

ORDINANCE NO. 21-O-14

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

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

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

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

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

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

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

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

SECTION 1. PURPOSE.

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

SECTION 2. AUTHORITY.

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

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

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

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

SECTION 4. REPEAL OF CONFLICTING ORDINANCES.

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

SECTION 5. CONDIFICATION/INSTRUCTIONS TO CODE CODIFIER/EXHIBITS

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

SECTION 6. SEVERABILITY.

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

SECTION 7. MODIFICATION.

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

SECTION 8. EFFECTIVE DATE.

This Ordinance shall become effective as per Florida law.

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

ATTEST:

CITY OF CRYSTAL RIVER

MIA FINK, CITY CLERK

JOE MEEK, MAYOR

NOTICE published on _____

PASSED on First Reading _____

PASSED on Second and Final Reading _____

**APPROVED FOR CORRECTNESS
AND FORM:**

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

VOTE OF COUNCIL:

Meek: _____

Brown: _____

Guy: _____

Fitzpatrick: _____

Holmes: _____

APPENDIX "A"

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

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

Vehicle (new or used automobiles, buses, farm equipment, motorcycles, trucks, recreational vehicles, and mobile homes) sales, rental, service, and repair (including parts and accessories stores, truck stops, body shops, road services, car wash facilities)									S	S				
Watercraft and watercraft accessory sales and/or rentals							P		P			P		

#2 – THAT APPENDIX A – LAND DEVELOPMENT CODE OF THE CRYSTAL RIVER, FLORIDA, CODE OF ORDINANCES IS HEREBY AMENDED BY ADDING A NEW SECTION 5.05.17. CRAFT BREWERIES, WINERIES, AND DISTILLERIES, WHICH READS AS FOLLOWS:

5.05.17 – Craft Breweries, Wineries, and Distilleries

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

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

1. Craft breweries, wineries, and distilleries are permitted in the following zoning districts:
 - a. High Intensity Commercial (CH)
 - b. General Commercial (CG)
 - c. Waterfront Commercial (CW)
 - d. Industrial (IND)
2. The tasting room for craft distillery shall not exceed 75% of the gross square footage of the building.
3. Parking shall be based on the mix of uses and the square footage that is present on the site. Parking requirements in the CRA shall adhere to the standards provided for the district. The Urban Land Institute's (ULI) Shared Parking standards (table) is appropriate

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

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

End of Exhibit "A"