

ORDINANCE #ORD2016-03

AN ORDINANCE AMENDING VARIOUS ELEMENTS OF THE COMPREHENSIVE PLAN OF THE CITY OF DUNNELLON, FLORIDA, TO REFLECT CHANGES REQUIRED BY THE COMMUNITY PLANNING ACT PURSUANT TO THE SECTION 163.3191, FLORIDA STATUTES, AND THE CITY'S EVALUATION AND APPRAISAL NOTIFICATION LETTER TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY; AMENDING GOALS, OBJECTIVES, AND POLICIES CONSISTENT THERETO; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR THE FORWARDING OF THIS ORDINANCE TO THE DEPARTMENT OF ECONOMIC OPPORTUNITY; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dunnellon is committed to planning and managing the future growth and development of the City; and

WHEREAS, pursuant to Section 163.3191, Fla. Statutes, the City timely prepared and Council approved an evaluation and appraisal notification letter and transmitted the letter to the Department of Economic Opportunity; and

WHEREAS, consistent with the Community Planning Act and its evaluation and notification letter, the City has prepared amendments to the elements of the Comprehensive Plan, which reflect changes in state law; and

WHEREAS, the Planning Commission, sitting as the Local Planning Agency of the City of Dunnellon, held a public hearing on this Ordinance which was advertised in accordance with State law; and

WHEREAS, the public hearings for this Ordinance have been advertised as required by State law; and

WHEREAS, the City Council of the City of Dunnellon hereby finds and determines that the plan amendments are internally consistent and consistent with the City's Comprehensive Plan; and

WHEREAS, it is in the best interests of the City of Dunnellon to amend the Comprehensive Plan for the City of Dunnellon as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DUNNELLON, FLORIDA:

Section 1: Legislative Findings.

The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Dunnellon.

Section 2: Comprehensive Plan Amendments. Attached hereto as Exhibit A, and incorporated herein by reference are amendments to all elements of the City’s Comprehensive Plan.

NOTE: Words ~~stricken~~ are deletions; words underlined are additions.

Section 3. Data and Analysis. The supporting data and analysis shall be transmitted by the City to the Department of Economic Opportunity and the review agencies with the Comprehensive Plan Amendments, but the data and analysis is not adopted by this Ordinance.

Section 4. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

Section 5. Directions to City Clerk or designee. Within ten (10) days after the first public hearing, the City Clerk or designee shall transmit a paper copy of this Ordinance, the Comprehensive Plan amendments and supporting data and analysis and two electronic copies thereof on a CD ROM in PDF format to the Department of Economic Opportunity; and one paper copy shall be transmitted to and the North Central Florida Regional Planning Council, the Southwest Florida Water Management District, the St. John’s River Water Management District, the Department of Environmental Protection, the Department of State, the Department of Transportation, Marion County, and any other unit of local government or governmental agency in the State of Florida that has filed a written request with the Clerk of the City of Dunnellon, Florida.

Section 6. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the City that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

Ordinance Posted on the City’s website on March 7, 2016. The first public hearing was advertised on the City’s website on March 4, 2016. The 1st public hearing was advertised in the Ocala Star Banner on March 4, 2016. The 2nd public hearing was advertised in the Ocala Star Banner and Riverland News on June 9, 2016 and on the City’s website on June 02, 2016.

PUBLIC HEARING AND FIRST READING on the 14th day of March, 2016.

ADOPTED AND ENACTED ON SECOND READING on the 15th day of June, 2016.

CITY OF DUNNELLON

Nathan Whitt, Mayor

ATTEST:

Dawn M. Bowne, M.M.C.
City Clerk

Approved as to Form and Legal Sufficiency:

Andrew Hand, City Attorney

I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and the Dunnellon Library, in the City of Dunnellon, Florida, and on the City's Official Website this 7th day of March 2016.

Dawn M. Bowne M.M.C.
City Clerk