



**DEPARTMENT OF GROWTH MANAGEMENT
2020 SMALL SCALE
COMPREHENSIVE PLAN AMENDMENT AND
ATLAS AMENDMENT
STAFF FINDINGS REPORT
TO THE
PLANNING AND DEVELOPMENT COMMISSION**

APPLICATION NUMBER: CPA/AA/PUD-20-04
Crystal River Solar 2, LLC for Holcim, Inc.

DATE: April 7, 2020

PREPARED BY: Ted Kozak, AICP, Principal Planner; Land Development Division

Request to amend the Future Land Use Map (FLUM) of the Citrus County Comprehensive Plan, to amend the Land Development Code Atlas Map, and to establish a new Planned Unit Development (PUD) for an access road to an adjacent power generation facility:

FUTURE LAND USE MAP REQUEST:	<p>From: CL, Low Intensity Coastal and Lakes District; AGR, Agricultural District and EXT, Extractive District</p> <p>To: TCU, Transportation/ Communication/ Utilities District</p>
LAND USE ATLAS MAP REQUEST:	<p>From: CL, Low Intensity Coastal and Lakes District; AGR, Agricultural District, AGR, Agricultural District with Mobile Homes allowed, and EXT, Extractive District</p> <p>To: TCU, Transportation/ Communication/ Utilities District with a Planned Unit Development</p>
LOCATION:	<p>Sections 14, 23, and 24, Township 17 South, Range 16 East; specifically, a portion of Parcel 10000-A (LR-07-05); a/k/a a portion of Alternate Key No. 3511660, which address is 12664 W. HCR Limestone Trail, Crystal River, FL. A complete legal description of the property is on file with the Land Development Division.</p>
ACREAGE	<p>Approximately 9.3 acres</p>
SURROUNDING AREA/ LAND USE	<p>North – Existing mine site - buffer area (EXT, CL and AGR District) South – Existing mine site - buffer area (EXT, CL and AGR District) East – U.S. -19/ 98 and vacant residential (LDR District) West – Existing mine site (EXT District)</p> <p>The area consists primarily of an existing mining operation and several Duke power generation facilities</p>
SOIL INFORMATION:	<p>According to the <i>Soil Survey of Citrus County</i> (1988), the soil type in the area is primarily Boca fine sands, with some pockets of Broward fine sand and Boca fine sand (depressional). Limitations to building development are severe for these soil types due to wetness and ponding. (The smaller Broward fine sand areas have a moderate limitation due to wetness.)</p>

FLOOD ZONE:	According to the Flood Insurance Rate Map (FIRM), the subject property is located in Flood Zones X and AE (base flood elevations nine feet to 10 feet), as found on Community-Panel Number 12017C0044D
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BACKGROUND:

This is part of an approximately 5,400-acre property contained within an existing authorized aggregate limestone mine operated by Holcim, Inc. which is adjacent to the west by Duke Energy power generation facilities. The overall 5,400-acre mining property was approved by Citrus County on September 16, 1997, and as amended on January 29, 1998, for mining and related activities via MDO-97-01. The applicant has stated that the proposal will be consistent with that approval; with the exception of the fact that the subject 9.3-acre portion of the master site will be traversing a 100-foot-wide access easement swath through the 3,000-foot natural buffer for the mining operation.

On August 15, 2019, a Conditional Use (CU-19-10) was approved for a Power Generation Facility, a ground-mounted photovoltaic solar array, in the EXT, Extractive District on the adjacent 514-acres to the west. Since that date, the applicant has been unable to secure access to the north as previously proposed; therefore, the subject 9.3-acre portion of the overall Holcim site is now proposed to be utilized to access the area included in the previously approved CU-19-10. The access location to the adjacent solar facility to match the subject application has been submitted for concurrent review and approval through application Conditional Use CU-20-03.

ANALYSIS

The applicant is requesting to utilize a central portion of the overall Holcim property for an access to US-19 to the recently approved ground-mounted photovoltaic solar array site in the EXT District as discussed above. The request is required since the current mix of land use designations are not compatible with the non-residential access road proposal. The current proposal includes only this accessway for the adjacent solar power generation site and power generation facility and its accessory uses which is permitted in the TCU District.

The proposed TCU land use district is an appropriate district for associated uses related to a solar power generation facility. The district also allows uses such as LP gas storage/distribution, broadcast stations, communication towers, water and wastewater facilities, and wellfields.

The proposed access is located within, and completely surrounded by, the existing Holcim mining property. It is 300 feet from W. Power Line Street to the south, a 65-foot wide paved, private, local right-of-way, and is adjacent to US-19/98, a principal arterial roadway to the east. The subject site area is vacant and heavily forested.

As proposed, the accessway will extend westward a little over 3,000 feet from US-19/98. Across and east of US-19/98 is vacant single-family residential in the LDR District. The accessway is fully contained within the overall Holcim property and will abut the CL and AGR Districts to the north and south. The LDC would typically require a Type "D" buffer where a TCU use abuts these residential and agricultural districts, however, the project area is a part of the overall Holcim property and continues to be governed by the 1997 Development Order for the mining operations. The only difference is that the subject portion of the Holcim site was designated as a 3,000-foot buffer for the mining operations, therefore, LDC Tree Preservation standards are required to be

met. The preservation of existing vegetation, as required by the prior approval and as required by the LDC, will be used to meet and/or supplement this requirement.

The applicant requires compliance with State and federal agencies:

- *Stormwater Management/ Wetlands*

The proposed project will require the removal of wooded areas which will increase peak runoff that will be offset through the installation of berms and other stormwater management measures in accordance with LDC Chapter 6 as well as Southwest Florida Water Management District (SWFWMD) requirements.

The adjacent area is known to contain jurisdictional wetlands. The applicant indicates that the proposed road access would not result in impacts and since the proposed location was intentionally situated as shown in order to avoid environmentally sensitive areas. Compensatory mitigation for any impacts is currently addressed in the applicable State of Florida Department of Environmental Protection (FDEP) and U.S. Army Corps of Engineers (ACOE) permits and will be modified as necessary by the proposed project.

- *State and Federally protected species*

As previously discussed by the applicant, as part of any FDEP and ACOE permit modifications, State and Federal protected species, such as the West Indian Manatee, Florida Scrub-Jay, Red Cockaded Woodpecker, Wood Stork, and Eastern Indigo Snake, as listed by the 1995 Biological Opinion for the 1997 original MDO approval, will be re-evaluated and addressed as needed. Further, a Conservation Permit from the Florida Fish and Wildlife Conservation Commission will be obtained to relocate all present gopher tortoises, as needed, to an off-site recipient site.

Industrial/Utility uses such as power generation facilities are exempt from the standards outlined in the LDC for either large or small nonresidential projects (Sections 3740 and 3745).

SUMMARY OF AGENCY COMMENTS: No comments have been received from outside agencies at this time.

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

REQUEST FOR LAND USE CHANGE

Concurrency

- a) Sanitary Sewer – Not applicable. The requested PUD and accessway will not utilize sewerage systems.
- b) Potable Water – Not applicable. The requested PUD and accessway will not utilize water systems.
- c) Solid Waste – Not applicable. The requested PUD and accessway will not utilize commercial solid waste collection.

- d) Drainage – The proposal will be subject to drainage requirements at the time of permitting.

Consistency with Comprehensive Plan – The applicant has evaluated the Comprehensive Plan and states the application is consistent with the following Policies:

Objective 15.1 The analysis has shown that present units may need to be upgraded and transmission lines may need to be extended and/or constructed to meet present and future demand. To meet these needs and to insure that costs are not excessive, the County shall support energy conservation efforts of Duke Energy Florida and support sustainable development concepts that provided for energy efficiency.

Staff comment: This proposal allows access to the adjacent approved facility to provide alternative sources of energy and promote sustainable development concepts for energy efficiency.

Policy 15.3.2 Spatial separation or buffering shall be required for all substations or other similar utility facilities.

Staff comment: The proposed project area is located wholly within the Holcim property and is adjacent to US-19/98, which is approximately 200 feet from the closest off-site residential land use district and approximately 1,100 feet from the nearest residence to the east. Penetration of the 3,000 foot required mining buffer by the proposed accessway will be mitigated by additional vegetation as needed. Separation and buffering will be maintained and supplemented as necessary to ensure compatibility with surrounding area.

Policy 17.5.2 Commercial, Industrial, and other appropriate uses shall be allowed in Planned Developments when part of an approved Plan of Development and where development standards are met as specified by the LDC.

Staff comment – The proposal would allow an accessway specifically limited as an accessory to the adjacent power generation facility, within a Planned Unit Development (PUD).

Policy 17.2.7 The County shall guide future development to the most appropriate areas, as depicted on the FLUM, specifically those with minimal environmental limitations and the availability of necessary services.

Staff comment – The application proposes the use of the TCU District with land use restrictions through a Planned Unit Development, which will reduce the potential for future higher intensity development.

Impacts on Affordable Housing – The proposal may create additional jobs, but does not appear to have an impact on affordable housing since no permanent housing is proposed.

Compatibility with Adjacent Land Uses – The proposed use as an accessway for an approved solar facility is compatible with the adjacent overall Holcim site. The location of the core of the proposed site improvements within an overall larger parcel provides buffering for the surrounding

area. Furthermore, the Master Plan includes a Planned Unit Development in order to provide a limit of development.

Environmental – A Biological Study, a wetlands assessment and a tree preservation plan, as needed, for undisturbed areas of the site will be required at the time of permitting. This includes analysis of any specimen trees that may be located and proposed for removal on the site.

PROPOSED FINDINGS OF FACT – LAND USE CHANGE

1. The request is to redesignate approximately 9.3 acres from CL, AGR and EXT to TCU on the Future Land Use Map and from CL, AGR, AGR-MH and EXT to TCU with a PUD on the Land Development Code Atlas Map
2. The proposed land use is generally consistent with the Comprehensive Plan.
3. The PUD provides the benefit of a Master Plan of Development that serves to mitigate against potential conflicts with existing adjacent land uses.

REQUEST FOR PLANNED UNIT DEVELOPMENT

This application proposes to establish a Master Plan of development to establish a focused and specific proposal to allow an accessway to an adjacent approved power generation facility. No deviations from LDC requirements are proposed.

Consistency with the Land Development Code (LDC): The proposal was reviewed using the standards outlined in LDC Section 4300, Planned Unit Developments.

Access Management/Transportation: The Site Plan indicates that the subject site will be from US-19 via an access drive at a break in the median. The location of the proposed access drive would need to meet the requirements of Section 7150, Access Management for State Highways. The proposed driveway location appears to exceed the required driveway spacing of 660 feet, where actual spacing is over a mile.

Onsite improvements will need to meet the requirements of Section Chapter 6, Stormwater Management, and Chapter 7, Transportation System Standards. The Engineering Division has no objection.

Impervious Surface: The accessway as proposed has an impervious surface ratio (ISR) of approximately 20 percent, where the maximum ISR for the TCU District is 70 percent.

Floor Area Ratio: The Floor Area Ratio (FAR) is determined by dividing the gross floor area of proposed buildings by the area of the lot in which the buildings are located. The maximum allowable FAR for the TCU District is 1.0, but no building areas are proposed.

Biological Survey/Protected Species: The applicant will be required to submit a Protected Species and Wetland Assessment for undisturbed areas greater than 5 acres in size.

Stormwater Management: Any drainage areas will be required to meet LDC requirements at the time of permitting.

Tree Preservation: The site is mainly forested with the exception of scattered trees adjacent to US-19/98. At this time, the proposal contains no specifics regarding the size and species of trees within the interior of the site and along property lines. At the time of site improvement plans, the applicant will need to provide evidence of meeting minimum LDC standards for tree removal/mitigation.

PROPOSED FINDINGS OF FACT – PLANNED UNIT DEVELOPMENT

Staff reviewed this application under the standards of Section 4300, Planned Unit Developments (PUD), and Section 2417, Transportation/Communication/Utilities District, as specified in the LDC. The Board of County Commissioners (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 PUD. 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 proposed road access is consistent with the Comprehensive Plan as an accessory for the provision of power generation facilities on the adjacent site, provided all the existing vegetation is maintained and additional landscaping is installed as needed.*
- 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.** *With the exception of the vacant residential properties located on the east side of US-19/98, the surrounding area in its entirety is bounded by the existing Holcim mining site. Natural areas, buffers and existing vegetation will be preserved and supplemented by additional landscape buffers as needed to meet LDC requirements.*
- 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 site area is proposed to be specifically limited to an accessway, which is accessory to the adjacent power generation facility.*
- 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.** *The applicant is aware that any future uses may require an amendment to this Planned Unit Development.*
- E. **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 project will meet all standards for impervious surface as outlined in the Comprehensive Plan and Land Development Code.*
- F. **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. *Landscaping and buffers will meet LDC requirements at the time of permitting.*

- G. 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.** *There are no proposed structures requiring setbacks.*
- H. Approval of the proposed PUD development shall include approval of all maps, diagrams, tables, and reports submitted by the applicant.** *The applicant has submitted a Site Plan date-stamped received February 3, 2020 for this application.*
- I. 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 is not requesting a deviation from this standard.*

SUGGESTED CONDITIONS:

- 1. The Planned Unit Development (PUD) shall allow for an accessway as outlined on the plans date-stamped received February 3, 2020, by the Land Development Division. Improvements shall take place in accordance with the criteria and requirements of the Citrus County Land Development Code, unless as specifically outlined within these conditions.
- 2. A Tree Preservation Plan must be submitted and approved at the time of permitting.
- 3. The project is required to meet the LDC requirements of Chapter 6 for Stormwater Management and Chapter 7 for Access Management at time of permitting.
- 4. Where standards are not specified herein, the Citrus County Land Development Code standards (or current code standards) will apply.
- 5. Minor modifications to this Planned Unit Development may be approved by the Director of the Land Development Division as outlined within Section 4304, Modification of a Previously Approved Planned Unit Development, as specified in the LDC.

TK/AP/cb