is consistent with the Comprehensive Plan, and cites the following goals, objectives and policies of the Comprehensive Plan in support of this application:

Chapter 2 Recreation and Open Space Element

- Goal 2 Provide a variety of parks, recreational facilities and programs, and open space areas available to all residents and visitors of Citrus County.

[Staff comment – It has not been demonstrated how this goal will be met since the proposed development is a private resort hotel that will not be available to all residents of Citrus County, unless they become condominium owners.]

Chapter 3 Conservation Element

- Objective 3.13 Conservation efforts have been designated to protect natural resources and ensure environmental protection of land, water, air, and wildlife. To continue this objective, the County LDC shall contain provisions to regulate commercial uses of natural resources in a manner which will protect socio-economic benefits while simultaneously maintaining conservation objectives and the areas determined to be suitable for mineral extraction shall be designated appropriately on the Generalized Future Land Use Map.

[Staff comment - While the applicant states that the “rebirth” of Pirates Cove is a reasonable commercial use of the property, staff does not agree that a four-story structure is a reasonable commercial use, given the fact that the site is in a predominantly residential area, in the Coastal High Hazard Area and Velocity Zone. However, the site does propose to meet minimum wetland and water body setbacks.]

Chapter 4 Coastal, Lakes, and River Management Element

Land Use - Water-dependent Land Uses

Objective 4.5 Water dependent and water-related land uses have priority over all other land uses with exception to conservation, along shoreline areas. The Generalized Future Land Use Map (GFLUM) shall contain designated areas for coastal water-dependent and water-related land uses.

Policy 4.5.1 The priority ranking of shoreline land uses shall be:

- Water-dependent uses
- Water-related uses
- Non-water related uses

Objective 4.12 Increase public access to Coastal, Lakes, and River shoreline areas. A public access study shall be completed by 2009.

[Staff comment – With respect to Objective 4.12, it has not been demonstrated how this goal will be met since the proposed development is a private resort hotel that will not be available to all residents of Citrus County. The provision of docking facilities is noted on page 34 of the Planning Review, however docking facilities are not proposed on the master plan and will be limited by the provisions of Ch 13 Manatee Element of the Comprehensive Plan.]

- 3. Impacts on Affordable Housing** – The proposal should have no impact on permanent affordable housing.
- 4. Compatibility with Adjacent Land Uses** – The site is located on an island at the end of N. Ozello Trail. The island is developed with single family residential uses, a county boat ramp and park, and the remnants of the original Pirates Cove site. The request to develop a four-story commercial structure that exceeds the Impervious Surface Ratio (ISR) and FAR limitations in the LDC and Comprehensive Plan does not appear to be compatible in this remote island community.
- 5. Environmental** – The site contains remnant facilities from the original Pirates Cove development including one building, concrete slabs, electric service stubs, abandoned septic system and lift station, and fencing, etc. The applicant must coordinate with Florida Fish and Wildlife Conservation Commission (FWC) for possible mitigation if any listed species are present. A tree preservation plan will be required at time of development that includes analysis of any specimen trees that may be located on site. It is noted that the site is adjacent to wetlands of the St. Martins Marsh Aquatic Preserve.

PROPOSED FINDINGS OF FACT:

1. The request is to re-designate 3.6 acres including Lots 5, 6, 7, 8, 9, 10, 10.1, 11, 11.1, 11.2, 11.3, 12, 12.1 and 2B000 located in Section 35 (carried under 34), Township 18 South, Range 16 East from Low Intensity Coastal and Lakes District (CL) to Coastal and Lakes Commercial District (CLC) on the GFLUM, and from Coastal and Lakes Residential District (CLR) to Coastal and Lakes Commercial District (CLC) on the Land Use Atlas Map of the Land Development Code is not consistent with the County Comprehensive Plan.
2. Concurrency has not been met for this proposed land use amendment.
3. The proposed land use is inconsistent with Policy 4.10.10 (See PUD discussion below) and Policy 17.3.20 (See PUD discussion below) of the Comprehensive Plan.
4. The proposed land use is incompatible with the surrounding residential area

B. Request for a Planned Unit Development: A request to establish a Master Plan for a Planned Unit Development containing a four-story hotel with 70 rooms, a restaurant and meeting room(s).

Consistency with the Land Development Code (LDC): The application proposes development of the site with a four-story hotel, restaurant and meeting rooms. Staff has met frequently with the applicant to discuss development concerns. The site plan has remained unchanged since the initial Development Agreement submittal, although the applicant has advised in writing that many of staff's concerns will be addressed in a revised site plan to be submitted prior to placement of this application on the agenda of the Board of County Commissioners (reference August 28, 2014 letter from Tom Williford included in this staff information packet). While staff would prefer that a revised site plan be received prior to hearing by the PDC, the applicant has requested that the meeting proceed at this time.

The proposed use as a hotel and restaurant are contingent upon approval of the Comprehensive Plan Amendment and Atlas Amendment to change the designation to CLC. While restaurants are a permitted use within the CLC district, hotels require additional standards via the Conditional Use process or the Planned Unit Development process. The applicant has addressed many of staff's concerns regarding consistency with the Land Development Code, but there are several deviations requested (some of which are proposed to be addressed with a revised site plan).

Impervious Surface/Lot Coverage: The application proposes an overall impervious surface of 39.22% while the maximum in the CLC district is 35%. The applicant has indicated that the hotel size will be reduced to meet the LDC standard for both impervious surface and Floor Area Ratio (see below) in the revised site plan.

- Deviation – 39.22 % ISR instead of 35.0% (Per applicant, to be addressed in revised site plan)

Floor Area Ratio (FAR): Floor Area Ratio is defined in the LDC as "A mathematical expression determined by dividing the gross floor area of a building by the area of the lot on which it is located", and is a measure of the intensity of nonresidential development. In Citrus County where multi-story buildings are relatively uncommon, the maximum allowable FAR in any land use district is 1.0 in the GNC district, meaning that the total amount of gross floor area in the GNC District cannot exceed the total size of the lot.

In this case, the maximum allowable FAR in the CLC district is 0.3, reflective of the environmental sensitivity and open space standards of the district. The application proposes a FAR. of 0.44, which far exceeds the allowable threshold. It should be noted that the FAR standards are also outlined in the Comprehensive Plan, specifically in Policy 17.3.20, and standards within the Comprehensive Plan cannot be varied via the Planned Unit Development process. The applicant has indicated that the gross floor area of the hotel will be reduced to comply with the 0.3 FAR standard in the revised site plan.

- Deviation – 0.44 FAR instead of 0.3 (Per applicant, to be addressed in revised site plan)

Coastal High Hazard Area standards: The application site lies within the Coastal High Hazard Area (CHHA) as well as the velocity flood zone. As such, the application must also comply with the standards outlined within LDC Section 3540, Coastal High Hazard Area, and the CHHA requirements in the Comprehensive Plan.

- LDC Section 3540.D. states that nonresidential buildings are limited to a maximum height of four stories and cannot exceed 50 feet above finished grade, and that floors devoted to parking are to be included in that four-story limitation. The applicant has stated that the top of the roof will be 42'6" above the ground floor.
- LDC Section 3540.F. states the following:

"The following uses are prohibited from locating within the CHHA except as specifically exempted below:

"...R-2 and R-4 Residential occupancy uses including, but not limited to; multifamily dwellings, lodging houses, apartment houses, residential care facilities, and group homes. R-2 residential uses are not allowed within that portion of the Coastal High Hazard Area which is located to the West of U.S. Highway 19, but shall be allowed to the East of U.S. 19 ..."

The applicant's background information provided with this application indicates an intent to allow condominium uses with residents on the site for no more than 180 days at a time. However, Comprehensive Plan Policy 4.10.10 dictates the standard set forth in Section 3540.F. by prohibiting R-2 and R-4 occupancy types in the CHHA. (R-2 and R-4 occupancy types are defined within the Florida Building Code. An R-1 use is a residential occupancy such as a hotel where the occupants are primarily transient in nature, whereas R-2 uses are residential occupancies where the occupants are primarily permanent in nature). The Director of the Department of Planning and Development has made a formal determination that the definition of "transient" would be as defined by Florida Statute 509.013 as follows:

"Transient public lodging establishment" – any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three times a calendar year for periods of less than 30 days or 1 calendar

month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests.

As such, the Citrus County Building Official has determined that the proposed use as a condominium for occupancy for more than 30 days is an R-2 occupancy type and as such is prohibited within the CHHA. (Reference May 13, 2014 letter from Jenette Collins to Bruce McLaughlin attached to this report for additional information regarding this determination).

- Deviation – Allow R-2 use in the CHHA west of US-19 (violates Comprehensive Plan Policy 4.10.10)

Stormwater Management: The application proposes a drainage retention area, which will be required to meet the technical standards of Chapter 6, Stormwater Management, of the LDC. The applicant is aware of the significant constraints on this site due to the soil types and velocity zone standards, and will need to design the proposal accordingly.

Tree Preservation/Landscaping/Buffers: The applicant has provided an extensive landscape plan with the application that proposes various buffers and plantings on the site. The site currently contains relatively few trees, many of which will need to be removed for this development. The applicant has proposed to retain a 15-foot natural buffer along the wetland lines (see wetland discussion below). In addition, the buffer standards outlined in LDC Section 3740, Additional Design Standards for Large Non-Residential Projects, while not currently indicated on the site plan, will be generally met with the revised site plan. An exception is the presence of a 10' Type "C" buffer (rather than the required 15' minimum Type "C" buffer) that encompasses the planting standards of a larger Type "D" buffer (without an accompanying wall) where the property abuts residential zoning. Staff has no concerns with this proposal.

In addition to the above, the application proposes placement of a landscape buffer within what is shown as the private right-of-way of W. Sanddollar Lane, in order to meet the standards of LDC Section 3740 which requires a type "C" buffer along the drainage retention area where it abuts the right-of-way. However, County records do not indicate the right-of-way in this location, and instead reflects a 25-foot wide right-of-way along the south side of this area. Staff cannot support placement of a buffer within a right-of-way.

- Deviation – 10' wide Type "C" buffer with plantings of a Type "D" buffer instead of 15' wide Type "C" buffer, and placement of buffer within the applicant-indicated (but not demonstrated) right-of-way of W. Sanddollar Lane.

The application also proposes a deviation from the standard in LDC Section 3740 that requires that main access driveways be completely separated from any parking area and/or pedestrian walkway by a landscaped island, not including intersections and walkways. In an attempt to address this requirement, the applicant has indicated that the revised site plan will contain a one-way traffic pattern to minimize conflicts.

- Deviation – No separation between main access driveway and parking areas

Wetland Impacts/Setbacks: The application site lies within the velocity flood zone, and as such is subject to a minimum 50-foot setback from all jurisdictional lines and water bodies. While not currently indicated on the proposed site plan, the applicant has stated that the

revised site plan will reflect this setback requirement. The application does not propose impact to existing wetlands.

- Deviation – 50' setback to wetlands and water bodies (Per applicant, to be addressed in revised site plan).

Parking Standards: The applicant has indicated that the site will contain 70 hotel rooms along with a restaurant and meeting room(s). Staff has not received a revised floor plan to accurately determine the required number of parking spaces, but based on the previously submitted floor plan a total of 116 spaces (70 rooms x 1.1 spaces per room plus 36 seats for 212-seat restaurant plus 10 spaces for 60-seat estimated capacity meeting room) would be estimated. The application proposes 63 parking spaces and 10 motorcycle spaces, while the revised site plan is proposed to indicate 76 parking spaces and 12 motorcycle spaces for a total of 88 spaces. The LDC does not include a provision for motorcycle parking, but the applicant has stated that the Ozello area is an attraction for motorcycle enthusiasts and as such motorcycle parking is justified.

- Deviation – Allow motorcycle parking to be provided as required parking and have 73 total parking spaces instead of 116 (Per applicant, revised site plan will have 88 total parking spaces).

Access Management/Traffic Circulation: As noted above, while the site plan indicates a two-way traffic circulation through the site, the revised site plan would be proposed as a one-way access. This is proposed to minimize traffic conflict with cars parking and backing out into the main access drive. However, there is an existing adjacent residence that utilizes a portion of the proposed access drive for access to the home. This application will need to continue to provide this residential access and may prevent the area from being utilized as a one-way access. This dedicated access point to the adjacent residence will need to be indicated clearly on the revised site plan.

The applicant has also indicated that the revised site plan will remove those landscaping areas that are currently proposed within the clear visibility triangle along the access on W. Sanddollar Lane, as well as at the intersection of W Sanddollar Lane and N. Pirate Point.

Engineering staff has also noted a concern with proposed construction traffic/heavy vehicles along the bridges located on N. Ozello Trail that lead to the site. As such, staff has recommended that the applicant provide assurance, in a format acceptable by the County Engineer, that the bridges can accommodate the proposed heavy vehicles prior to construction.

Regarding the adjacent roadways, LDC Section 6310.A.8 states the following:

Nonresidential development that accesses an unclassified county road shall either upgrade the portion of the roadway to County Roadway standards or provide testing and survey results indication [sic] that the roadway meets these requirements.

This requirement for the adjacent roadways has not been addressed in the application as proposed, and staff would recommend this condition if the application is approved by the Board of County Commissioners.

Other Standards: The application has not provided a revised facade rendering, but will be required to meet the general standards of LDC Section 3740, Additional Design Standards for Large Non-Residential Projects. In addition, to maximize compatibility of the project with the surrounding area staff would suggest that architectural standards be provided that are consistent with the coastal fishing community aesthetics in the general Ozello area.

The applicant has indicated that pedestrian amenities, bus/transit stop, bike parking, and sidewalks to the adjacent park will be provided on the revised site plan.

Consistency with the Comprehensive Plan

All development applications shall demonstrate complete compliance with the Comprehensive Plan. The Planned Unit Development application appears to be inconsistent with the following policies of the Comprehensive Plan:

Policy 17.3.20 All nonresidential development shall conform to the following Floor Area Ratio (FAR) standards for the land use district in which the development is located.

Land Use	Maximum FAR
Central Ridge Residential	0.2
Coastal and Lakes Commercial	0.3
General Commercial	1.0
Low Density Residential	0.2
Medium Density Residential	0.4
High Density Residential	0.5
Industrial	1.0
Mobile Home Park	0.2
Low Intensity Coastal and Lakes	0.2
Port	0.5
Port Commercial	0.3
Professional Services/Office	1.0
Public/Semi-public	0.5
Recreational Vehicle Park/ Campground	0.2
Rural Residential	0.2
Rural Activity Center	0.5

[Staff comment – the applicant has indicated that the revised site plan will comply with this policy.]

Policy 4.10.10 New construction or expansion of the following residential occupancy uses, as defined by the Florida Building Code (First Edition, Chapter 3, Section 311), are not allowed anywhere within the Coastal High Hazard Area:

New construction or expansion of the following residential occupancy uses are not allowed within that portion of the Coastal High Hazard Area which is located to the West of U.S. Highway 19, but shall be allowed to the East of U.S. 19 provided all minimum standards of the LDC are met, the proposed development is compatible with surrounding development, the development's

access, internal design, and general location do not impede the evacuation of its residents or neighbors, and the project does not negatively impact area evacuation clearance times:

R2: Multiple dwellings where the occupants are primarily permanent in nature, including: apartment houses, convents, dormitory facilities which accommodate 6 or more persons of more than 2 ½ years of age who stay more than 24 hours, fraternities, sororities, monasteries, and rooming houses (transient).

New construction or expansion of the following residential occupancy uses are allowed within the Coastal High Hazard Area:

R-1: Residential occupancies where the occupants are primarily transient in nature, including: Boarding housing (transient), hotels, and motels, and

R-3: Residential occupancies including the following: 1 and 2-family dwellings where the occupants are primarily permanent in nature and not classified as R-1, R-2, or Institutional, child care facilities which accommodate 3 or fewer children of any age for any time period, rectories and parsonages....

[Staff comment – the applicant has filed a formal appeal in response to staff's determination that the proposal does not comply with this policy. That appeal has been placed on hold at the applicant's request until December, 2014, and as such staff continues to comment that the application as currently proposed is inconsistent with this policy].

PROPOSED FINDINGS OF FACT

Staff reviewed this application under the standards of Section 4300, Planned Unit Developments (PUD), of the LDC. The BCC may adopt modified conditions of approval pursuant to LDC Section 4302, PUD Approval Procedures, when in the public interest and expressed in formal findings of fact. The reviewing body shall approve, approve with modifications and/or conditions, or disapprove the Planned Unit Development. The reviewing body shall enter its reasons for such action in its record. As evidence, the following findings of facts are cited.

- A. Only uses which are consistent with the Comprehensive Plan may be approved as a PUD.** *The non-transient use proposed is inconsistent with the Comprehensive Plan as outlined above.*

- B. Any development approved through the PUD application process, which is not designated a use in the respective land use district for the subject PUD parcel, shall be compatible with established or planned uses both within the development footprint and surrounding neighborhoods and property.** *The PUD provides the benefit of a Master Plan of Development that serves to safeguard against potential conflicts with existing adjacent land uses. The proposal of a four-story commercial building in an area surrounded by single-family residential homes and a public park/boat ramp appears to be incompatible.*

- C. Accessory uses shall be permitted as set forth within the approved general concept plan or as found by the Board of County Commissioners to be compatible with an approved plan.** The applicant has proposed a pool on the master site plan.
- D. Subsequent to the approval of a PUD, uses not enumerated may be permitted through amendment of the PUD and approved by the Board of County Commissioners.** *N/A at this time. The applicant is aware that any future uses may require an amendment to this Planned Unit Development.*
- E. A PUD petition is subject to the following minimum acreage standards:**
- 1. A development consisting of a nonresidential development shall contain at least one acre;**
 - 2. A residential development shall have a minimum of five acres; and**
 - 3. A mixed-use development shall have a minimum of five acres.**

The site is greater than one acre in size.

- F. The land area included within the PUD development shall be of such proportions as to properly accommodate all proposed uses in keeping with the general requirements of the county and the established objectives and policies of the adopted Comprehensive Plan.** *The land area proposed for the uses does not currently meet the ISR and FAR standards outlined within the Comprehensive Plan, although the applicant has indicated that a revised site plan will meet these requirements. The revised site plan would be proposed to meet the maximum allowable FAR and ISR standards in the CLC district, which via the PUD process would appear to be excessive in this open, environmentally sensitive area.*
- G. Landscaping and design and maintenance shall follow the principles of *Florida Friendly Landscaping*™ and the *Florida Yards and Neighborhoods (FYN) Homeowner Program* to reduce water use and fertilizer runoff.**
- 1. Planted turf grass and landscaping on residential lots shall be limited to a maximum of 50% of the upland portion of the lot.**
 - 2. Turf grasses and landscape vegetation shall be common to the area and drought tolerant.**

While the applicant has not addressed these standards, if the application is approved staff would recommend that these requirements be listed as a condition of approval. .

- H. There shall be no specific lot requirements for individual uses; provided, however, that the area designated for any particular use shall be of sufficient size and proportion so as to properly accommodate said use and to provide for adequate open space and buffering between it and an adjacent use.** *The applicant has not requested specific lots for this project, and staff has no concerns as to the proposed buffers along the roadways in the plan.*

- I. **The maximum height of structures, setbacks, and density within a PUD development shall be as specifically established by the Board of County Commissioners in its approval action.** *The applicant has indicated that the structure will comply with the height standards within the CHHA, and while not currently indicated on the plan, setbacks are proposed to meet the minimum 50-foot waterfront/wetland setback in the velocity flood zone.*
- J. **Approval of the proposed PUD development shall include approval of all maps, diagrams, tables, and reports submitted by the applicant.** *The applicant has indicated that a revised site plan will be submitted prior to placement of this application on the agenda of the Board of County Commissioners.*
- K. **A planned unit development will terminate within three years of the date of approval if either a site development plan or preliminary subdivision plat application is not filed with the county. If one of these applications is not filed within the specified time frame, the PUD shall be null and void.** *The applicant has not requested a deviation from this requirement.*

SUMMARY OF FINDINGS

It has been determined that the reviewing body (PDC) shall make recommendations of the proposed Planned Unit Development to the Board of County Commissioners for their consideration. Staff finds that the proposed development, even with a revised site plan as proposed, is inconsistent with the Comprehensive Plan for a condominium use (R-2 occupancy) within the CHHA. Staff also has a concern with the request for a maximum ISR and FAR allowance within this remote, predominantly residential community within the velocity flood zone, and the overall compatibility of a four-story commercial structure in this coastal area. The subject property has requested a land use change to Coastal Lakes Commercial on the Future Land Use Map, and the Land Use Atlas Map, and this change will need to be approved to accommodate the uses as proposed. Granting this request will adversely affect the public interest, and would be generally incompatible with adjacent properties and other properties in the district.

RECOMMENDATION:

STAFF RECOMMENDATION:

Based on the staff report analysis, the findings of fact for the Comprehensive Plan, and the findings of fact for the Planned Unit Development, the application is inconsistent with the Citrus County Comprehensive Plan, the Citrus County Land Development Code, and is incompatible with the surrounding area.

1. Comprehensive Plan Amendment – **DENIAL**
2. Atlas Amendment – **DENIAL**
3. Planned Unit Development - **DENIAL**

PDC RECOMMENDATION:

1. Comprehensive Plan Amendment –
2. Atlas Amendment –
3. Planned Unit Development -

BOARD OF COUNTY COMMISSIONERS ACTION:

1. Comprehensive Plan Amendment -
2. Atlas Amendment –
3. Planned Unit Development -

JLC-CLJ
Attachments