

These Minutes outline the changes City Council made to Ordinance #ORD2015-10 as presented during the Public Hearing for adoption during second reading. See signed ordinance and exhibit attached.

Dunnellon City Council Minutes
November 9, 2015
5:30 p.m.

MASTER

Call to Order – Mayor Whitt at 5:30 p.m.

Pledge of Allegiance – Led by Mayor Whitt

Opening Prayer/Moment of Silence - Pastor Tom Welch provided the invocation.

Roll Call

Council		Staff
Mayor Whitt	Seat 1	Eddie Esch, City Manager
Vice Mayor Evans	Seat 2	Dawn Bowne, City Clerk
Councilwoman Fleeger	Seat 3	Joe Campfield, Public Safety Director
Councilman Dillon	Seat 4	Virginia Cassady, City Attorney
Councilman Green	Seat 5	Lynn Wyland, Staff Assistant

Fire Chief Campfield left the meeting at approximately 6:52 p.m.

Councilwoman Fleeger left the meeting at approximately 9:45 p.m.

Proof of Publication – The Agenda was posted on the City's website and City Hall bulletin board on Friday, November 6, 2015.

Chairman's Comments Regarding Agenda

Mayor Whitt moved Items #3 and #8 to the beginning of the agenda, before **Public Comments** and the **Consent Agenda**. He asked all to proceed to the memorial in front of City Hall for a special Veteran's Day presentation.

6. PRESENTATION OF PROCLAMATION #PRO2015-06, VETERANS DAY

The following donated items in honor of Veteran's Day:

- Jerri Gibbs, of Turner House, donated the flowers for the memorial
- Lowes Home Improvement donated 100 flags
- Paul Cowan, Jr. donated flags

Mayor Whitt read the following proclamation:

“PROCLAMATION #PRO2015-06
VETERANS DAY

WHEREAS, Since the birth of our Nation, American patriots have stepped forward to serve our country and defend our way of life. With honor and distinction, generations of servicemen and women have taken up arms to win our independence, preserve our Union, and secure our freedom. These heroes have put their lives on the line so that we might live in a world that is safer, freer and more just. We owe them a profound debt of gratitude; and

WHEREAS, American's throughout this nation have set aside Veterans Day for special remembrance of the Soldiers, Sailors, Airmen, Marines, and Coast Guardsmen who have rendered the highest service any American can offer. On this day we salute and we rededicate ourselves to fulfilling our commitment to all those who serve in our name, and as more members of our military return to civilian life, we must support their transition and make sure they have access to the resources and benefits they have earned; and

WHEREAS, Today we are reminded of our solemn obligation: to serve our veterans as well as they have served us. As a Nation, we must ensure that every veteran has the chance to share in the opportunity he or she has helped to defend. Those who have served in our Armed Forces have the experience, skills, and dedication necessary to achieve success as members of our civilian workforce. Our Nation must dedicate itself to ending the tragedy of homelessness among our veterans by providing them with quality health care; access to education and the tools they need to find a rewarding career; and

WHEREAS, We recognize the sacrifice of those who have been part of the finest fighting force the world has ever known and the loved ones who stand beside them. We will never forget the heroes who made the ultimate sacrifice and all those who have not yet returned home. The sound of taps will fill the air at countless ceremonies around the country and at our bases overseas in tribute to those who gave their lives. On this special day, our hearts and prayers also turn to those who were disabled while serving their country; and

WHEREAS, the United States Congress has declared that November 11th of each year shall be set aside as a legal public holiday to honor our Nation's veterans.

NOW, THEREFORE, the City Council of the City of Dunnellon hereby acknowledges Wednesday, November 11, 2015 as VETERANS DAY in the City of Dunnellon. We encourage all Americans to recognize the valor and sacrifice of our veterans through appropriate public ceremonies and private prayers; by displaying the flag of the United States of America; and participating in patriotic activities in their communities.

PASSED and PROCLAIMED this 9th day of November 2015.”

Gladys Murphy, from the American Legion and several members of the military accepted the proclamation.

8. SPECIAL PRESENTATION BY DUNNELLON CITY COUNCIL TO LT.

BRIAN SPIVEY

Mayor Whitt made a presentation to former Lieutenant, now “Captain” Brian Spivey, from the Marion County Sheriff’s Office. Captain Spivey’s family and Sheriff Blair were also present. Mayor Whitt presented Captain Spivey with a plaque and thanked him for his service to the City.

Public Comments

Comments from the following were deferred to the Comp Plan public hearing:

- Kathryn Taubert, 19436 SW 101st Place Rd., Rainbow Springs
- Bill Vibbert, 9552 SW 192nd Court Rd., Rainbow Springs

CONSENT AGENDA

(Note: Motion to approve items on the consent agenda is a motion to approve the recommended actions.)

1 CITY COUNCIL WORKSHOP MINUTES

September 9, 2015

October 7, 2015

Documents: cwm20150909.pdf, cwm20151007.pdf

2. CITY COUNCIL MINUTES

August 26, 2015 Special

September 14, 2015

September 28, 2015 Special

October 12, 2015

Documents: cmm20150826_Special.pdf, cmm20150914.pdf,
cmm20150928_Special.pdf, cmm20151012.pdf

3. APPROVE PROCLAMATION #PRO2015-06, VETERANS DAY

Documents: 2015_06_Veterans Day.pdf

**4. AUTHORIZE PURCHASE REQUESTS FOR GRINDER PUMP
EXCHANGE PROGRAM FY 2016 WITH WRT**

Documents: Grinder Pump Xchg POR with backup.pdf

**5. AUTHORIZE MAYOR TO SIGN AMENDMENT #4 TO #AGR2012-97 -
IPO 4 WITH KIMLEY HORN, FOR US41/SR45 EAST MCKINNEY WATER
MAIN REPLACEMENT**

Documents: AGR2012_97Amend4toIPO41_US41SP45EMcKinneyWaterMain.pdf

CONSENT AGENDA APPROVAL

Vice-Mayor Evans recommended a correction to the City Council meeting minutes of September 28, 2015, on Page 12. The sentence should read as follows: "Vice-Mayor Evans reported on the BOCC approving the TDC recommended bed tax."

Mrs. Bowne made the correction to the minutes.

Councilman Dillon moved the consent agenda be approved with Vice-Mayor Evans' recommended correction. Councilwoman Fleege seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

REGULAR AGENDA

7. NOVEMBER 21ST - RAINBOW SPRINGS ART FESTIVAL - SUSAN JONES

Susan Jones, Rainbow Springs Art Association, stated the art festival will be held at the Dunnellon Plaza on Saturday, November 21, 2015 from 10:00 a.m. to 4:00 p.m. She said the goal of the festival is to bring local artists together. She stated the event is supported by local businesses and in partnership with the DBA, Friends of Dunnellon and the Chamber of Commerce.

Councilman Dillon recommended waiving the permit fee.

Mr. Esch explained the site inspection of the tent, is established by an ordinance and State Statute. He said he would research waiving the permit fee.

9. RESOLUTION #RES2015-36, PERSONNEL MANUAL AMENDMENT

Councilman Dillon moved Resolution #RES2015-36 be read by title only. Councilwoman Fleege seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

Mrs. Bowne read the following into the record:

“RESOLUTION #RES2015-36

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF DUNNELLON ADOPTING PERSONNEL MANUAL AMENDMENTS AND CHANGES TO ARTICLE X, SECTION 6.1 PAY AND CLASSIFICATION PLAN; 6.2 – PAY CLASSIFICATION BY GRADE – OTHER AND PROVIDING FOR AN EFFECTIVE DATE.”

Councilman Fleege moved Resolution #RES2015-36 be approved. Councilman Dillon seconded the motion.

Mayor Whitt called for discussion. There was none.

The vote was taken and all were in favor. The vote was 5-0.

Documents: RES2015_36_Personnelmanualamend_pay_classificationplan.pdf

10. PUBLIC HEARING ORDINANCE #ORD2015-10, COMPREHENSIVE PLAN AMENDMENT #CPA2015-01 (Advertised in the Ocala Star Banner on 11/4/2015, in the Riverland News on 11/5/2015 and on the City's website on 10/30-2015)

Mayor Whitt stated, "All persons wishing to address the City Council will be asked to limit their comments to the specific subject being addressed. Public opinions and input are valued by the Council. However, it is requested that comments are directed at specific issues rather than personal comments directed toward the Council members or staff in order to foster mutual respect between council members and the public.

Members of the public in attendance at public forums should listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

Members of the public addressing City Council and boards/commissions on a specific project or proposal are requested to disclose any personal interest or relationship; and any business, professional, or financial interests with any individual, group, project or proposal regarding the subject matter under review. Members of the public should always err on the side of more public disclosure, not less, in order to provide integrity to the public process."

Mayor Whitt gaveled down and stated, "It is now 6:04 p.m. and I close the regular meeting and open the public hearing to discuss: Ordinance #ORD2015-10, Comp Plan Amendments, #CPA2015-01, published in the Ocala Star Banner on November 04, 2015, in the Riverland News on November 5, 2015 and posted on the City's Website October 30, 2015."

Attorney Cassady presented staff comments. She stated the City transmitted the Comprehensive Plan and the following four Elements: *The Future Land Use Element, Conservation Element, Public Facilities Element and the Aquifer Protection Element* to DEO and other agencies pursuant to the Community Planning Act. She stated the City received two or three comments back from the agencies, one being from the North Regional Planning Council, recommending a change to one part of the Conservation Element, which she will discuss later in the hearing. She provided the following:

II. Background

As a result of public sentiment, in the Fall, 2014, the City Council tasked the Planning Commission, the City's local planning agency, with reviewing the Comprehensive Plan to consider whether the Comprehensive Plan provisions requiring a 150-foot waterfront setback along the rivers and navigable coves, adopted in 2008, should be changed to reduce the setback.

While reviewing the goals, objectives, and policies (“GOP’s”) of the Comprehensive Plan to determine what provisions would require amending to avoid inconsistent terms if the waterfront setback was changed,² the City’s planner consultant found numerous GOP’s which were obsolete, inconsistent with State law, or were more suitable, due to their regulatory detail, for placement in the land development regulations.³ Therefore, in addition to proposing changes which would be necessary if the waterfront setback provisions were changed, he proposed additional changes to other Elements as well.

As is customary, the City’s planner consulted with the city attorney regarding the changes and proper wording. While reviewing the planner’s proposed changes, the city attorney found additional GOP’s which needed correction due to inconsistencies with current State law. Also, the city attorney questioned whether the Comprehensive Plan properly reflected the City’s policies regarding the eventual elimination of structures built prior to 2008 within the 150-foot waterfront setback, which were made nonconforming by Future Land Use Element Objective 4 and policies therein.

During the revision and review process by the planner and city attorney, the Community Development Department was approached by an attorney for an owner of vacant property in the Nine Island Cove Subdivision regarding the land use and zoning of the parcels owned by his client. When researching the future land use designation and zoning for the parcels in question, the planner and city attorney found that the parcels had been re-designated from residential to conservation on the future land use map in 2008. In the best interests of the City, a proposed

text change to Policy 1.10 of the Future Land Use Element was added to the Comprehensive Plan amendments to be considered by the Planning Commission.

Also during the review process, concern was raised by City Council and some owners of residences which had been made nonconforming due to legislative creation of the water-oriented commercial zoning district (B-6), which prohibited residential use. If those residences are destroyed because of a natural disaster, the owners would lose their homes. Future Land Use Element Objective 4 and the policies therein are proposed to be amended to reflect that owners of property with nonconforming structures or structures devoted to nonconforming uses may build back in the event of a natural disaster. The policies also give special consideration to structures within the 150-foot waterfront setback.

III. Procedure

The Planning Commission held two lengthy public hearings on January 20, 2015, and February 17, 2015. As a result of overwhelming public input, the Planning Commission instructed the City’s planner to leave the 150-foot waterfront setback in Conservation Element Policy 9.1 and other policies, but some revisions were made to the policies.

Due to the fact that the City contemplated receiving a grant from DEO to complete the revisions on the Comprehensive Plan, the Planning Commission tabled further consideration of the Plan amendments at its March 17, 2015, public hearing. Because of circumstances out of the City's control, the City was unable to move forward with its application to receive a grant at that time. At its May meeting, City Council passed a motion authorizing staff and the city attorney to resume public hearings regarding the Plan amendments before the Planning Commission. The Planning Commission held two more public hearings on August 4, 2015 and August 18, 2015.

The Plan amendments therefore were presented to the public and considered by the Planning Commission during a total of four public hearings. On August 18, 2015, the Planning Commission voted to recommend the Plan amendments which you are considering on September 14.

Councilman Dillon discussed the Future Land Use Element, Policy 1.4.E.3. He suggested a strike-through on this section. He stated the language in this paragraph is very broad and opens the door for interpretation.

Attorney Cassady stated she would not recommend eliminating this section. She stated it could have consequences and there is not enough time to think it through. She said she is very familiar with water dependent and water oriented uses. She stated when the City submits to the agencies and DEO, we are required to explain any changes that have been made since the transmittal, so that it draws DEO and the other agencies to whatever the changes are so they can determine within their own individual jurisdictions whether this threatens important State facilities or resources or whether they see it being inconsistent with State law in some way. She stated she is concerned because under the Community Planning Act, you cannot create internal inconsistencies you need to consider how that change will affect other potential changes.

Council and staff engaged in discussion regarding the three stipulations of the 150 foot setback located in *Policy 1.4, Sec. E.3* of the Future Land Use Element. Council discussed and agreed this paragraph should be examined further.

Councilman Green agreed with Councilman Dillon on this issue. He stated it is a wide open scope when you say "visual enjoyment of the water."

Mayor Whitt stated he would like to vet this specific change through the Planning Commission. He explained there will be continual changes based on all the concerns of Council and public. He said the Council has tried to remedy this a few items to alleviate some of the inconsistencies and there are more to be addressed.

Attorney Cassady proceeded to explain comments received from NRPC regarding Policy 9.1.A.1 of the Conservation Element regarding lots of record and the setbacks.

Attorney Cassady stated NRPC recommended a buffer strip of 75 feet along the waterfront, citing Sec. 5.10.a of the SFWMD's *Environmental Resource Permit Applicant's Handbook Vol. II* (incorporated by reference in 40D-4.091, F.A.C.). That section of the *Handbook* addresses environmental permitting requirements for rural or minor residential subdivisions, typically designed to have "large multi-acre lots and minimal roadways." She said none of the lots of record recorded before October 27, 2008, involve multi-acre lots, and to the contrary, the lots are small in size, such that a 75-foot waterfront setback could make the lots non-buildable.

Attorney Cassady said she is recommending the following language which will give the Planning Commission and the Planner direction moving forward for the Land Development Code and will satisfy the requirements of the NRPC.

"The minimum setback set forth in this Policy and in Policy 2.1.B for lots of record recorded on or before October 27, 2008 which are vacant as of the effective date of this plan amendment shall be 25 feet or any setback as set forth in any deed restriction or as set forth in any plat provided, however, that the setback must prevent erosion, trap sediments in runoff and filter nutrients."

Council and staff engaged in lengthy discussion regarding the language and lots of record.

Mayor Whitt asked for public comments.

Public Comments were received by the following:

- Kathryn Taubert, 19436 SW 101st Place Rd., Rainbow Springs
- Brenda D'Arville, Chair for the Planning Commission
- Bill Vibbert, 9552 SW 192nd Court Rd., Rainbow Springs
- Mary Ann Hilton, 12078 Palmetto Court, Blue Cove
- Paul Marraffino, 19544 SW 82nd Place Rd., Rainbow Springs

Councilman Green stated he attended several of the Planning Commission meetings and witnessed dedicated people devoting their time to help the City solve its problems.

Vice-Mayor Evans stated he agreed with Councilman Green. He said they have volunteered to devote their time and efforts to help the City.

Mayor Whitt gavelled down and stated, "It is now 8:49 p.m. and I close the public hearing held to discuss Ordinance #ORD2015-10 and reopen the November 9th Council meeting."

11. SECOND READING OF ORDINANCE #ORD2015-10, COMPREHENSIVE PLAN AMENDMENT #CPA2015-01

Council and staff reviewed the following proposed changes:

Future Land Use Element - Page 4, Policy 9.2.E.1-3; **strike-through 1-3**

Future Land Use Element - Page 6, Policy 1.6.C; **correct punctuation to reflect a comma** in: “no individual building shall exceed *3,000 square feet*” (scrivener’s error)

Future Land Use Element - Page 6, Policy 1.6.D; **correct punctuation to reflect a comma** in: “no individual building shall exceed *30,000 square feet*” (scrivener’s errors)

Future Land Use Element – Page 12, Policy 4.1.B.1; should read: “Structures within the riverfront corridor protection area on lots of record recorded on or before October 27, 2008 that are less than 150 feet from the ordinary high water line of rivers, navigable coves, and abutting wetlands, as established by this Comprehensive Plan, are exempt from this Policy 4.1.B.” The remaining paragraph shall be deleted.

Conservation Element, Page 11, Policy 9.1.A.1; should read “The minimum setback set forth in this Policy and in Policy 2.1.B for lots of record recorded on or before October 27, 2008 which are vacate as of the effective date of this plan amendment shall be 25 feet or any setback as set forth in any deed restriction or as set forth in any plat provided, however, that the setback must prevent erosion, trap sediments in runoff and filter out nutrients.”

Aquifer Protection Element, correction to the spelling of “Aquifer” on all titles on the pages.

Mayor Whitt stated Councilman Dillon wanted, and we had concensus from Council, a caveat that we would continue amending this with the new Planner. Councilman Dillon also asked that Council permit the Planning Commission to begin looking at the Future Land Use Element so that they have some sense of what to show the Planner.

Mayor Whitt asked for motion to read by title only Ordinance #ORD2015-10.

Councilwoman Fleeger moved Ordinance #ORD2015-10 be read by title only. Councilman Dillon seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

Mrs. Bowne read the following into the record:

“ORDINANCE #ORD2015-10

AN ORDINANCE OF THE CITY OF DUNNELTON, MARION COUNTY, FLORIDA, PROVIDING FOR A LARGE-SCALE AMENDMENT TO THE COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE ELEMENT, CONSERVATION ELEMENT, PUBLIC FACILITIES ELEMENT, AND AQUIFER PROTECTION ELEMENT; UPDATING SUCH ELEMENTS TO BE CONSISTENT WITH STATE STATUTES; ELIMINATING OBSOLETE PROVISIONS; RE-WORDING OBJECTIVES AND POLICIES FOR CLARIFICATION PURPOSES;

CREATING A SITE-SPECIFIC TEXT AMENDMENT TO ALLOW MEDIUM DENSITY RESIDENTIAL DEVELOPMENT ON CERTAIN UPLAND LOTS DESIGNATED AS CONSERVATION IN THE 2008 PLAN AMENDMENTS; AMENDING POLICIES REGARDING NONCONFORMING STRUCTURES, STRUCTURES DEVOTED TO NONCONFORMING USES, AND SUBSTANDARD SIZED LOTS; PROVIDING FOR CONFLICTS; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.”

Mayor Whitt stated the motion would be: “move Ordinance #ORD2015-10 be approved with a caveat that Council would like the Planning Commission to continue pursuing changes, and we will make those subsequent changes, scrivener’s error on the Aquifer Protection Element, striking the “a” in headings; Future Land Use Policy 1.4.E. 1-3, Page 4, striking 1-3; Future Land Use Element, Policy 1.6.C & D, Page 6, adding commas, Future Land Use, Policy 4.1.B.1, Page 12, adding language read into the record by Attorney Cassady, Conservation Element, Policy 9.1.A.1, Page 11, adding the language Attorney Cassady read into the record.” *Please refer to Page 8, Paragraph 3 of these minutes.*

Councilman Dillon moved Ordinance #ORD2015-10 be approved with the proposed changes. Vice-Mayor Evans seconded the motion.

Mayor Whitt called for further discussion.

Councilman Green stated it’s been urged by some of our speakers here tonight to have additional meetings on this issue to be sure that we completely understand exactly what we are doing before this is sent. He said he would like to hear if his fellow Council members feel it is necessary. He stated if they do, we should try and schedule a special meeting.

Council and staff engaged in brief discussion regarding moving forward.

Mayor Whitt asked for a roll call vote. All Council members responded with a positive vote in favor of the motion. The vote was 5-0.

12. COUNCIL LIAISON REPORTS AND COMMENTS

Councilwoman Fleeger discussed a houseguest and the use of a “critter cam” in the Rainbow River.

Kathryn Taubert, 19436 SW 101st Place Rd., commented on the developer of the “critter cam.”

13. CITY MANAGER’S REPORT

- Reviewed City Manger’s goals.
- Recommended interviewing attorneys for the position at the next workshop.

14. CITY ATTORNEY’S REPORT

Possible Causes of Action Against Former City Manager

Attorney Cassady stated she had a colleague and Attorney Hand review the material that was given to her for consideration of a proposed lawsuit. She said they together concluded that it would be risky to move forward.

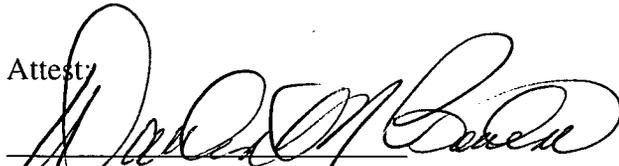
Rainbow River Ranch Status Report

Attorney Cassady stated she was waiting for the "Reply Brief" and would forward to Council when received.

15. ADJOURN

At approximately 10:02 p.m. Councilman Dillon moved the November 9, 2015 City Council meeting be adjourned. Councilman Green seconded. All members voted in favor. The motion passed 4-0.

Attest:


Dawn Bowne, MMC
City Clerk

1-11-14


Nathan Whitt, Mayor

1-11-14



Meeting Date: 11/04/15
From (Dept): Community Development
Signature: [Signature]
Department Director
Approved for [Signature]
Agenda: [Signature]
City Manager

Official Use Only
Reviewed by
City Attorney: _____
Council Action: _____
Date: _____

SUBJECT: Submission for approval of various Comprehensive Plan Amendments as per
Request For Approval: ORD2015-10 for CPA2015-01

SUMMARY EXPLANATION & BACKGROUND:

The following documents show proposed amendments to the current Dunnellon City Comp plan. The proposed amendments were sent to all pertinent governing agencies for comment. We received three comments one via email and the other two via regular mail. The commenting agencies were DEO, Florida DEP, and North Central Florida Regional Planning Council.

FISCAL INFORMATION:

PROCUREMENT METHOD:

PURCHASE REQUISITION NUMBER:

RECOMMENDED ACTION: Approval of proposed Amendments

Initiated by: Lonnie Smith, Virginia Cassady

ORDINANCE #ORD2015-10

AN ORDINANCE OF THE CITY OF DUNNELLO, MARION COUNTY, FLORIDA, PROVIDING FOR A LARGE-SCALE AMENDMENT TO THE COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE ELEMENT, CONSERVATION ELEMENT, PUBLIC FACILITIES ELEMENT, AND AQUIFER PROTECTION ELEMENT; UPDATING SUCH ELEMENTS TO BE CONSISTENT WITH STATE STATUTES; ELIMINATING OBSOLETE PROVISIONS; RE-WORDING OBJECTIVES AND POLICIES FOR CLARIFICATION PURPOSES; CREATING A SITE-SPECIFIC TEXT AMENDMENT TO ALLOW MEDIUM DENSITY RESIDENTIAL DEVELOPMENT ON CERTAIN UPLAND LOTS DESIGNATED AS CONSERVATION IN THE 2008 PLAN AMENDMENTS; AMENDING POLICIES REGARDING NONCONFORMING STRUCTURES, STRUCTURES DEVOTED TO NONCONFORMING USES, AND SUBSTANDARD SIZED LOTS; PROVIDING FOR CONFLICTS; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED THAT:

SECTION 1. Legislative Findings.

A. The City of Dunnellon is committed to a policy of managed growth which recognizes the rights of residential and commercial property owners while promoting the preservation of natural and environmental resources.

B. In 2014, the City Council directed the Planning Commission, the City's local planning agency, with reviewing the Comprehensive Plan to consider whether the Comprehensive Plan provisions requiring a 150-foot waterfront setback along the rivers and navigable coves, adopted in 2008, should be changed to reduce the setback.

C. In 2008, the City re-designated certain vacant upland lots within the Nine Island Cove Subdivision from Medium Density Residential to Conservation, resulting in the inability of the property owner to build residences on the parcels. The City Council desires to adopt a site-specific policy within the Future Land Use Element which allows such parcels to be developed consistent with Medium Density Residential. The City Council finds that such a policy is in the best interests of the property owner and citizens of the City.

D. During the process of reviewing the goals, objectives, and policies ("GOP's") of the Comprehensive Plan to determine what provisions would require amending to avoid inconsistent terms if the waterfront setback was changed, certain GOP's were found to be obsolete, inconsistent with State law, or were more suitable, due to their regulatory detail, for placement in the land development regulations.

E. The City Council finds it to be in the best interests of the citizens and property owners to address: structures which are made nonconforming by the 150-foot waterfront setback established in the Conservation Element; structures devoted to nonconforming uses which must come into conformity with the land development regulations in the event of natural disasters; and substandard sized lots in older subdivisions.

F. The Planning Commission held four public hearings on the proposed Comprehensive Plan amendments incorporated herein, which hearings were advertised in accordance with State law. On August 18, 2015, the Planning Commission recommended amendments to the Future Land Use, Conservation, Public Facilities, and Aquifer Protection Elements.

G. The public hearings for this Ordinance and Comprehensive Plan amendments have been advertised as required by State law.

H. The City Council of the City of Dunnellon hereby finds and determines that the Comprehensive Plan amendments are internally consistent and consistent with the City's Comprehensive Plan.

SECTION 2. Comprehensive Plan Amendments.

A. Attached hereto and incorporated herein by reference as Exhibit "A" are proposed Comprehensive Plan amendments to the Future Land Use Element, Conservation Element, Public Facilities Element, and Aquifer Protection Element. In the Elements, words ~~stricken~~ are deletions and words underlined are additions.

SECTION 3. Data and Analysis. The supporting data and analysis (Support Documents) shall be transmitted by the City to the Department of Economic Opportunity and the reviewing agencies together with the Comprehensive Plan amendments and this Ordinance, 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 (Support Documents) 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. This Ordinance shall become effective pursuant to the Department of Economic Opportunity's Notice of Intent if in compliance and if no challenge is filed by an affected party when the Notice of Intent is posted on the Department's website.

Ordinance posted on the City's website on September 4, 2015. Public hearing advertised on September 7, 2015 on the City's Website and in the Ocala Star Banner.

PUBLIC HEARING AND FIRST READING on the 14th day of September, 2015.

ADOPTED AND ENACTED on second reading: the 9th day of November 2015.

CITY OF DUNNELLON


Nathan Whitt, Mayor 11-9-2015

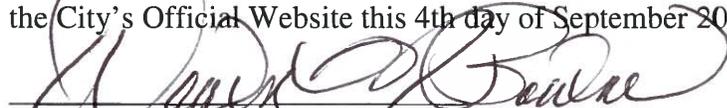
ATTEST:


Dawn M. Bowne, M.M.C. 11-9-2015
City Clerk

Approved as to Form and Legal Sufficiency:


Virginia Cassady, City Attorney 11-9-2015

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 4th day of September 2015.


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

FUTURE LAND USE ELEMENT



Goals, Objectives and Policies

FUTURE LAND USE ELEMENT GOALS, OBJECTIVES, AND POLICIES

GOAL

Through the provision of appropriate land uses, promote, protect and improve the public health, safety, and welfare of Dunnellon's residents, while maximizing economic benefits and minimizing threats to natural and man-made resources.

Objective 1:

The Future Land Use Map (FLUM) depicts the land use categories that are permissible in the City. The following policies establish the uses, densities, and intensities that are depicted on the FLUM. The City specifically intends that all development shall be consistent with the uses, densities and intensities described below and shown on the FLUM.

Policy 1.1:

The Low-Density Residential land use category allows single-family dwelling units and customary residential accessory uses. The maximum density is 2.5 dwelling units per acre. The maximum impervious surface is forty-five (45) percent. Buildings shall not exceed forty (40) feet in height.

Policy 1.2:

The Medium Density Residential land use category allows single-family dwelling units and customary residential accessory uses. The maximum density is 5.0 dwelling units per acre. The maximum impervious surface is fifty (50) percent. Buildings shall not exceed forty (40) feet in height.

Policy 1.3:

The High-Density Residential land use category allows multifamily dwelling units and customary residential accessory uses. Multifamily structures shall have at least two dwelling units per building. The minimum density is 5.1 dwelling units per acre and the maximum density is 12.0 units per acre. The maximum impervious surface is fifty (50) percent. Buildings shall not exceed forty (40) feet in height. Multifamily development shall be located to provide direct access to a collector road.

Policy 1.4:

The Commercial land use category includes uses such as retail, entertainment, eating establishments, offices, medical facilities, personal services, trade services, wholesale and discount establishments, storage facilities, lodging establishments, recreational vehicle parks, fueling facilities, rental establishments, religious facilities, and facilities for repair and maintenance of vehicles and equipment. The maximum impervious surface is 65 percent and the maximum building height is forty (40) feet. The following standards apply to uses and locations as specified:

- A. Uses such as the sale, rental, repair, storage, or maintenance of vehicles (cars, boats, trucks, motorcycles) shall be permissible only when determined to be compatible with adjacent residential uses.
- B. Uses that use, generate, store or handle hazardous materials shall be permissible only when approved as a conditional use in order to ensure appropriate location, handling, storage, and disposal of the hazardous materials.
- C. Uses which occupy a single building with 80,000 or more square feet of total floor area or which occupy two or more buildings on a single parcel with a total of 100,000 square feet of total floor area shall meet the following standards:
1. Screening of mechanical equipment, utility devices, and similar service components.
 2. Integration of accessory uses and structures into the overall design of the building and site.
 3. Specific design techniques to minimize the impact of walls longer than fifty (50) feet in length.
 4. Sign standards that ensure integration of sign design with the design of the buildings.
 5. Provision of a perimeter buffer that is 150% of the otherwise required buffer.
 6. Provision for landscaped internal pedestrian circulation.
 7. Specific design requirements for parking lots to ensure protection of native vegetation and provision of canopy trees for shade.
 8. Approval shall be only by special exception ~~with a super majority vote~~.
- D. Uses with drive-up or drive-through facilities shall meet the following requirements:
1. The drive through lanes shall not be adjacent to land used or designated for use for residential development.
 2. Windows for ordering or providing services shall not be located adjacent to land used or designated for use for residential development.
- E. Uses located within 150 feet of the shoreline of the Rainbow or Withlacoochee River shall be limited to activities which are water dependent or water oriented. In order to be considered water dependent or water oriented, the activity shall meet at least one of the following requirements:

1. The activity requires access to the water in order to operate. Such activities as boat docks, marinas, boat rental, boat ramps, fishing piers or docks, or water recreation are typical of activities that require access to the water.
 2. The activity provides public access to the water for fishing, boating, swimming, or water sports.
 3. The activity provides public access for visual enjoyment of the water through a boardwalk along or adjacent to the shoreline, a pedestrian promenade adjacent to or along the shoreline, outdoor seating or dining areas adjacent to the shoreline or extending into the water as permissible by permitting agencies.
- F. Recreational vehicle parks shall be subject to special design standards to ensure compatibility and safe layout of the vehicle sites and park amenities.
- G. All commercial uses shall meet the following compatibility requirements:
1. Buffers will be provided to ensure compatibility between commercial and residential uses.
 2. Dumpsters will be located to avoid negative impacts to adjacent residential uses.
 3. Outdoor lighting will be designed and located to avoid direct illumination of adjacent properties.
 4. Parking lots will be designed and located to avoid negative impacts from vehicle lights and noise to adjacent residential properties.

Policy 1.5:

The Traditional Neighborhood land use category includes the following uses: residential, neighborhood scale commercial, neighborhood scale office, artisan uses, personal service, civic, cultural, transient lodging, bed and breakfast establishments, religious facilities, and financial services. The following location and design standards apply:

- A. A single platted lot may be developed for a single use.
- B. A single platted lot may contain a nonresidential use and one dwelling unit, provided that the dwelling unit is located on a second floor or to the rear or side of the business use, either attached or detached from the principal building.
- C. A development proposed for two (2) or more lots may contain a single use or a mixture of uses. When mixed uses are proposed, no more than fifty (50) percent of the development shall be devoted to residential uses. When residential uses are proposed, either single family or multifamily is acceptable. Density shall not exceed eight (8) units per acre.

- D. Transient lodging and bed and breakfast uses shall be limited to an equivalent of eight (8) units per acre. Each guest bedroom shall be considered a unit.
- E. Uses which have frontage on West Pennsylvania Avenue or Cedar Street may have up to twelve (12) dwelling units per acre.
- F. The maximum impervious surface for all sites is sixty-five (65) percent.
- G. Parcels with five (5) or more acres shall contain at least two (2) different uses. Single-use development is not permissible. Residential uses shall not exceed sixty-five (65) percent of the development site.
- H. When an amendment to the Future Land Use Map is proposed to apply the traditional neighborhood land use category, a minimum of five (5) acres is required.
- I. Where neighborhood scale development is proposed, no individual building shall exceed a total of 3,000 square feet of floor area.
- J. The maximum height for buildings development is forty (40) feet.
- K. Parking lots within the traditional neighborhood land use district shall be designed to ensure that no tier of parking includes more than ten (10) cars.
- L. All uses, including accessory structures, mechanical and service equipment, and utility structures shall be integrated with the design of the principle building. Mechanical, service, and utility equipment shall be screened.
- M. Nonresidential land uses within the traditional neighborhood district shall be limited to uses with a trip generation of 100 trips per 1,000 square feet of building, per fuel station, or comparable unit of measure. The trip generation calculation shall be based on the Institute of Transportation Engineers trip generation book or a similar, professionally acceptable source.

Policy 1.6:

The Mixed-Use land use category includes the following uses: residential, neighborhood scale commercial, neighborhood scale office, artisan uses, personal service, civic, cultural, transient lodging, bed and breakfast establishments, recreational vehicle parks, religious facilities, and financial services. The following location and design standards apply:

- A. A development shall contain at least three (3) of the permissible uses.
- B. A development site with ten (10) or more acres may have community scale commercial or office uses.

- C. Where neighborhood scale development is proposed, no individual building shall exceed 3,000 square feet. The maximum height for buildings used for neighborhood scale development is forty (40) feet.
- D. Where community scale development is proposed, no individual building shall exceed 30,000 square feet.
- E. The maximum residential density is twelve (12) units per acre.
- F. The maximum impervious surface in a mixed-use development is sixty-five (65) percent.
- G. All development shall be designed to ensure compatibility with adjacent development, based on concepts such as transition of building height, buffering, building orientation, and location and design of site features such as parking, outdoor lighting, and equipment.
- H. All uses, including accessory structures, mechanical and service equipment, and utility structures shall be integrated with the design of the principle building. Mechanical, service, and utility equipment shall be screened.
- I. When an amendment to the Future Land Use Map is proposed to apply the mixed-use land use category, a minimum of ten (10) acres is required.
- J. A recreational vehicle park shall be subject to specific design standards to ensure compatibility and safe layout of vehicle sites and amenities. The maximum density of RV sites within a park is twelve (12) sites per acre.

Policy 1.7:

The Public land use category includes public schools, government offices, public works buildings and yards, community centers, and similar uses typically owned or operated by public agencies. The maximum building height is forty (40) feet.

Policy 1.8:

The Agriculture land use category includes agricultural and silvicultural activities. Residential dwelling units are permissible at a density of one (1) unit per ten (10) acres, except where a conservation subdivision is proposed. A conservation subdivision design allows a density of one (1) unit per five (5) acres, and requires clustering. The minimum lot area in a conservation subdivision design development is two (2) acres. A conservation subdivision shall meet the design standards set forth in Policy 1.11. The maximum building height is forty (40) feet.

Policy 1.9:

The Recreation land use category includes active or passive parks, community centers, and areas for recreational activities such as picnicking, jogging, cycling, hiking, golf courses, playgrounds, ball fields, ball courts, stables, swimming pools or beaches, and water related or water dependent uses such as boat ramps, fishing docks and piers, and similar outdoor recreational uses, public or private. No other uses are permissible. The maximum impervious surface is forty (40) percent. The maximum building height is forty (40) feet.

Policy 1.10:

The Conservation land use category is intended to protect sites that should have extremely limited development. Wetlands, designated habitats, river islands, and water bodies shall be designated in the conservation land use category. Permissible development is limited to passive recreation, such as unpaved jogging or walking trails, picnic areas without pavilions, boardwalks, or viewing platforms. No buildings are permissible, except public restrooms. Parking areas shall be subject to the following design requirements: unless porous paving materials are used, only access aisles and handicapped parking spaces are allowed to be paved. Clearing on any sites designated as conservation land use shall be limited to the minimum needed to provide access, trails, or play areas, and in no case shall exceed ten (10) percent of a site. In no instance shall clearing of native vegetation or vegetation necessary to ensure the viability of a designated habitat be permissible.

- A. The following parcels listed by tax parcel identification numbers, which were designated as Conservation on the Future Land Use Map by Ordinance 2007-25, may be developed consistent with Medium Density Residential as previously depicted on the Future Land Use Map prior to Ordinance 2007-25, subject to all requirements of applicable laws: Tax Parcel identification numbers 33757-003-08, 33757-003-07, 33757-003-06, and 33757-003-05.

Policy 1.11:

Conservation subdivisions shall meet the following requirements:

- A. Clustering of units is required. A conservation subdivision on land designated for agricultural use may have lots of two (2) or more acres.
- B. Required open space is at least fifty (50) percent of the site, with at least fifty (50) percent of the open space in one (1) contiguous parcel.
- C. All open spaces shall be connected to the maximum extent feasible. Whenever possible, required open space shall be adjacent to open space on adjacent parcels.
- D. No more than twenty (20) percent of the open space shall be devoted to stormwater facilities.
- E. Open space should be located on the most vulnerable portion of the site. There shall be no chemical applications permissible on required open space land.
- F. Required open spaces shall be protected in perpetuity through recorded easements.
- G. Central water and sewer treatment facilities are available.
- H. Development shall be located in such a manner as to minimize the length of new roads and drives from existing public streets to the development.

- I. Development shall be sited as far away as possible from water bodies, rivers, wetlands, or other environmentally fragile features.
- J. Development shall be designed to minimize site disturbance to the minimum area necessary to accomplish development. This shall include minimizing soil compaction by delineating the smallest disturbance area feasible.
- K. Existing native vegetation shall be protected, whether within the designated open space or on the developed portion of a site.

Policy 1.12:

Design of parking lots, sidewalks, buildings, and other impervious surfaces shall minimize connections between impervious surfaces through the following techniques. Not all techniques may be required to accomplish the requirement to minimize connections of impervious surfaces:

- A. Directing flows from roof drains to vegetated areas or to rain barrels or cisterns for reuse of the water;
- B. Directing flows from paved areas to vegetated areas;
- C. Locating impervious surfaces so that they drain to vegetated buffers or natural areas; and
- D. Breaking up flow directions from large paved surfaces.

Policy 1.13:

Porous pavement materials, such as pervious concrete, pervious asphalt, or other pervious or porous materials shall be used to minimize the amount of impervious surface within all development.

Policy 1.14:

All golf course siting, design, construction, and management shall implement the prevention, management, and monitoring practices, detailed in the golf course siting, design, and management chapter of the *Protecting Florida's Springs Manual - Land Use Planning Strategies and Best Management Practices (November 2002)* as may be amended by city code to conform to other policies of this Comprehensive Plan and to city needs and characteristics. All golf courses shall use reclaimed water for irrigation.

Policy 1.15:

Maintain and enforce land development regulations which implement the adopted comprehensive plan, including:

- A. Regulation of use and subdivision of land, in consideration of adjacent land uses, natural and historic resources, open space and environmental constraints such as flood prone areas, soil suitability, drainage, surface and groundwater quality and storm water management.

- B. Protect wetlands, potable water well fields, natural aquifer recharge areas, endangered species, intact ecological systems, and air and water quality, consistent with the requirements of the Conservation Element.
- C. Regulate setbacks, landscaping, on-site parking and traffic flow, signage, and pedestrian access and other impacts which protect natural and historical resources and promote quality of life.
- D. Provide that development orders and permits shall not be issued which result in a reduction in the level of services of public facilities adopted in this plan.
- E. Implement site design standards for residential development of varying densities and commercial uses as designated in the Future Land Use Element and on the Future Land Use Map.
- F. Protect property against wildfire and implement Best Management Practices.
- G. Provide site design standards for large-scale discount, commercial, or "big box" establishments.

Policy 1.16:

The land development code shall include requirements that new development in areas of elevated radon emissions use appropriate radon resistant construction techniques, as recommended by the State of Florida.

Policy 1.17:

Public schools shall be an allowable use in all residential land use categories.

Policy 1.18:

All residential and nonresidential development shall be subject to site plan review procedures. ~~Single family homes on platted lots existing at the time of plan adoption shall not require a site plan.~~

Policy 1.19:

The City of Dunnellon relies on the definitions in Chapter 163, Florida Statutes, ~~Chapter 9J-5, Florida Administrative Code~~, and in the land development regulations in the City Code of Ordinances. In addition, the following terms are defined for application to the Dunnellon Comprehensive Plan:

Best Management Practices (BMPs) means practice or combination of practices, including non-structural and structural improvements, based on sound science and professional judgment to be the most effective and practicable means of carrying out the specified activity. BMPs ~~may be~~ are promulgated by government agencies such as the Florida Department of Agriculture and Consumer Services, and the Florida Department of Environmental Protection, ~~and the Florida Department of Community Affairs.~~

Naturalized plant species means vegetation that, while not native, has naturally adapted to the soils and climate of the area without direct or indirect human intervention. Acceptable species are found on the Florida-friendly plant database from the University of Florida Institute of Food and Agricultural Sciences or other similar database.

Wetlands mean those areas that are saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Wetlands are identified by the uniform methodology adopted in § 373.421, *Florida Statutes* and by a certified wetlands delineator.

Objective 2:

The City shall ensure the availability of suitable land for placement of utilities and facilities necessary to support proposed development, and coordinate future land use with availability of services and facilities.

Policy 2.1:

New residential developments, including subdivisions, multifamily developments, or mobile home developments shall be required to provide land to meet the recreation and park needs of the residents. The amount of land to be provided shall be based upon the maximum density of the development and the City's adopted level of service standards for recreation land. Single-family and duplex structures on lots platted on or before the date of adoption of this comprehensive plan and residential development proposed within the designated historic district are not required to provide land for recreation needs.

Policy 2.2:

The City shall establish incentives for all new water front residential development to reserve a portion of the total development acreage to provide public access to the river. This acreage may count as part of the development's share of providing recreation facilities.

Policy 2.3:

All development orders and permits for future development and redevelopment shall be issued only if public facilities necessary to meet level of service standards adopted as part of the Capital Improvement Element are available concurrently with the impacts of the proposed development.

Policy 2.4:

All waterfront development shall connect to the City wastewater treatment system. Waterfront property is property which borders the Rainbow River, Withlacoochee River, prairie ponds, borrow pits, wetlands, lakes, and other water bodies. ~~The determination that a parcel is waterfront shall be based on the parcel boundaries existing on June 25, 2007.~~

Policy 2.5:

When development is proposed, other than waterfront development, where the wastewater treatment system has not yet been extended, a septic system may be permissible, provided that the system is a performance-based system, ~~including annual maintenance, and ensuring that the system is designed to produce effluent that contains not more than 10 mg/L of total nitrogen.~~

~~When the wastewater treatment system is extended within 1,000 feet of the development, measured to the property line, all uses shall connect to the wastewater treatment system.~~

Policy 2.6:

Existing development, at any density or in land use category, shall be required to connect to the City wastewater treatment system in accordance with § 381.00655 and when sewer service is available as defined by the city's codes. ~~within 90 days of availability.~~

Objective 3:

The City will continue to prevent blight and eliminate any instances of existing blight through code enforcement, enforcement of building and housing codes, and implementation of a Community Redevelopment Plan.

Policy 3.1:

The land development regulations and codes shall be enforced for all property within Dunnellon.

Policy 3.2:

The land development regulations shall maintain minimum housing codes, providing for conservation, demolition, and rehabilitation techniques of residential structures.

Policy 3.3:

Land development regulations shall be enforced as one means to ensure structural and aesthetic integrity of housing stock.

Policy 3.4:

The City shall continue to coordinate with property owners concerning the availability of tax benefits and other incentives available for renovation and improvements of historic structures.

Policy 3.5:

The City shall continue to coordinate with the private sector in order to encourage rehabilitation of both residential and nonresidential structures, through continued application for CDBG and other grant programs which fund rehabilitation efforts and through establishment of partnerships with the private sector for construction and other services upon which the City relies on the private sector.

Policy 3.6:

The City shall coordinate with Marion County, the Department of Economic Opportunity Community Affairs, the Florida Department of Rehabilitative Services and US Department of Housing and Urban Development concerning various alternatives available towards the rehabilitation of substandard housing within the City.

Objective 4:

The City shall continue to enforce regulations regarding nonconformities as one means of eliminating both ~~nonconforming~~ uses which are nonconforming with the Future Land Use Map or zoning map and ~~nonconforming~~ structures which are nonconforming with this Comprehensive

Plan or land development regulations. The City shall revise its land development regulations, to make provisions for development on existing substandard sized platted lots in older subdivisions.

Policy 4.1:

~~Where existing structures are made nonconforming by this plan, such uses shall be allowed to continue with normal repairs and maintenance to existing buildings. However, these uses shall be subject to specific regulations in the land development code. The City shall revise its land development regulations to provide specific provisions necessary to implement the following policies regarding nonconformities.~~

- A. Lawfully existing nonconforming structures and structures devoted to nonconforming uses shall not be expanded.

- B. If the cost to reconstruct or repair a lawfully existing nonconforming structure, or a structure devoted to a nonconforming use, will exceed 50 percent of the property appraiser's assessed value prior to reconstruction or repair, the structure must be built or repaired in compliance with current codes, and the structure loses its nonconforming status.
 - 1. Structures built prior to January _____, 2016 [or effective date of this plan amendment] on lots of record recorded on or before October 27, 2008 that are less than 150 feet from the ordinary high water line of rivers, navigable coves, and abutting wetlands, as established by this Comprehensive Plan, are exempt from this Policy 4.1.B); provided, however, that any expansion or alteration of such structures shall not result in any such structure being located any closer to the water than its existing waterfront setback.

- C. Lawfully existing nonconforming structures, and structures devoted to nonconforming uses, which are involuntarily damaged by terrorist acts, accidental fires, or natural disasters may be rebuilt to their original nonconforming condition, even if damages exceed 50 percent of the property appraiser's assessed value prior to reconstruction or repair.

- D. Properties subject to the floodplain regulations shall adhere to those regulations.

Policy 4.2:

~~Structures that are destroyed involuntarily to an extent less than fifty (50) percent of the floor area of the structure may be rebuilt as they existed prior to destruction. Such structures may not be expanded or relocated without full compliance with standards and criteria currently in effect. Rebuilding of the destroyed portion of the structure without compliance with current standards and criteria is limited to an exact replacement of the destroyed structure. A legal nonconforming use may continue, or be resumed if destroyed, if it is not enlarged, increased, or extended to occupy a greater area. A legal nonconforming use that is voluntarily abandoned for a specific period of time set by the land development regulations shall lose its nonconforming status, and~~

any future use of the property must be in conformity with this Plan and the land development regulations.

Policy 4.3:

~~Structures that are involuntarily destroyed to an extent that is fifty (50) percent or more of the floor area, or structures that are voluntarily destroyed shall be rebuilt only in full compliance with current standards and criteria.~~

Objective 5:

It is the City of Dunnellon's objective to control urban sprawl, through its comprehensive plan, amendments to the comprehensive plan, and implementation of land development regulations, which provide specific criteria for development. Such criteria shall encourage infill and redevelopment within the city and ensure provision of adequate urban services within the city to meet adopted levels of service standards concurrent with the impacts of development. Additional actions towards reduction of urban sprawl shall include: Interlocal agreements with Marion County on annexation areas and adjacent development approved by the county.

Policy 5.1:

Proposed plan amendments for land uses which are more intense than those designated on the adopted Future Land Use Map shall be required to provide urban services at adopted levels of service at the developer's expense, in addition to demonstrating consistency with the adopted comprehensive plan, as required by s. 163.3194, F.S.

Policy 5.2:

Extension of services within the Dunnellon City Limits shall have priority over extension to unincorporated areas. This does not prohibit extension of services to unincorporated areas where needed to ensure protection of public health and safety.

Policy 5.3:

The City shall implement specific annexation policies which ensure annexation does not contribute to urban sprawl, including requiring that city services provide service to existing developed areas within the City prior to extension of services outside the city to discourage leapfrog development. Annexation proposals shall not be approved unless consistent with adjacent land use within the city, availability of public facilities and preventing leapfrog development.

Policy 5.4:

The City shall continue to seek and implement coordinating mechanisms with Marion County in order to control urban sprawl outside City limits. Such coordination shall include Interlocal agreements for: joint development review of proposals outside city limits, including DRIs, which impact roadway level of service, future land use designations for adjacent lands, and proposed road improvement plans for US 41 and the extension of sewer on the Rainbow River.

Policy 5.5:

Develop an Interlocal agreement with Marion County to increase coordination during subsequent updates of both the comprehensive plans in order that the City play an increasing role in the planning of areas directly outside City limits, and which hold potential for annexation.

Policy 5.6:

The land development regulations shall contain design standards to control and minimize the negative impacts of strip commercial development.

Objective 6:

All proposed amendments to the comprehensive plan, including amendments to the Future Land Use Map, shall meet the criteria in the following policies.

Policy 6.1:

Demonstrate that the proposed uses are appropriate, considering potential impacts on natural resources and environmentally sensitive lands. If an amendment is proposed for land within 500 feet of a wetland, shoreline, sinkhole, or geologic feature, the amendment shall be accompanied by a geophysical analysis with at least the following information: the characteristics of on-site soils; locations of geologic features including sinkholes, depressions, and swallets; depth of the water table; location of the Floridian Aquifer relative to ground surface and thickness and extent of the bedrock or other confining layers over the aquifer.

Policy 6.2:

Where a geophysical analysis confirms a direct connection to the aquifer, a comparative nitrate loading analysis shall be prepared by a licensed professional geologist using professionally acceptable methodology based on the designation on the Future Land Use Map at the time of the proposed amendment versus the proposed land use designation, considering the maximum intensity possible under the proposed land use designation. The analysis must demonstrate that there is no measurable net increase in nitrate loading to groundwater.

Policy 6.3:

Demonstrate that the uses permissible in the proposed land use category are able to be developed consistent with the city's codes implementing applicable Best Management Practices and the specific requirements set forth in the Conservation Element.

Policy 6.4:

Demonstrate that the proposed land use category is the least intensive category that will meet a clearly demonstrated need for the use.

Objective 7:

The following policies are retained in the Future Land Use Element until the remainder of the comprehensive plan is updated. At such time as the remainder of the comprehensive plan is updated, the policies will be relocated and revised as needed.

Recommendation for relocation to the Infrastructure Element when it is updated:

Policy 7.1:

Future siting of public facilities and services shall maximize efficiency, while minimizing financial costs. Soil suitability, sinkhole potential and setbacks from wetlands shall determine approval or denial of all future public facilities and services.

Recommended for inclusion in the Public School Facilities Element when it is adopted:

Policy 7.2:

The City of Dunnellon shall encourage to the extent possible the location of schools based on the following criteria:

- A. Proximity to residential areas, particularly for elementary schools.
- B. Proximity to existing or planned public facilities, such as parks, libraries, and community centers.
- C. Location of elementary schools along local or collector streets.
- D. Location of middle and senior high schools near arterial streets.
- E. Location of lands contiguous to existing school sites.
- F. Avoidance of school siting in environmentally sensitive areas.
- G. Avoidance of school siting in any area where the nature of existing or proposed adjacent land uses would endanger the safety of students or decrease the effective provision of education.
- H. Avoidance of school siting in any area where the proposed school facility would be incompatible with surrounding land uses.

Recommended for relocation to a Historic Preservation Element during further updates to the comprehensive plan. Other policies pertaining to historic preservation should be consolidated into a new Historic Preservation Element.

Policy 7.3:

In order to protect its historic resources, the City has recently had its Historic District nominated to the National Register of Historic Places. However, this nomination only limits alterations to structures, which are receiving federal and state funds. Therefore, the City shall enforce an historic preservation ordinance which:

- A. Provides for an historical preservation board, with the responsibility to direct and supervise development of the Historic District and any individual buildings with historical status. The Board shall also be responsible for coordinating with the State Division of Historic Resources, as well as providing property owners with information, such as federal taxes and other benefits available under National Register status.

- B. Provides criteria for redesign, maintenance, alteration, demolition, and relocation of historical buildings so that historic character is not diminished.
- C. Provides a sign ordinance specific to the historic district.
- D. Regulates replacement of physical features such as streetlights, street signs, fences, and utility poles to promoted compatibility with the historic district.
- E. Administers enforcement procedures and public hearings for review.
- F. Contains procedures for establishing new boundaries and monitoring construction in the existing district.
- G. Protects archaeological sites from disturbance and destruction, by prohibition of development on or in such close proximity to archaeological site 8MR95 as to destroy its substance or character, and requires that archaeologically significant sites that might be discovered in the future in Dunnellon be left intact and immediately reports to the City administration to initiate the preservation process.

Policy 7.4:

The City shall review and amend the land development regulations to eliminate zoning or other conflict with the historic preservation ordinance.

Policy 7.5:

The conservation and rehabilitation of substandard housing of historical significance shall be in accordance with the standards of the Division of Historic Resources and the City's local historical ordinance, when adopted.

Policy 7.6:

The City shall provide design guidelines for new construction and renovation of non-historic buildings within the district.

Policy 7.7:

The City shall promote the reuse of historic buildings within the district, by allowing innovative incentives and techniques whereby owners of historic properties who cannot justify the renovation of buildings as residential units shall meet standards for renovation as commercial, office, or a mix of commercial/office and residential. Such innovative incentives and techniques may include tax credits and conservation easements as stipulated in the land development regulations. The applicant shall be required to meet the standards for renovation and site design consistent with the historical district ordinance.

Policy 7.8:

The City shall promote development of educational programs to achieve a higher level of public awareness of local historic resources.

Policy 7.9:

The City shall offer public recognition incentives for active conservation of locally significant historic resources to encourage public and private participation in preservation.

CONSERVATION ELEMENT



Goals, Objectives and Policies

CONSERVATION ELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL

To manage, conserve and protect Dunnellon's natural resources through a balance of man's activities with sound environmental practices.

AIR QUALITY

Objective 1:

The City of Dunnellon currently enjoys good ambient air quality. However, the City recognizes air quality may be negatively affected by future land uses. Therefore, it is the City objective to maintain existing high standards of ambient air quality within the planning timeframe.

Policy 1.1:

All proposed commercial development which may impact air quality shall undergo the site plan review process, where the following standards shall be enforced:

- A. Any proposed industrial uses will be located in areas deemed to have the least impact on air quality standards.
- B. The applicant shall include documentation that ambient air quality in the City will not be lowered.
- C. The applicant shall use adequate landscaping to promote air quality and effectively reduce noise and view impacts to adjacent property.

Policy 1.2:

The City shall promote the use of alternative modes of transportation where economically feasible, including bicycle paths and walking trails.

Policy 1.3:

The City shall cooperate with any local, state, or federal agency programs, which monitor or otherwise contribute to maintenance of air quality.

SURFACE WATER QUALITY

Objective 2:

The Rainbow River and Withlacoochee River are irreplaceable recreational and aesthetic resources to the City. The City shall ensure that existing and future land uses do not contribute to a decrease in surface water quality, through enforcement of the following policies and through requirements for development and density limitations according to provision of central sewer facilities and criteria for site plan review.

Policy 2.1:

The surface waters of the City, including lakes, rivers and wetlands, shall be designated conservation areas, ~~where the following requirements shall be enforced:~~ The following requirements shall apply to property along rivers, navigable coves, and abutting wetlands:

- A. All waterfront development shall use methods of stormwater treatment which filter ~~the first one and one half inch (1½ inch)~~ of stormwater prior to direct discharge into surface waters, consistent with SWFWMD and DEP rules for Outstanding Florida Waters.
- B. Minimum setbacks of not less than 150 feet from the ordinary high water line of rivers, ~~and~~ navigable coves, and abutting wetlands, shall be established for all development along the river. This area shall be known as the river corridor protection area. ~~The land within the 150 foot setback shall be protected through a conservation easement.~~
- C. ~~No development shall be permitted by the City until the applicant has demonstrated that all proper state and federal permits have been received, including provisions for stormwater treatment.~~ All development permits shall be conditioned upon an applicant obtaining all necessary state and federal permits before commencement of the development.
- D. No dredging or filling will be allowed in wetlands, except where prohibition would deny all reasonable use of the property; in such cases, activities meeting this standard shall replace wetlands by type, form and function according to the ~~at the rate of two (2) acres of new wetlands for each one (1) acre of lost wetlands,~~ unless a more strict standard is imposed by a the applicable state or federal agency.
- E. For existing and new development, clearing of shoreline and wetland vegetation within 150 feet of the ordinary high water shall be limited to that required to provide access to the shoreline; in no case shall clearing exceed 10 percent of the total shoreline of each property.
- F. The removal of healthy, non-nuisance trees shall be in accordance with the tree ordinance.
- G. No hazardous, toxic, chemical, petroleum, nuclear waste, or liquid sludge shall be discharged into lakes or wetlands. No bulk hazardous wastes including septic tank effluent or liquid sludge shall be stored within 1,000 feet of the rivers' edge (ordinary high water), except those ~~associated with water-oriented commercial uses~~ that obtain appropriate permits by DEP.
- H. The construction of new boat ramps along the rivers shall be designed to direct runoff away from the river. ~~Direct sheet flow is prohibited.~~

- I. Any development adjacent to surface waters shall incorporate Best Management Practices (BMP) for stormwater treatment and for any permissible application of fertilizers and pesticides.

Policy 2.2:

Minimum setbacks of not less than 50 feet from water bodies and wetlands outside of the river corridor protection area ~~are~~ shall be required for all development.

Policy 2.3

Future improvements or widening of the City's roadways and drainage structures will include retrofitting for stormwater treatment. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.4:

The City shall seek funding sources for improvement of existing stormwater outfalls, such as stormwater utility districts, or alternative methods of reducing stormwater pollution, such as street cleaners. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.5:

The City shall coordinate with the Southwest Florida Water Management District Surface Water Management and Improvement Program (SWIM) program regarding continuing measures or funding sources available for preservation of the Rainbow River.

Policy 2.6:

The development of any new project along the rivers shall provide a stormwater management system including retention/detention areas, swales and other devices, which filter out pollutants before the stormwater enters the river. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.7:

Water collected in agricultural drainage systems shall be routed through vegetated buffer areas, such as field borders and grassed swales, to provide treatment consistent with SWFWMD standards. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.8:

The City shall prohibit the sale and use of fast-release fertilizers within the City limits.

Policy 2.9:

Redevelopment plans shall include site design providing for stormwater treatment on-site. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.10:

The City shall coordinate with Federal, State and local enforcement agencies to effectively enforce established regulations. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.11:

The City shall prohibit any commercial water withdrawal or diversion of the Rainbow River, and the Withlacoochee River.

Objective 3:

The City of Dunnellon is enrolled in the Federal Emergency Management Agency Flood Insurance Program, which designates areas where flooding may incur hazards to public safety and property. In order to reduce such hazards, the City shall continue to enforce its existing floodplain management ordinance, and, to ensure the optimum level of enforcement of the ordinance, maintain mandatory site plan review criteria and additional requirements for development within the floodplain.

Policy 3.1:

All proposed development in the flood plain shall provide compensatory storage of floodwater to ensure other areas do not become flood-prone.

Policy 3.2:

Development meeting the criteria in Policy 3.1 shall be permitted if the finished elevation of first floor construction is at least one (1) foot above the 100-year flood elevation.

Policy 3.3:

Criteria for development in the floodplain shall include the use of anchoring to prevent flotation, use of piers and breakaway walls, protection of water quality and habitat functions of the floodplain, and other criteria deemed necessary by the City to protect public health and safety. Septic tanks shall be prohibited in the 100-year floodplain.

LAND RESOURCES**Objective 4:**

At this time, there are no areas within the City considered suitable for extraction of minerals. However, it is the City's objective to conserve, protect and appropriately use mineral resources within the City, through enforcement of the following policy:

Policy 4.1:

No mining activities will be allowed within City limits.

Objective 5:

The soils of Dunnellon are subject to erosion problems; areas undergoing development activity are especially prone to wind erosion. It is the City's objective to protect soils through incorporation of the following requirements and criteria for site plan review.

Policy 5.1:

The City shall require that “Best Management Practices” be followed during development activities:

- A. Use of hay bales or other effective means to prevent erosion on areas of steep slope shall be required.
- B. Shorelines and wetlands shall be protected with filter berms or fabric screens, as appropriate to prevent siltation into water bodies and wetlands;
- C. All site preparation and landscaping, as shown on the site plan if required for new development, shall be completed prior to certificate of occupancy.
- D. Other best management practices may be required by the City where needed to reduce or eliminate erosion.

Policy 5.2:

All landscaping within 150 feet of the ordinary high water line of the rivers shall be native and / or naturalized that ensures the stabilization of soils. The planting of species listed on the Florida Exotic Pest Plant Council’s *Invasive Plant List* is prohibited.

Policy 5.3:

Stabilization of banks shall be accomplished by planting of native and / or naturalized vegetation or use of riprap, and not by seawalls; construction of new seawalls is prohibited.

Policy 5.4:

Existing seawalls requiring maintenance and repair shall be faced with riprap for stabilization and prevention of undercutting and erosion.

Policy 5.5:

The City shall require the use of best agricultural practices on agricultural land to minimize erosion and ensure compatibility with protection of natural systems according to the requirements of the applicable permitting authority.

Policy 5.6:

The City shall seek the assistance from the Southwest Florida Water Management District SWIM program and Marion County to remediate erosion problems at the CR 484 bridge tubing and canoe pickup site.

FLORAL AND FAUNAL RESOURCES**Objective 6:**

Manage, conserve, and protect all natural communities and wildlife, especially species designated of special status by the Florida Fish and Wildlife Conservation Commission, Florida

Department of Agriculture and Consumer Services, and U.S. Fish and Wildlife Service, through the following requirements and site plan review process:

Policy 6.1:

Require innovative techniques for new development to protect wildlife species, through site design methods which direct development away from wildlife, such as buffering, cluster housing, and other methods.

Policy 6.2:

~~Require~~ Provide incentives for the establishment of conservation easements and preservation areas for new development of private and public lands containing endangered, threatened or species of special concern on-site.

Policy 6.3:

Coordinate with Federal, State and local agencies in enforcement of regulations that pertain to endangered, threatened and species of special concern.

Policy 6.4:

Ensure that development design mitigates any negative impacts through management plans which include Best Management Practices. The City shall seek assistance, as appropriate, from the Florida Fish and Wildlife Conservation Commission prior to approval of new development in areas known to be inhabited by endangered or threatened species, in order to ensure development design mitigates any negative impacts through management plans which include Best Management Practices.

Policy 6.5:

Enforce regulations, which restrict disturbance of wetlands by development activity; including requiring setbacks, prohibiting dredge and fill, requiring mitigation at the rate of two (2) acres of wetlands for each one (1) acre of disturbed wetlands, unless a more strict standard is imposed by a state or federal agency, and limiting vegetation clearing.

Policy 6.6:

Encourage use of native and / or naturalized species for landscaping of new development, while prohibiting planting of invasive or aggressive exotic vegetation, including Brazilian pepper, melaleuca, ear tree, and Australian pine.

Policy 6.7:

Enforce the tree protection ordinance, for the protection of native species, and elimination of undesirable, aggressive exotics.

Policy 6.8:

Implement and enforce policies in the Future Land Use Element, which limit density and intensity of development of areas, designated for conservation on the Future Land Use Map.

- A. Non-jurisdictional uplands, as determined by SWFWMD, FDEP, or USACOE, shall be investigated for the possibility of plant and animal species of special concern through the

databases of the Florida Fish and Wildlife Conservation Commission and the Florida Natural Areas Inventory. Should either of these data banks show a probability of listed species, the property should be ground-truthed. If evidence of listed species is found, the City shall consider an amendment to the Future Land Use Map to designate the area as “conservation” land use. A wildlife management plan consistent with Policies 6.3 and 6.4 shall be implemented.

Policy 6.9:

~~The removal of cypress trees shall be protected and subject to removal only in extenuating circumstances which are enumerated and regulated by City ordinances. prohibited.~~

Policy 6.10:

The City shall coordinate with Federal, State and local programs for the protection of the most vulnerable ecological communities, including acquisition through state and federal programs.

Policy 6.11:

Development projects directly adjacent to the Rainbow and Withlacoochee Rivers shall be required to provide an inventory of endangered or threatened animal species and measures to mitigate adverse impacts.

Policy 6.12:

The City shall maintain coordination with all agencies having natural resource management plans, including the Department of Environmental Protection (which has jurisdiction over the Rainbow River Aquatic Preserve and Outstanding Florida Waters) and Florida Freshwater Fish and Game Commission (which has jurisdiction over fisheries and endangered species), and Southwest Florida Water Management District which has nominated the Rainbow River to the Surface Water Improvement and Management Program.

Policy 6.13:

The City shall coordinate with Marion County, Citrus County, the Department of Community Affairs, and the Withlacoochee Regional Planning Council regarding any resource management plans initiated by those agencies.

GROUNDWATER AND POTABLE WATER RESOURCES**Objective 7:**

Provide for the management of hazardous waste in order to protect environmental quality, potable water supplies, and health, safety, and welfare of Dunnellon’s population, through implementation of monitoring and other programs upon adoption of the plan, and through policies for siting of new land uses involving hazardous waste.

Policy 7.1:

The City shall cooperate with any state, federal, or local programs concerning hazardous waste.

Policy 7.2:

Prior to ~~site plan approval~~ of any activity that stores, uses or produces hazardous waste, the responsible party shall:

- A. Develop an emergency response system addressing accidents involving hazardous waste.
- B. Ensure that location of the site will not degrade quality of groundwater or surface water or other natural resources.
- C. Ensure DEP standards for transfer, handling, and storage of hazardous waste are implemented by undergoing review and approval under the Marion County Storage Tank Program.
- D. Coordinate with State, Regional and County officials to demonstrate that compliance with the above requirements will satisfy all regulations and policies.

Policy 7.3:

Promote the collection and recycling of hazardous wastes by providing public information and programs such as Amnesty Days and the locations of approved recyclers.

Objective 8:

To conserve and protect potable water resources and natural aquifer recharge areas from adverse impacts.

Policy 8.1:

The City shall continue to research the feasibility of reuse of water, including spray irrigation and graywater, for new public and private sewage treatment facilities and stormwater facilities. Where such uses are economically viable, physically feasible, and have the least environmental impact they shall be required. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.2:

In order to protect present and future water supplies, the City shall strictly control the types of ~~prohibits~~ new development within a 200-foot radius to potable water wells (This does not apply to nonpotable wells or individual wells serving a single family residence). In addition, all development shall comply with the Marion County Storage Tank Program. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.3:

Owners of existing underground storage tanks within 1000-foot radius of any public potable water well shall monitor groundwater quality and report quarterly to the City. Any tank found to be leaking shall be required to report within 24 hours to the Marion County Storage Tank Program. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.4:

Participate in water conservation and protection program of the Southwest Florida Water Management District. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.5:

Encourage the use of native vegetation in landscaping, which reduces irrigations needs.

Policy 8.6:

Coordinate with the Southwest Florida Water Management District to ensure the City and its residents comply with the requirements for water conservation during times of water shortage. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.7:

Maintain a water conservation program which includes: progressive rate structures; leak detection and remediation programs; and educational programs. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.8:

Coordinate with the Southwest Florida Water Management District in development of organized procedures to be followed during emergency water supply interruptions. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.9:

Implement innovative site design techniques, which protect the aquifer and maintain aquifer recharge capabilities, such as cluster development, pervious pavement, green development, water and energy efficient development, and open space requirements.

Policy 8.10:

Enforce state laws requiring low volume plumbing fixtures for new construction through building permit procedures. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.11:

The City shall verify that adequate potable water supplies are available, consistent with adopted level of service standards, prior to issuing development orders. [This policy may be relocated to the Infrastructure Element or Capital Improvements Element. However, until the element is updated, the policy is retained.]

Policy 8.12:

The City shall recognize and protect sandhill habitat.

Objective 9:

Protect, maintain, and restore water quality and quantity within the springsheds of the Rainbow Springs and Kings Bay Group in order to maintain and protect environmental, economic, recreational, and natural functions of springs as fragile resources necessary for sustaining the quality of life.

Policy 9.1:

In order to minimize the contribution of nitrates to groundwater with its resultant effects on increased growth of vegetation in the spring and river and loss of water clarity, and to foster long-term stewardship of springs, the City shall adopt special design standards and best management practices (BMPs) as appropriate to City needs and characteristics ~~shall be required~~ for all development located within the City of Dunnellon.

A. All development shall comply with the following setback standards:

TABLE 9.1 – SETBACK STANDARDS FROM SPECIFIC FEATURES	
Feature	Minimum Setback (Feet)
3 rd magnitude and smaller springs	100
Spring runs and rivers	150

1. The minimum setbacks set forth in this Policy and in Policy 2.1.B for lots of record recorded on or before October 27, 2008, which are vacant as of [REDACTED], 2016 [or effective date of this plan amendment] shall be 75 feet.
24. The setback from springs and spring runs shall be measured from the ordinary high water line.
32. Where a lot of record is too small to accommodate development in compliance with the setbacks set forth in Table 9.1, an allowable use may be established provided that it complies with the river corridor protection standards established by the city. Standards established by the City shall incorporate the following principles:
 - a. The building and associated paved areas are located the maximum distance possible from the features listed in Table 9.1.
 - b. A swale and berm are located between the development and the spring, spring run, or river, and
 - c. The swale and berm are designed to direct drainage away from the feature.

B. The City shall consider and adopt as appropriate regulations to minimize potential adverse impacts of development on environmentally sensitive lands. Development applications that may impact karst features will be required to provide ~~All development shall demonstrate that the proposed uses are appropriate, considering potential impacts on natural resources and environmentally sensitive lands. If a development is proposed for~~

~~land within 500 feet of a wetland, shoreline, sinkhole, or geologic feature, the application shall be accompanied by a geophysical analysis with at least the following information:~~ the characteristics of on-site soils, locations of geologic features including sinkholes, depressions, and swallets; depth of the water table; location of the Floridan Aquifer relative to ground surface and thickness and extent of the bedrock or other confining layers over the aquifer.

- C. Where a geophysical analysis confirms a direct connection to the aquifer, a comparative nitrate loading analysis shall be prepared by a licensed professional geologist using professionally acceptable methodology based on the designation on the Future Land Use Map at the time of proposed development, considering the maximum intensity possible under the proposed land use designation. The analysis must demonstrate that there is no significant and measurable net increase in nitrate loading to groundwater. The analysis shall also demonstrate that there will be no stormwater discharge into any sinkholes.

Policy 9.2:

Landscaping design and maintenance practices shall be implemented that reduce impacts to land in the City.

- A. Removal of vegetation shall be limited to the minimum necessary to accommodate development. Buildings and other disturbed areas shall be located to avoid removal of native vegetation to the maximum extent feasible.
- B. Native, Florida friendly or naturalized species shall be used in all landscape areas in order to avoid or minimize the use of irrigation and fertilizers. ~~Fast release fertilizers are prohibited.~~
- C. The land area within the required setback set forth in Table 9.1 is designated as a buffer and all native vegetation shall be retained, except for minimal removal necessary to provide for pedestrian paths or boardwalks. Paths and boardwalks shall not exceed four (4) feet in width except where required for compliance with the Americans with Disabilities Act and shall not be paved.
- D. All landscaping for development in the City shall conform to the best management practices as stated in the *Guidelines for Model Ordinance Language for Protection of Water Quality and Quantity Using Florida Friendly Lawns and Landscapes*. (Florida Department of Environmental Protection and University of Florida, January, 2009 ~~September 2, 2003~~).
- E. The City shall establish guidelines for managing existing and future lawns and landscapes at all City facilities using the educational guidelines contained in the University of Florida Extension's Florida Yards and Neighborhoods Program, Environmental Landscape Management (ELM) principles and Best Management Practices. Such guidelines shall include practices that are designed to reduce nitrate infiltration into ground and surface water.

Policy 9.3

The City shall initiate discussion with Marion County, SWFWMD, DEP and other appropriate entities regarding preparation of a carrying capacity study for uses of the Rainbow River. When such a study is prepared, the City will amend its Comprehensive Plan and adopt implementation mechanisms consistent with the study.

PUBLIC FACILITIES ELEMENT



Goals, Objectives and Policies

PUBLIC FACILITIES ELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL 1:

The City of Dunnellon will secure adequate capacity for treatment and disposal of wastewater, install and maintain adequate wastewater collection and transmission facilities, take steps to conserve water, protect aquifers and ground water resources, provide greater environmental protection, and maintain sufficient services for the sanitary sewer customers.

Objective 1.1:

Maximize the use of existing facilities, through the implantation of programs and adoption of land development regulations which reduce urban sprawl.

Policy 1.1.1:

Replacement, improvement or expansion of facilities shall be coordinated with adopted level of service standards, and shall incorporate peak demand coefficients when determining capacity and demand.

Policy 1.1.2:

Continue or strengthen existing maintenance programs for City-maintained water, sewer and drainage facilities.

Policy 1.1.3:

The City of Dunnellon will continue its current program of using reuse effluent for spray irrigation.

Objective 1.2:

The City of Dunnellon will eliminate existing deficiencies and hazards identified in the wastewater treatment facilities and add additional facilities and services to serve the future needs of the customers so that adopted LOS standards are maintained consistent with the City's adopted concurrency management system.

Policy 1.2.1:

The City of Dunnellon hereby adopts an existing level of service standard for wastewater of 87 gallons per day per person. Peak flow is assumed to equal 1.5 times average daily flow. Projected flows have been rounded to the nearest tenth.

Policy 1.2.2:

The City shall implement the concurrency management system, which ensures that development orders are not issued which lower level of service standards below adopted standards.

Policy 1.2.3:

For development where the Future Land Use Map of the comprehensive plan allows the use of septic tanks, development orders shall not be issued prior to demonstration that appropriate

permits for on-site wastewater treatment systems have been obtained from the Marion County Health Department in accordance with Chapter 10D-6, F.A.C., and other federal, state and local agencies. Private septic tanks shall be performance based septic systems with drip irrigation for effluent disposal. ~~designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen.~~

Policy 1.2.4:

The City shall consider, and adopt as appropriate, a means to ensure that new development shares proportionate responsibilities in the provision of facilities and services to meet the needs of that development and maintain adopted level of service standards.

Policy 1.2.5:

~~The City will prohibit the discharge of effluent after disinfection into waterbodies containing not more than 20 mg/l of carbonaceous biochemical oxygen demand and total suspended solids or at least 75% of each of these pollutants from the wastewater influent, whichever is more stringent. All facilities shall be subject to provisions of Rule 62-600.110 F.A.C., regarding the applicability of the above requirements, and Rules 62-600.440, 62-600.445, 62-600.740, F.A.C., regarding compliance with these requirements. Appropriate disinfection and pH control of effluents shall also be required.~~

Objective 1.3:

The City of Dunnellon will provide wastewater collection and transmission services to its residential and nonresidential customers through the expansion of the wastewater treatment facility and lines and through the use of performance-based septic systems. ~~with drip irrigation for effluent disposal designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen in areas that will not be served by the central sewer system.~~

Policy 1.3.1:

All new waterfront development shall utilize central sewer. ~~The use of private septic tanks to service new waterfront development is hereby prohibited. For the purposes of this section, waterfront development shall be defined as any development occurring on property which borders the Rainbow River, Withlacoochee River, wetlands, and lakes. Notwithstanding the above, single family residences on waterfront parcels of 10 acres or more shall be allowed to have a performance based septic system with drip irrigation for effluent disposal designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen with the drainfield located 150' or more from the water's edge, provided that sanitary sewer service is not available.~~

Policy 1.3.2:

All new development (other than bonafide agricultural uses) shall utilize central sewer and water. Existing developed property development shall hook up to central sewer when available, within 90 days of availability. ~~The City Council shall have the ability to grant a variance to this requirement in cases where financial or engineering hardships are demonstrated by an applicant requesting such variance.~~

Policy 1.3.3:—

~~All septic systems shall be inspected every five (5) years or upon sale of the property for maintenance. The City shall develop a process for tracking the inspections. If at any time a septic system is determined by the Marion County Health Department to be in failing status, then the system must be replaced with a performance-based system with drip irrigation for effluent disposal designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen, at the expense of the property owner, within 90 days. The City Council shall have the ability to grant a variance to the replacement requirement in cases where financial hardship is demonstrated by an applicant requesting such variance.~~

Policy 1.3.4:—

~~For purposes of considering a variance as described in Policies 1.3.2 and 1.3.3, financial hardship is defined as having an income at or below the most recent poverty threshold established by the U.S. Census Bureau.~~

Objective 1.4:

The City of Dunnellon will minimize wastewater resulting from infiltration and inflow.

Policy 1.4.1:

Estimates of infiltration and inflow will be made at least every five (5) years as needed. Where economically feasible, system improvements will be made to reduce these levels. Records shall be held by the Department of Public Works, ~~and be available for public inspection.~~

Objective 1.5:

~~Funded with a state or federal grants and a low interest loans, the City of Dunnellon will expand, replace, and rehabilitate the central sanitary sewer system, through four phases between the years 2003 and 2012.~~

Policy 1.5.1:—

~~The sanitary sewer system will be operated as an independent enterprise, such that revenues will be used for the benefit of its customers. The rate schedule for sanitary sewer services will be based on public utility cost-of-service principles in Florida Statute 180.30.~~

Policy 1.5.12:

The City shall continue applying ~~the ongoing application to the Farmer's Home Administration~~ for wastewater disposal loans and grants. Other options for funding shall also be researched and implemented if feasible, including:

- A. Feasibility of using CDBG program monies for infrastructure improvements during the next grant cycle;
- B. Application for available grants to assist in funding of sewer or water extension;
- C. Technical and financial assistance from the Southwest Florida Water Management District under the Surface Water Improvement and Management program or Basin

District under the Surface Water Improvement and Management program or Basin Board funding to correct the direct discharge of any untreated stormwater; and

- ~~D-~~ Records shall be held by the Department of Public Works, ~~and be available for public inspection.~~

Objective 1.6:

Establish priorities for the replacement of existing facility deficiencies, the correction of existing facility deficiencies, and providing for future facility needs.

Policy 1.6.1:

Capital improvement projects needed for replacement or correction of existing deficiencies in the sanitary sewer service area shall be given priority over providing for future facilities needs. Sanitary sewer capital improvements shall be implemented each year in order of priority. Improvements required for public health shall receive the highest priority; improvements related to providing the level of service standard shall receive the second highest priority; and operational, convenience, and other improvements shall receive the third highest priority.

GOAL 2:

The City shall provide for solid waste disposal service in a sanitary, economic, and environmentally safe manner.

Objective 2.1:

Continue to ensure satisfactory and economical solid waste service for all City residents, with an emphasis on reuse and recycling.

Policy 2.1.1:

The City hereby establishes the following level of service standards for solid waste disposal facilities:

FACILITY TYPE	LEVEL OF SERVICE STANDARD
Solid Waste Landfill	5.3 pounds per capita per day

Objective 2.2:

Reduce amount of solid waste disposed per capita through waste reduction strategies that include waste prevention, source reduction, reuse, and recycling.

Policy 2.2.1:

The City shall maximize the use of solid waste facilities through implementation of a recycling program.

Objective 2.3:

The City shall prohibit the siting of solid waste and hazardous waste facilities within environmentally sensitive areas to minimize the water quality impacts from solid waste and hazardous waste facilities.

Policy 2.3.1:

The City shall develop design criteria for the siting of solid or hazardous waste disposal, treatment and transfer facilities within the City. The City may prohibit these facilities in areas shown to be in the unconfined area of the Floridian Aquifer, areas with surface waters, and areas with wetlands.

GOAL 3:

Develop and maintain a stormwater management system that minimizes flooding, protects, preserves, and enhances desirable water quality conditions, and, where possible, preserves and utilizes existing natural features.

Objective 3.1:

Ensure provision of drainage and stormwater retention through level of service standards and design requirements to minimize flooding and to protect and improve water quality.

Policy 3.1.1:

The City hereby establishes the following water quantity and quality level of service standards for drainage facilities:

LEVEL OF SERVICE STANDARD

The City shall enforce a 25-year frequency, 24-hour duration, design storm level of service for open basins and a 100-year 24 hour duration level of service for closed basins as the basis for stormwater management system design for proposed new development and redevelopment projects, and for determining availability of facility capacity. Stormwater collection systems (including designs for minimum impacts to the natural water flow), transport systems, and allowable peak density rates shall meet requirements and specifications as defined in the City of Dunnellon Land Development Code. Developers will also be required to analyze the ultimate effects of stormwater disposal for all storm events, up to and including the 100-year, 24-hour duration, storm event. In addition, developers will comply where applicable with the SWFWMD flood control criteria for stormwater quantity and quality [Chapters 40D-4, 40D-40, and 40C-400, F.A.C.].

The demand for stormwater facility capacity by new development shall be determined based on the difference between the pre-development and post-development stormwater runoff characteristics (including rates and volumes) of the development site using the design storm level of service standard stated above and facility design procedures consistent with accepted engineering practice.

The City shall ameliorate the future discharge of inadequately treated stormwater runoff into waters and wetlands of the state by requiring that the first one-inch of runoff be retained on-site, or in the case of runoff entering any body of water designated an Outstanding Florida Water (OFW), the first one and a half inches shall conform to the standards used by SWFWMD and DEP.

Policy 3.1.2:

The City shall require the construction of roads within new plats or replats to be arranged so that the grades of the streets shall conform as closely as possible to the original topography to prevent the interruption of natural drainage flows, including sheet flow and flow to isolated wetland systems.

Policy 3.1.3:

The City shall require a certification, by the preparer of the permit plans, that all construction activity undertaken shall incorporate erosion and sediment controls during construction.

Objective 3.2:

The City shall implement design guidelines for stormwater management facilities to promote dual use, protect natural features, and provide aesthetically pleasing facilities.

Policy 3.2.1:

Stormwater facility design shall incorporate Best Management Practices, including the following features, where practicable:

- A. Joint use of retention and detention basins for passive recreation, habitat and open space.
- B. Use of vegetation, such as cypress and river birch, in retention and detention basin to enhance stormwater management objectives.
- C. On-site retention and detention facilities shall be integrated with other elements of the proposed development through aesthetically sensitive design and the use of landscaping.
- D. Maintain and enhance the existing hydrological and ecological function of stream or drainage corridors or wetland areas which serve stormwater facilities.

Objective 3.3:

The City shall promote practices that minimize erosion, sedimentation, and stormwater runoff.

Policy 3.3.1:

The City shall require development practices that minimize land disturbance, the clearing of vegetation and the removal of topsoil. These practices shall be based on established construction best management practices, such as the use of silt fences and sediment basins to retain sediment onsite.

GOAL 4:

Provide an adequate supply of high quality potable water to customers throughout the service area.

Objective 4.1:

Achieve and maintain acceptable levels of service for potable water quantity and quality consistent with the City's adopted concurrency management system.

Policy 4.1.1:

Capital improvement projects needed for replacement or correction of existing deficiencies in the community potable water service area shall be given priority over providing for future facilities needs, if they are imminently needed to protect the public health and safety and if existing facilities are not meeting maintenance or operation level of service standards adopted herein.

Policy 4.1.2:

The City establishes the following level of service standards for potable water:

- A. Quality: Compliance with all applicable standards of the U.S. Environmental Protection Agency (EPA) and the Florida Department of Environmental Protection.
- B. Quantity: System-wide potable water distribution and treatment will be sufficient to provide a minimum of 125 gallons per day per equivalent residential unit on an average annual basis. Plant expansion shall be planned in accordance with Florida Administrative Code.

Objective 4.2:

Prioritize and execute needed system improvements in a manner which protects existing investments, promotes orderly growth, and is consistent with the Capital Improvements Element and Capital Improvements Program of this Plan.

Policy 4.2.1:

New urban development will only occur within areas where potable water services are available concurrent with development.

Policy 4.2.2:

The City will continue to require necessary on-site water system improvements to be completed at the expense of the property owner.

Policy 4.2.3:

The City shall extend water service in a pattern consistent with the policies of the comprehensive plan, especially the Future Land Use Map and the Future Land Use Element, adhering to a compact urban growth area, promoting infill development and discouraging urban sprawl, as defined in Florida Administrative Code.

Policy 4.2.4:

The City will require water conservation through the enforcement of the adopted Florida Building Code which requires such items as low-volume commodes, water flow restrictions for showers and spigots, and similar devices in all new construction and renovations, and will comply with the appropriate water management district water use restrictions.

Policy 4.2.5:

Use of the lowest quality water available for appropriate uses, through water storage systems (i.e.: rain barrels) and grey (reclaimed) water supply facilities.

Policy 4.2.6:

The City shall require compliance with the Southwest Florida Water Management District regarding irrigation practices and other water restrictions measures.

Policy 4.2.7:

The City shall investigate the feasibility of the installation and use of a reclaimed water system. If investigations find the installation and use of reclaimed water to be feasible, the City shall implement a reclaimed water system.

GOAL 5:

Protect, maintain, and restore the Floridian Aquifer to ensure the quality and availability of potable water resources for present and future generations.

Objective 5.1:

Land development regulations shall include siting requirements for land use which assist in the protection of groundwater aquifer recharge and protection of existing and future groundwater supplies.

Policy 5.1.1:

Well head protection area (WHPA) requirements for current and future wells will continue to be enforced within Dunnellon. These requirements will be consistent with Marion County's WHPA requirements. These guidelines will serve to protect the City's existing wellfields from contamination. Wellhead protection areas will consist of two zones which shall be defined as:

- A. Primary Zone - For all wells within the City meeting the above criteria, the boundary of the primary zone shall be defined by a 500 foot radius from the wellhead. This area shall be a zone of exclusion for all uses except existing uses that have current functionally related to the water supply system, open space, parks, and playgrounds. No parking areas, structures, or other impervious surfaces, other than those surfaces that are accessory to existing uses, will be allowed in this zone. The above referenced allowable uses, materials, and substances shall be consistent with Chapters 62-521, 38I-30, and 62-555.312, F.A.C.
- B. Secondary Zone - The boundary of this zone shall be defined by a 1,000 foot radius from the wellhead. Existing wells, of any size or depth, must be currently permitted or properly abandoned, prior to the issuance of any development or demolition permit. Prohibited uses, materials and substances shall be consistent with Chapters 62-521, 38I-30, and 62-555.312, F.A.C. Within this zone, any use other than low density residential, existing non-residential use, or handling, production or storage of hazardous materials and substances shall be considered non-conforming. The following uses shall also be prohibited within this zone:
 1. Landfills or sludge disposal sites;
 2. Effluent spray fields;

3. Discharge to ground water through manmade conduits, except for septic tanks and stormwater treatment facilities;
4. Feedlots or other concentrated animal waste;
5. Stormwater facilities where recharge occurs into a potable water aquifer;
6. All uses specified in the Comprehensive Plan - Future Land Use Element

Policy 5.1.2:

The City shall review the Southwest Florida Water Management District's regulations regarding high aquifer recharge areas on an annual basis. In case of changes to these regulations, amendments shall be made to the Land Development Code to reflect the new regulations set forth by the water management district.

AQUIFER PROTECTION ELEMENT



Goals, Objectives and Policies

AQUIFER PROTECTION ELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL:

Protect, maintain, and restore the Floridian Aquifer to ensure the quality and availability of potable water resources for present and future generations.

Objective 1:

Land development regulations shall include siting requirements for land use which assist in the protection of groundwater aquifer recharge and protection of existing and future groundwater supplies.

Policy 1.1:

Well head protection area (WHPA) requirements for current and future wells will continue to be enforced within Dunnellon. These requirements will be consistent with Marion County's WHPA requirements. These guidelines will serve to protect the City's existing wellfields from contamination. Wellhead protection areas will consist of two zones which shall be defined as:

- A. Primary Zone - For all wells within the City meeting the above criteria, the boundary of the primary zone shall be defined by a 500 foot radius from the wellhead. This area shall be a zone of exclusion for all uses except existing uses that have current functionally related to the water supply system, open space, parks, and playgrounds. No parking areas, structures, or other impervious surfaces, other than those surfaces that are accessory to existing uses, will be allowed in this zone. The above referenced allowable uses, materials, and substances shall be consistent with Chapters 62-521, 38I-30, and 62-555.312, F.A.C.

- B. Secondary Zone - The boundary of this zone shall be defined by a 1,000 foot radius from the wellhead. Existing wells, of any size or depth, must be currently permitted or properly abandoned, prior to the issuance of any development or demolition permit. Prohibited uses, materials and substances shall be consistent with Chapters 62-521, 38I-30, and 62-555.312, F.A.C. Within this zone, any use other than low density residential, existing non-residential use, or handling, production or storage of hazardous materials and substances shall be considered non-conforming. The following uses shall also be prohibited within this zone:
 - 1. Landfills or sludge disposal sites;
 - 2. Effluent spray fields;
 - 3. Discharge to ground water through manmade conduits, except for septic tanks and stormwater treatment facilities;
 - 4. Feedlots or other concentrated animal waste;

5. Stormwater facilities where recharge occurs into a potable water aquifer;
6. All uses specified in the Comprehensive Plan - Future Land Use element.

Policy 1.2:

The City shall review the Southwest Florida Water Management District's regulations regarding high aquifer recharge areas on an annual basis. In case of changes to these regulations, amendments shall be made to the Land Development Code to reflect the new regulations set forth by the water management district.

Objective 2.0:

Implement water quality protection strategies for the two springsheds that exist in Dunnellon.

Policy 2.1:

The City will ~~prohibit~~ discourage the sale and use of fast release pesticides and fertilizers within city limits through educational programs.

Policy 2.2:

The City ~~shall~~ should provide funding for programs which assist in educating residents about proper use of fertilizers and irrigation practices.

Policy 2.3:

The City will incorporate the principles of the Florida Yards and Neighborhoods program into local landscaping ordinances.

Objective 3.0:

Restrict land use activities that have the potential to pollute public water supply facilities and/or the Floridan Aquifer. ~~{9J-5.013(2)(b)2.}~~

Policy 3.1:

Control point sources of groundwater pollution by implementing land development regulations to restrict any land use that will ~~significantly~~ diminish groundwater quality and quantity. ~~{9J-5.013(e)1.}~~ The following land uses shall be regulated to reduce potential impacts prohibited, ~~including all uses specified in the Comprehensive Plan - Future Land Use element section:~~

- A. Vehicle sales, repair, rental, storage, or maintenance;
- B. Hazardous waste facilities;
- C. Buildings larger than 80,000 sq. ft.;
- D. Drive-up facilities;
- E. RV parks

Objective 4.0:

Maintain reasonable and appropriate potable water usage (125 gal/person/day) consistent with the current conservation element amendments of the Comprehensive Plan.

Policy 4.1:

The City will promote water conservation through the enforcement of the adopted Florida Building Code which requires such items as low-volume commodes, water flow restrictions for showers and spigots, and similar devices in all new construction and renovations, and will comply with the appropriate water management district water use restrictions.

Policy 4.2:

Use of the lowest quality water available for appropriate uses, through water storage systems (i.e.: rain barrels) and grey (reclaimed) water supply facilities.

Policy 4.3:

The City shall require compliance with the Southwest Florida Water Management District regarding irrigation practices and other water restrictions measures.

Objective 5.0:

Limit the use of impervious surfaces to increase land availability for aquifer recharge.

Policy 5.1:

Design of parking lots, sidewalks, buildings, and other impervious surfaces shall minimize connections between impervious surfaces through the following techniques. Not all techniques may be required to accomplish the requirement to minimize connections:

- A. Directing flows from roof drains to vegetated areas or to rain barrels or cisterns for reuse of the water;
- B. Directing flows from paved areas to vegetated areas;
- C. Locating impervious surfaces so that they drain to vegetated buffers or natural areas; and
- D. Breaking up flow directions from large paved surfaces.

Policy 5.2:

Porous pavement materials, such as pervious concrete, pervious asphalt, or other pervious or porous materials shall be used to minimize the amount of impervious surface within all development.

Rick Scott
GOVERNOR



Jesse Panuccio
EXECUTIVE DIRECTOR

October 23, 2015

The Honorable Nathan Whitt
Mayor, City of Dunnellon
20750 River Road
Dunnellon, Florida 34431

Dear Mayor Whitt:

The Department has completed its review of the proposed comprehensive plan amendment for the City of Dunnellon (DEO Amendment Number 15-1ESR), which was received on September 25, 2015. This package includes amendments to the City's Future Land Use, Conservation, Public Facilities, and Aquifer Recharge Elements. The amendments are removing obsolete references to Rule 9J-5, F.A.C.; addressing setback requirements for waterfront property; protecting groundwater quality; and determinations for mandatory sewer connection. We have reviewed the proposed amendment pursuant to Sections 163.3184(2) and (3), Florida Statutes (F.S.), and identified no comment related to important state resources and facilities within the Department's authorized scope of review that will be adversely impacted by the amendment if adopted.

The City is reminded that pursuant to Section 163.3184(3)(b), F.S., other reviewing agencies have the authority to provide comments directly to the City. If other reviewing agencies provide comments, we recommend the City consider appropriate changes to the amendment based on those comments. If unresolved, such comments could form the basis for a challenge to the amendment after adoption.

The City should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. Also, please note that Section 163.3184(3)(c)1, F.S., provides that if the second public hearing is not held within 180 days of your receipt of agency comments, the amendment shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected party that provided comment on the amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment.

If you have any questions relating to this review, please contact Nia Clark, at (850) 717-8492, or by email at nia.clark@deo.myflorida.com.

Sincerely,



Ana Richmond, Chief
Bureau of Community Planning

AR/nc

Enclosure: Procedures for Adopted Amendments

cc: Scott Koons, AICP, Executive Director, North Central Regional Planning Council
Lonnie Smith, Community Development Services, City of Dunnellon
Virginia Cassaday, Attorney for City of Dunellon, Shepard, Smith, and Cassaday, P.A.

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

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 local government 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.

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.



City of Dunnellon

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DATE: October 26, 2015

TO: Lonnie Smith, Community Development, City of Dunnellon

FROM: Scott R. Koons, AICP

RE: Council Review of City of Dunnellon Comprehensive Plan Draft Amendment
(City Ordinance 2015-10)

Dear Mr. Smith:

At its regularly scheduled meeting held October 22, 2015, the Council reviewed the above-referenced items. Subsequent to their review, the Council voted to adopt the enclosed report.

If you have any questions concerning this matter, please do not hesitate to contact Steven Dopp, Senior Planner of the Planning Council's Regional and Local Government Programs staff, at 352.955.2200, extension 109.

xc: Ray Eubanks, Florida Department of Economic Opportunity
Sherry Spiers, Florida Department of Economic Opportunity

**FLORIDA REGIONAL COUNCILS ASSOCIATION
LOCAL GOVERNMENT COMPREHENSIVE PLAN AMENDMENT REVIEW FORM 01**

Regional Planning Council: North Central FI
Review Date: 10/22/15
Amendment Type: Draft Amendment

Regional Planning Council Item No.: 82
Local Government: City of Dunnellon
Local Government Item No.: Ord. 2015-10
State Land Planning Agency Item No.: 15-1ESR

Date Mailed to Local Government and State Land Planning Agency: 10/23/15 (estimated)

Pursuant to Section 163.3184, Florida Statutes, Council review of local government comprehensive plan amendments is limited to adverse effects on regional resources and facilities identified in the strategic regional policy plan and extrajurisdictional impacts that would be inconsistent with the comprehensive plan of any affected local government within the region. A written report containing an evaluation of these impacts, pursuant to Section 163.3184, Florida Statutes, is to be provided to the local government and the state land planning agency within 30 calendar days of receipt of the amendment.

DESCRIPTION OF AMENDMENTS

The amendment contains text amendments to address numerous obsolete or legally deficient provisions contained within the Conservation Element, Future Land Use Element, Public Facilities Element, and the Aquifer Protection Element. Additionally, City Future Land Use Element Policy 1.10 is amended to allow three parcels to be developed as single family residences which are classified as Conservation on the Future Land Use Map. Finally, Conservation Element Policy 9.1 is amended to waive minimum setback requirements from rivers and springs for lots of record created prior to 2008 (see attached).

1. ADVERSE EFFECTS TO SIGNIFICANT REGIONAL RESOURCES AND FACILITIES IDENTIFIED IN THE STRATEGIC REGIONAL POLICY PLAN

The City is bisected by U.S. Highway 41, and County Road 40, both of which are identified in the Withlacoochee Strategic Regional Policy Plan as Regional Transportation Facilities. Significant adverse impacts are not anticipated to these regional facilities as no significant increase in allowable use or intensity of use will occur as a result of the amendment.

Both the Rainbow and Withlacoochee Rivers, as well as Rainbow Springs, are located within the City. Both rivers as well as Rainbow Springs are identified and mapped as Natural Resources of Regional Significance in the Withlacoochee Strategic Regional Policy Plan.

Withlacoochee Strategic Regional Policy 4.3.6 states, "Retain vegetated buffer strips along the banks of regionally significant surface waters. Buffers should be of sufficient width to prevent erosion, trap the sediment in runoff, and filter out nutrients. Buffer width and vegetative material should be defined by local governments with assistance from the water management districts and the Florida Department of Environmental Protection."

Deletion of the 150-foot setback for lots of record prior to 2008 may result in significant adverse impacts to these Natural Resources of Regional Significance. Therefore, it is recommended that a buffer strip be reduced to a width of 75 feet. The 75-foot width reflects the minimum buffer for rivers and springs necessary to receive an Environmental Resources Permit from the Southwest Florida Water Management District (see attached).

2. EXTRAJURISDICTIONAL IMPACTS INCONSISTENT WITH THE COMPREHENSIVE PLANS OF LOCAL GOVERNMENTS WITHIN THE REGION

The City Comprehensive Plan, as amended, is not anticipated to create significant adverse impacts to adjoining local governments.

Request a copy of the adopted version of the amendments?

Yes No

Not Applicable

It is recommended that these findings be forwarded to the City and the Florida Department of Economic Opportunity.

Council Action: At its October 22, 2015 meeting, the Council voted to adopt this report.

**EXCERPTS FROM THE
CITY COMPREHENSIVE PLAN AMENDMENT**

FUTURE LAND USE ELEMENT GOALS, OBJECTIVES, AND POLICIES

GOAL

Through the provision of appropriate land uses, promote, protect and improve the public health, safety, and welfare of Dunnellon's residents, while maximizing economic benefits and minimizing threats to natural and man-made resources.

Objective 1:

The Future Land Use Map (FLUM) depicts the land use categories that are permissible in the City. The following policies establish the uses, densities, and intensities that are depicted on the FLUM. The City specifically intends that all development shall be consistent with the uses, densities and intensities described below and shown on the FLUM.

Policy 1.1:

The Low-Density Residential land use category allows single-family dwelling units and customary residential accessory uses. The maximum density is 2.5 dwelling units per acre. The maximum impervious surface is forty-five (45) percent. Buildings shall not exceed forty (40) feet in height.

Policy 1.2:

The Medium Density Residential land use category allows single-family dwelling units and customary residential accessory uses. The maximum density is 5.0 dwelling units per acre. The maximum impervious surface is fifty (50) percent. Buildings shall not exceed forty (40) feet in height.

Policy 1.3:

The High-Density Residential land use category allows multifamily dwelling units and customary residential accessory uses. Multifamily structures shall have at least two dwelling units per building. The minimum density is 5.1 dwelling units per acre and the maximum density is 12.0 units per acre. The maximum impervious surface is fifty (50) percent. Buildings shall not exceed forty (40) feet in height. Multifamily development shall be located to provide direct access to a collector road.

Policy 1.4:

The Commercial land use category includes uses such as retail, entertainment, eating establishments, offices, medical facilities, personal services, trade services, wholesale and discount establishments, storage facilities, lodging establishments, recreational vehicle parks, fueling facilities, rental establishments, religious facilities, and facilities for repair and maintenance of vehicles and equipment. The maximum impervious surface is 65 percent and the maximum building height is forty (40) feet. The following standards apply to uses and locations as specified:

Policy 1.10:

The Conservation land use category is intended to protect sites that should have extremely limited development. Wetlands, designated habitats, river islands, and water bodies shall be designated in the conservation land use category. Permissible development is limited to passive recreation, such as unpaved jogging or walking trails, picnic areas without pavilions, boardwalks, or viewing platforms. No buildings are permissible, except public restrooms. Parking areas shall be subject to the following design requirements: unless porous paving materials are used, only access aisles and handicapped parking spaces are allowed to be paved. Clearing on any sites designated as conservation land use shall be limited to the minimum needed to provide access, trails, or play areas, and in no case shall exceed ten (10) percent of a site. In no instance shall clearing of native vegetation or vegetation necessary to ensure the viability of a designated habitat be permissible.

- A. The following parcels listed by tax parcel identification numbers, which were designated as Conservation on the Future Land Use Map by Ordinance 2007-25, may be developed consistent with Medium Density Residential as previously depicted on the Future Land Use Map prior to Ordinance 2007-25, subject to all requirements of applicable laws: Tax Parcel identification numbers 33757-003-08, 33757-003-07, 33757-003-06, and 33757-003-05.

Policy 1.11:

Conservation subdivisions shall meet the following requirements:

- A. Clustering of units is required. A conservation subdivision on land designated for agricultural use may have lots of two (2) or more acres.
- B. Required open space is at least fifty (50) percent of the site, with at least fifty (50) percent of the open space in one (1) contiguous parcel.
- C. All open spaces shall be connected to the maximum extent feasible. Whenever possible, required open space shall be adjacent to open space on adjacent parcels.
- D. No more than twenty (20) percent of the open space shall be devoted to stormwater facilities.
- E. Open space should be located on the most vulnerable portion of the site. There shall be no chemical applications permissible on required open space land.
- F. Required open spaces shall be protected in perpetuity through recorded easements.
- G. Central water and sewer treatment facilities are available.
- H. Development shall be located in such a manner as to minimize the length of new roads and drives from existing public streets to the development.

~~When the wastewater treatment system is extended within 1,000 feet of the development, measured to the property line, all uses shall connect to the wastewater treatment system.~~

Policy 2.6:

Existing development, at any density or in land use category, shall be required to connect to the City wastewater treatment system in accordance with § 381.00655 and when sewer service is available as defined by the city's codes. ~~within 90 days of availability.~~

Objective 3:

The City will continue to prevent blight and eliminate any instances of existing blight through code enforcement, enforcement of building and housing codes, and implementation of a Community Redevelopment Plan.

Policy 3.1:

The land development regulations and codes shall be enforced for all property within Dunnellon.

Policy 3.2:

The land development regulations shall maintain minimum housing codes, providing for conservation, demolition, and rehabilitation techniques of residential structures.

Policy 3.3:

Land development regulations shall be enforced as one means to ensure structural and aesthetic integrity of housing stock.

Policy 3.4:

The City shall continue to coordinate with property owners concerning the availability of tax benefits and other incentives available for renovation and improvements of historic structures.

Policy 3.5:

The City shall continue to coordinate with the private sector in order to encourage rehabilitation of both residential and nonresidential structures, through continued application for CDBG and other grant programs which fund rehabilitation efforts and through establishment of partnerships with the private sector for construction and other services upon which the City relies on the private sector.

Policy 3.6:

The City shall coordinate with Marion County, the Department of Economic Opportunity Community Affairs, the Florida Department of Rehabilitative Services and US Department of Housing and Urban Development concerning various alternatives available towards the rehabilitation of substandard housing within the City.

Objective 4:

The City shall continue to enforce regulations regarding nonconformities as one means of eliminating both ~~nonconforming~~ uses which are nonconforming with the Future Land Use Map or zoning map and ~~nonconforming~~ structures which are nonconforming with this Comprehensive

Plan or land development regulations. The City shall revise its land development regulations, to make provisions for development on existing substandard sized platted lots in older subdivisions.

Policy 4.1:

~~Where existing structures are made nonconforming by this plan, such uses shall be allowed to continue with normal repairs and maintenance to existing buildings. However, these uses shall be subject to specific regulations in the land development code. The City shall revise its land development regulations to provide specific provisions necessary to implement the following policies regarding nonconformities.~~

- A. Lawfully existing nonconforming structures and structures devoted to nonconforming uses shall not be expanded.
- B. If the cost to reconstruct or repair a lawfully existing nonconforming structure, or a structure devoted to a nonconforming use, will exceed 50 percent of the property appraiser's assessed value prior to reconstruction or repair, the structure must be built or repaired in compliance with current codes, and the structure loses its nonconforming status.
1. Structures built prior to January , 2016 [or effective date of this plan amendment] on lots of record recorded on or before October 27, 2008 that are less than 150 feet from the ordinary high water line of rivers, navigable coves, and abutting wetlands, as established by this Comprehensive Plan, are exempt from this Policy 4.1.B); provided, however, that any expansion or alteration of such structures shall not result in any such structure being located any closer to the water than its existing waterfront setback.
- C. Lawfully existing nonconforming structures, and structures devoted to nonconforming uses, which are involuntarily damaged by terrorist acts, accidental fires, or natural disasters may be rebuilt to their original nonconforming condition, even if damages exceed 50 percent of the property appraiser's assessed value prior to reconstruction or repair.
- D. Properties subject to the floodplain regulations shall adhere to those regulations.

Policy 4.2:

~~Structures that are destroyed involuntarily to an extent less than fifty (50) percent of the floor area of the structure may be rebuilt as they existed prior to destruction. Such structures may not be expanded or relocated without full compliance with standards and criteria currently in effect. Rebuilding of the destroyed portion of the structure without compliance with current standards and criteria is limited to an exact replacement of the destroyed structure. A legal nonconforming use may continue, or be resumed if destroyed, if it is not enlarged, increased, or extended to occupy a greater area. A legal nonconforming use that is voluntarily abandoned for a specific period of time set by the land development regulations shall lose its nonconforming status, and~~

any future use of the property must be in conformity with this Plan and the land development regulations.

Policy 4.3:

~~Structures that are involuntarily destroyed to an extent that is fifty (50) percent or more of the floor area, or structures that are voluntarily destroyed shall be rebuilt only in full compliance with current standards and criteria.~~

Objective 5:

It is the City of Dunnellon's objective to control urban sprawl, through its comprehensive plan, amendments to the comprehensive plan, and implementation of land development regulations, which provide specific criteria for development. Such criteria shall encourage infill and redevelopment within the city and ensure provision of adequate urban services within the city to meet adopted levels of service standards concurrent with the impacts of development. Additional actions towards reduction of urban sprawl shall include: Interlocal agreements with Marion County on annexation areas and adjacent development approved by the county.

Policy 5.1:

Proposed plan amendments for land uses which are more intense than those designated on the adopted Future Land Use Map shall be required to provide urban services at adopted levels of service at the developer's expense, in addition to demonstrating consistency with the adopted comprehensive plan, as required by s. 163.3194, F.S.

Policy 5.2:

Extension of services within the Dunnellon City Limits shall have priority over extension to unincorporated areas. This does not prohibit extension of services to unincorporated areas where needed to ensure protection of public health and safety.

Policy 5.3:

The City shall implement specific annexation policies which ensure annexation does not contribute to urban sprawl, including requiring that city services provide service to existing developed areas within the City prior to extension of services outside the city to discourage leapfrog development. Annexation proposals shall not be approved unless consistent with adjacent land use within the city, availability of public facilities and preventing leapfrog development.

Policy 5.4:

The City shall continue to seek and implement coordinating mechanisms with Marion County in order to control urban sprawl outside City limits. Such coordination shall include Interlocal agreements for: joint development review of proposals outside city limits, including DRIs, which impact roadway level of service, future land use designations for adjacent lands, and proposed road improvement plans for US 41 and the extension of sewer on the Rainbow River.

**CONSERVATION ELEMENT
GOALS, OBJECTIVES AND POLICIES**

GOAL

To manage, conserve and protect Dunnellon's natural resources through a balance of man's activities with sound environmental practices.

AIR QUALITY

Objective 1:

The City of Dunnellon currently enjoys good ambient air quality. However, the City recognizes air quality may be negatively affected by future land uses. Therefore, it is the City objective to maintain existing high standards of ambient air quality within the planning timeframe.

Policy 1.1:

All proposed commercial development which may impact air quality shall undergo the site plan review process, where the following standards shall be enforced:

- A. Any proposed industrial uses will be located in areas deemed to have the least impact on air quality standards.
- B. The applicant shall include documentation that ambient air quality in the City will not be lowered.
- C. The applicant shall use adequate landscaping to promote air quality and effectively reduce noise and view impacts to adjacent property.

Policy 1.2:

The City shall promote the use of alternative modes of transportation where economically feasible, including bicycle paths and walking trails.

Policy 1.3:

The City shall cooperate with any local, state, or federal agency programs, which monitor or otherwise contribute to maintenance of air quality.

SURFACE WATER QUALITY

Objective 2:

The Rainbow River and Withlacoochee River are irreplaceable recreational and aesthetic resources to the City. The City shall ensure that existing and future land uses do not contribute to a decrease in surface water quality, through enforcement of the following policies and through requirements for development and density limitations according to provision of central sewer facilities and criteria for site plan review.

Policy 2.1:

The surface waters of the City, including lakes, rivers and wetlands, shall be designated conservation areas, ~~where the following requirements shall be enforced:~~ The following requirements shall apply to property along rivers, navigable coves, and abutting wetlands:

- A. All waterfront development shall use methods of stormwater treatment which filter ~~the first one and one-half inch (1½ inch)~~ of stormwater prior to direct discharge into surface waters, consistent with SWFWMD and DEP rules for Outstanding Florida Waters.
- B. Minimum setbacks of not less than 150 feet from the ordinary high water line of rivers, ~~and navigable coves, and abutting wetlands,~~ shall be established for all development along the river. This area shall be known as the river corridor protection area. ~~The land within the 150-foot setback shall be protected through a conservation easement.~~
- C. ~~No development shall be permitted by the City until the applicant has demonstrated that all proper state and federal permits have been received, including provisions for stormwater treatment.~~ All development permits shall be conditioned upon an applicant obtaining all necessary state and federal permits before commencement of the development.
- D. No dredging or filling will be allowed in wetlands, except where prohibition would deny all reasonable use of the property; in such cases, activities meeting this standard shall replace wetlands by type, form and function according to the ~~at the rate of two (2) acres of new wetlands for each one (1) acre of lost wetlands,~~ unless a more strict standard is imposed by the applicable state or federal agency.
- E. For existing and new development, clearing of shoreline and wetland vegetation within 150 feet of the ordinary high water shall be limited to that required to provide access to the shoreline; in no case shall clearing exceed 10 percent of the total shoreline of each property.
- F. The removal of healthy, non-nuisance trees shall be in accordance with the tree ordinance.
- G. No hazardous, toxic, chemical, petroleum, nuclear waste, or liquid sludge shall be discharged into lakes or wetlands. No bulk hazardous wastes including septic tank effluent or liquid sludge shall be stored within 1,000 feet of the rivers' edge (ordinary high water), except those ~~associated with water-oriented commercial uses that obtain appropriate permits by DEP.~~
- H. The construction of new boat ramps along the rivers shall be designed to direct runoff away from the river. ~~Direct sheet flow is prohibited.~~

- I. Any development adjacent to surface waters shall incorporate Best Management Practices (BMP) for stormwater treatment and for any permissible application of fertilizers and pesticides.

Policy 2.2:

Minimum setbacks of not less than 50 feet from water bodies and wetlands outside of the river corridor protection area ~~are~~ shall be required for all development.

Policy 2.3

Future improvements or widening of the City's roadways and drainage structures will include retrofitting for stormwater treatment. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.4:

The City shall seek funding sources for improvement of existing stormwater outfalls, such as stormwater utility districts, or alternative methods of reducing stormwater pollution, such as street cleaners. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.5:

The City shall coordinate with the Southwest Florida Water Management District Surface Water Management and Improvement Program (SWIM) program regarding continuing measures or funding sources available for preservation of the Rainbow River.

Policy 2.6:

The development of any new project along the rivers shall provide a stormwater management system including retention/detention areas, swales and other devices, which filter out pollutants before the stormwater enters the river. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.7:

Water collected in agricultural drainage systems shall be routed through vegetated buffer areas, such as field borders and grassed swales, to provide treatment consistent with SWFWMD standards. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.8:

The City shall prohibit the sale and use of fast-release fertilizers within the City limits.

Policy 2.9:

Redevelopment plans shall include site design providing for stormwater treatment on-site. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.10:

The City shall coordinate with Federal, State and local enforcement agencies to effectively enforce established regulations. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 2.11:

The City shall prohibit any commercial water withdrawal or diversion of the Rainbow River, and the Withlacoochee River.

Objective 3:

The City of Dunnellon is enrolled in the Federal Emergency Management Agency Flood Insurance Program, which designates areas where flooding may incur hazards to public safety and property. In order to reduce such hazards, the City shall continue to enforce its existing floodplain management ordinance, and, to ensure the optimum level of enforcement of the ordinance, maintain mandatory site plan review criteria and additional requirements for development within the floodplain.

Policy 3.1:

All proposed development in the flood plain shall provide compensatory storage of floodwater to ensure other areas do not become flood-prone.

Policy 3.2:

Development meeting the criteria in Policy 3.1 shall be permitted if the finished elevation of first floor construction is at least one (1) foot above the 100-year flood elevation.

Policy 3.3:

Criteria for development in the floodplain shall include the use of anchoring to prevent flotation, use of piers and breakaway walls, protection of water quality and habitat functions of the floodplain, and other criteria deemed necessary by the City to protect public health and safety. Septic tanks shall be prohibited in the 100-year floodplain.

LAND RESOURCES

Objective 4:

At this time, there are no areas within the City considered suitable for extraction of minerals. However, it is the City's objective to conserve, protect and appropriately use mineral resources within the City, through enforcement of the following policy:

Policy 4.1:

No mining activities will be allowed within City limits.

Objective 5:

The soils of Dunnellon are subject to erosion problems; areas undergoing development activity are especially prone to wind erosion. It is the City's objective to protect soils through incorporation of the following requirements and criteria for site plan review.

Policy 5.1:

The City shall require that “Best Management Practices” be followed during development activities:

- A. Use of hay bales or other effective means to prevent erosion on areas of steep slope shall be required.
- B. Shorelines and wetlands shall be protected with filter berms or fabric screens, as appropriate to prevent siltation into water bodies and wetlands;
- C. All site preparation and landscaping, as shown on the site plan if required for new development, shall be completed prior to certificate of occupancy.
- D. Other best management practices may be required by the City where needed to reduce or eliminate erosion.

Policy 5.2:

All landscaping within 150 feet of the ordinary high water line of the rivers shall be native and / or naturalized that ensures the stabilization of soils. The planting of species listed on the Florida Exotic Pest Plant Council’s *Invasive Plant List* is prohibited.

Policy 5.3:

Stabilization of banks shall be accomplished by planting of native and / or naturalized vegetation or use of riprap, and not by seawalls; construction of new seawalls is prohibited.

Policy 5.4:

Existing seawalls requiring maintenance and repair shall be faced with riprap for stabilization and prevention of undercutting and erosion.

Policy 5.5:

The City shall require the use of best agricultural practices on agricultural land to minimize erosion and ensure compatibility with protection of natural systems according to the requirements of the applicable permitting authority.

Policy 5.6:

The City shall seek the assistance from the Southwest Florida Water Management District SWIM program and Marion County to remediate erosion problems at the CR 484 bridge tubing and canoe pickup site.

FLORAL AND FAUNAL RESOURCES

Objective 6:

Manage, conserve, and protect all natural communities and wildlife, especially species designated of special status by the Florida Fish and Wildlife Conservation Commission, Florida

Department of Agriculture and Consumer Services, and U.S. Fish and Wildlife Service, through the following requirements and site plan review process:

Policy 6.1:

Require innovative techniques for new development to protect wildlife species, through site design methods which direct development away from wildlife, such as buffering, cluster housing, and other methods.

Policy 6.2:

Require Provide incentives for the establishment of conservation easements and preservation areas for new development of private and public lands containing endangered, threatened or species of special concern on-site.

Policy 6.3:

Coordinate with Federal, State and local agencies in enforcement of regulations that pertain to endangered, threatened and species of special concern.

Policy 6.4:

Ensure that development design mitigates any negative impacts through management plans which include Best Management Practices. The City shall seek assistance, as appropriate, from the Florida Fish and Wildlife Conservation Commission prior to approval of new development in areas known to be inhabited by endangered or threatened species, in order to ensure development design mitigates any negative impacts through management plans which include Best Management Practices.

Policy 6.5:

Enforce regulations, which restrict disturbance of wetlands by development activity; including requiring setbacks, prohibiting dredge and fill, requiring mitigation at the rate of two (2) acres of wetlands for each one (1) acre of disturbed wetlands, unless a more strict standard is imposed by a state or federal agency, and limiting vegetation clearing.

Policy 6.6:

Encourage use of native and / or naturalized species for landscaping of new development, while prohibiting planting of invasive or aggressive exotic vegetation, including Brazilian pepper, melaleuca, ear tree, and Australian pine.

Policy 6.7:

Enforce the tree protection ordinance, for the protection of native species, and elimination of undesirable, aggressive exotics.

Policy 6.8:

Implement and enforce policies in the Future Land Use Element, which limit density and intensity of development of areas, designated for conservation on the Future Land Use Map.

- A. Non-jurisdictional uplands, as determined by SWFWMD, FDEP, or USACOE, shall be investigated for the possibility of plant and animal species of special concern through the

databases of the Florida Fish and Wildlife Conservation Commission and the Florida Natural Areas Inventory. Should either of these data banks show a probability of listed species, the property should be ground-truthed. If evidence of listed species is found, the City shall consider an amendment to the Future Land Use Map to designate the area as "conservation" land use. A wildlife management plan consistent with Policies 6.3 and 6.4 shall be implemented.

Policy 6.9:

~~The removal of cypress trees shall be protected and subject to removal only in extenuating circumstances which are enumerated and regulated by City ordinances. prohibited.~~

Policy 6.10:

The City shall coordinate with Federal, State and local programs for the protection of the most vulnerable ecological communities, including acquisition through state and federal programs.

Policy 6.11:

Development projects directly adjacent to the Rainbow and Withlacoochee Rivers shall be required to provide an inventory of endangered or threatened animal species and measures to mitigate adverse impacts.

Policy 6.12:

The City shall maintain coordination with all agencies having natural resource management plans, including the Department of Environmental Protection (which has jurisdiction over the Rainbow River Aquatic Preserve and Outstanding Florida Waters) and Florida Freshwater Fish and Game Commission (which has jurisdiction over fisheries and endangered species), and Southwest Florida Water Management District which has nominated the Rainbow River to the Surface Water Improvement and Management Program.

Policy 6.13:

The City shall coordinate with Marion County, Citrus County, the Department of Community Affairs, and the Withlacoochee Regional Planning Council regarding any resource management plans initiated by those agencies.

GROUNDWATER AND POTABLE WATER RESOURCES

Objective 7:

Provide for the management of hazardous waste in order to protect environmental quality, potable water supplies, and health, safety, and welfare of Dunnellon's population, through implementation of monitoring and other programs upon adoption of the plan, and through policies for siting of new land uses involving hazardous waste.

Policy 7.1:

The City shall cooperate with any state, federal, or local programs concerning hazardous waste.

Policy 7.2:

Prior to ~~site plan approval~~ of any activity that stores, uses or produces hazardous waste, the responsible party shall:

- A. Develop an emergency response system addressing accidents involving hazardous waste.
- B. Ensure that location of the site will not degrade quality of groundwater or surface water or other natural resources.
- C. Ensure DEP standards for transfer, handling, and storage of hazardous waste are implemented by undergoing review and approval under the Marion County Storage Tank Program.
- D. Coordinate with State, Regional and County officials to demonstrate that compliance with the above requirements will satisfy all regulations and policies.

Policy 7.3:

Promote the collection and recycling of hazardous wastes by providing public information and programs such as Amnesty Days and the locations of approved recyclers.

Objective 8:

To conserve and protect potable water resources and natural aquifer recharge areas from adverse impacts.

Policy 8.1:

The City shall continue to research the feasibility of reuse of water, including spray irrigation and graywater, for new public and private sewage treatment facilities and stormwater facilities. Where such uses are economically viable, physically feasible, and have the least environmental impact they shall be required. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.2:

In order to protect present and future water supplies, the City shall strictly control the types of ~~prohibits~~ new development within a 200-foot radius to potable water wells (This does not apply to nonpotable wells or individual wells serving a single family residence). In addition, all development shall comply with the Marion County Storage Tank Program. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.3:

Owners of existing underground storage tanks within 1000-foot radius of any public potable water well shall monitor groundwater quality and report quarterly to the City. Any tank found to be leaking shall be required to report within 24 hours to the Marion County Storage Tank Program. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.4:

Participate in water conservation and protection program of the Southwest Florida Water Management District. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.5:

Encourage the use of native vegetation in landscaping, which reduces irrigations needs.

Policy 8.6:

Coordinate with the Southwest Florida Water Management District to ensure the City and its residents comply with the requirements for water conservation during times of water shortage. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.7:

Maintain a water conservation program which includes: progressive rate structures; leak detection and remediation programs; and educational programs. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.8:

Coordinate with the Southwest Florida Water Management District in development of organized procedures to be followed during emergency water supply interruptions. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.9:

Implement innovative site design techniques, which protect the aquifer and maintain aquifer recharge capabilities, such as cluster development, pervious pavement, green development, water and energy efficient development, and open space requirements.

Policy 8.10:

Enforce state laws requiring low volume plumbing fixtures for new construction through building permit procedures. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Policy 8.11:

The City shall verify that adequate potable water supplies are available, consistent with adopted level of service standards, prior to issuing development orders. [This policy may be relocated to the Infrastructure Element or Capital Improvements Element. However, until the element is updated, the policy is retained.]

Policy 8.12:

The City shall recognize and protect sandhill habitat.

CONSERVATION ELEMENT

Objective 9:

Protect, maintain, and restore water quality and quantity within the springsheds of the Rainbow Springs and Kings Bay Group in order to maintain and protect environmental, economic, recreational, and natural functions of springs as fragile resources necessary for sustaining the quality of life.

Policy 9.1:

In order to minimize the contribution of nitrates to groundwater with its resultant effects on increased growth of vegetation in the spring and river and loss of water clarity, and to foster long-term stewardship of springs, the City shall adopt special design standards and best management practices (BMPs) as appropriate to City needs and characteristics shall be required for all development located within the City of Dunnellon.

- A. All development shall comply with the following setback standards:

Feature	Minimum Setback (Feet)
3 rd magnitude and smaller springs	100
Spring runs and rivers	150

1. The minimum setbacks set forth in this Policy and in Policy 2.1.B do not apply to lots of record recorded on or before October 27, 2008, which are vacant as of January , 2016 [or effective date of this plan amendment].
 21. The setback from springs and spring runs shall be measured from the ordinary high water line.
 32. Where a lot of record is too small to accommodate development in compliance with the setbacks set forth in Table 9.1, an allowable use may be established provided that it complies with the river corridor protection standards established by the city. Standards established by the City shall incorporate the following principles:
 - a. The building and associated paved areas are located the maximum distance possible from the features listed in Table 9.1.
 - b. A swale and berm are located between the development and the spring, spring run, or river, and
 - c. The swale and berm are designed to direct drainage away from the feature.
- B. The City shall consider and adopt as appropriate regulations to minimize potential adverse impacts of development on environmentally sensitive lands. Development applications that may impact karst features will be required to provide ~~All development shall demonstrate that the proposed uses are appropriate, considering potential impacts on natural resources and environmentally sensitive lands. If a development is proposed for~~

~~land within 500 feet of a wetland, shoreline, sinkhole, or geologic feature, the application shall be accompanied by a geophysical analysis with at least the following information: the characteristics of on-site soils, locations of geologic features including sinkholes, depressions, and swallets; depth of the water table; location of the Floridan Aquifer relative to ground surface and thickness and extent of the bedrock or other confining layers over the aquifer.~~

- C. Where a geophysical analysis confirms a direct connection to the aquifer, a comparative nitrate loading analysis shall be prepared by a licensed professional geologist using professionally acceptable methodology based on the designation on the Future Land Use Map at the time of proposed development, considering the maximum intensity possible under the proposed land use designation. The analysis must demonstrate that there is no significant and measurable net increase in nitrate loading to groundwater. The analysis shall also demonstrate that there will be no stormwater discharge into any sinkholes.

Policy 9.2:

Landscaping design and maintenance practices shall be implemented that reduce impacts to land in the City.

- A. Removal of vegetation shall be limited to the minimum necessary to accommodate development. Buildings and other disturbed areas shall be located to avoid removal of native vegetation to the maximum extent feasible.
- B. Native, Florida friendly or naturalized species shall be used in all landscape areas in order to avoid or minimize the use of irrigation and fertilizers. ~~Fast-release fertilizers are prohibited.~~
- C. The land area within the required setback set forth in Table 9.1 is designated as a buffer and all native vegetation shall be retained, except for minimal removal necessary to provide for pedestrian paths or boardwalks. Paths and boardwalks shall not exceed four (4) feet in width except where required for compliance with the Americans with Disabilities Act and shall not be paved.
- D. All landscaping for development in the City shall conform to the best management practices as stated in the *Guidelines for Model Ordinance Language for Protection of Water Quality and Quantity Using Florida Friendly Lawns and Landscapes*. (Florida Department of Environmental Protection and University of Florida, January, 2009 September 2, 2003).
- E. The City shall establish guidelines for managing existing and future lawns and landscapes at all City facilities using the educational guidelines contained in the University of Florida Extension's Florida Yards and Neighborhoods Program, Environmental Landscape Management (ELM) principles and Best Management Practices. Such guidelines shall include practices that are designed to reduce nitrate infiltration into ground and surface water.

**PUBLIC FACILITIES ELEMENT
GOALS, OBJECTIVES AND POLICIES**

GOAL 1:

The City of Dunnellon will secure adequate capacity for treatment and disposal of wastewater, install and maintain adequate wastewater collection and transmission facilities, take steps to conserve water, protect aquifers and ground water resources, provide greater environmental protection, and maintain sufficient services for the sanitary sewer customers.

Objective 1.1:

Maximize the use of existing facilities, through the implantation of programs and adoption of land development regulations which reduce urban sprawl.

Policy 1.1.1:

Replacement, improvement or expansion of facilities shall be coordinated with adopted level of service standards, and shall incorporate peak demand coefficients when determining capacity and demand.

Policy 1.1.2:

Continue or strengthen existing maintenance programs for City-maintained water, sewer and drainage facilities.

Policy 1.1.3:

The City of Dunnellon will continue its current program of using reuse effluent for spray irrigation.

Objective 1.2:

The City of Dunnellon will eliminate existing deficiencies and hazards identified in the wastewater treatment facilities and add additional facilities and services to serve the future needs of the customers so that adopted LOS standards are maintained consistent with the City's adopted concurrency management system.

Policy 1.2.1:

The City of Dunnellon hereby adopts an existing level of service standard for wastewater of 87 gallons per day per person. Peak flow is assumed to equal 1.5 times average daily flow. Projected flows have been rounded to the nearest tenth.

Policy 1.2.2:

The City shall implement the concurrency management system, which ensures that development orders are not issued which lower level of service standards below adopted standards.

Policy 1.2.3:

For development where the Future Land Use Map of the comprehensive plan allows the use of septic tanks, development orders shall not be issued prior to demonstration that appropriate

permits for on-site wastewater treatment systems have been obtained from the Marion County Health Department in accordance with Chapter 10D-6, F.A.C., and other federal, state and local agencies. Private septic tanks shall be performance based septic systems with drip irrigation for effluent disposal, ~~designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen.~~

Policy 1.2.4:

The City shall consider, and adopt as appropriate, a means to ensure that new development shares proportionate responsibilities in the provision of facilities and services to meet the needs of that development and maintain adopted level of service standards.

Policy 1.2.5:

~~The City will prohibit the discharge of effluent after disinfection into waterbodies containing not more than 20 mg/l of carbonaceous biochemical oxygen demand and total suspended solids or at least 75% of each of these pollutants from the wastewater influent, whichever is more stringent. All facilities shall be subject to provisions of Rule 62-600.110 F.A.C., regarding the applicability of the above requirements, and Rules 62-600.440, 62-600.445, 62-600.740, F.A.C., regarding compliance with these requirements. Appropriate disinfection and pH control of effluents shall also be required.~~

Objective 1.3:

The City of Dunnellon will provide wastewater collection and transmission services to its residential and nonresidential customers through the expansion of the wastewater treatment facility and lines and through the use of performance-based septic systems, ~~with drip irrigation for effluent disposal designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen in areas that will not be served by the central sewer system.~~

Policy 1.3.1:

All new waterfront development shall utilize central sewer. ~~The use of private septic tanks to service new waterfront development is hereby prohibited. For the purposes of this section, waterfront development shall be defined as any development occurring on property which borders the Rainbow River, Withlacoochee River, wetlands, and lakes. Notwithstanding the above, single family residences on waterfront parcels of 10 acres or more shall be allowed to have a performance based septic system with drip irrigation for effluent disposal designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen with the drainfield located 150' or more from the water's edge, provided that sanitary sewer service is not available.~~

Policy 1.3.2:

All new development (other than bonafide agricultural uses) shall utilize central sewer and water. Existing developed property development shall hook up to central sewer when available, within 90 days of availability. ~~The City Council shall have the ability to grant a variance to this requirement in cases where financial or engineering hardships are demonstrated by an applicant requesting such variance.~~

Policy 1.3.3:

~~All septic systems shall be inspected every five (5) years or upon sale of the property for maintenance. The City shall develop a process for tracking the inspections. If at any time a septic system is determined by the Marion County Health Department to be in failing status, then the system must be replaced with a performance based system with drip irrigation for effluent disposal designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen, at the expense of the property owner, within 90 days. The City Council shall have the ability to grant a variance to the replacement requirement in cases where financial hardship is demonstrated by an applicant requesting such variance.~~

Policy 1.3.4:

~~For purposes of considering a variance as described in Policies 1.3.2 and 1.3.3, financial hardship is defined as having an income at or below the most recent poverty threshold established by the U.S. Census Bureau.~~

Objective 1.4:

The City of Dunnellon will minimize wastewater resulting from infiltration and inflow.

Policy 1.4.1:

Estimates of infiltration and inflow will be made at least every five (5) years as needed. Where economically feasible, system improvements will be made to reduce these levels. Records shall be held by the Department of Public Works, ~~and be available for public inspection.~~

Objective 1.5:

Funded with a state or federal grants and a low interest loans, the City of Dunnellon will expand, replace, and rehabilitate the central sanitary sewer system, ~~through four phases between the years 2003 and 2012.~~

Policy 1.5.1:

~~The sanitary sewer system will be operated as an independent enterprise, such that revenues will be used for the benefit of its customers. The rate schedule for sanitary sewer services will be based on public utility cost of service principles in Florida Statute 180.30.~~

Policy 1.5.12:

The City shall continue applying the ongoing application to the Farmer's Home Administration for wastewater disposal loans and grants. Other options for funding shall also be researched and implemented if feasible, including:

- A. Feasibility of using CDBG program monies for infrastructure improvements during the next grant cycle;
- B. Application for available grants to assist in funding of sewer or water extension;
- C. Technical and financial assistance from the Southwest Florida Water Management District under the Surface Water Improvement and Management program or Basin

**EXCERPTS FROM THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE PERMIT APPLICANT'S HANDBOOK**

**SOUTHWEST FLORIDA WATER MANAGEMENT
DISTRICT**

**ENVIRONMENTAL RESOURCE PERMIT
APPLICANT'S HANDBOOK**

VOLUME II

**DESIGN REQUIREMENTS FOR
STORMWATER TREATMENT AND MANAGEMENT SYSTEMS
WATER QUALITY AND WATER QUANTITY**

**FOR USE WITHIN THE GEOGRAPHIC LIMITS OF THE SOUTHWEST FLORIDA
WATER MANAGEMENT DISTRICT**

EFFECTIVE October 1, 2013

*Southwest Florida
Water Management District*

The logo for the Southwest Florida Water Management District features the text "Southwest Florida Water Management District" in a serif font. Below the text is a decorative horizontal line with a wavy, water-like pattern.

Volume II is incorporated by reference in 40D-4.091, F.A.C.

History Note: SWFWMD ERP Information Manual Part B, Basis of Review, Section 6.6.

5.7 Stagnant Water Conditions.

Configurations which create stagnant water conditions, such as dead end canals, are prohibited, regardless of the type of development.

History Note: SWFWMD ERP Information Manual Part B, Basis of Review, Section 6.7.

5.8 Sediment Sumps.

Sediment sumps shall comply with the following:

- a. Sumps shall remove a particle size of 0.1 mm in diameter (approximately a No. 100 sieve size) unless it can be shown another grain size is more appropriate for the site.
- b. Sumps shall be designed for an inflow rate equal to the design peak flow rate of the project's internal storm water system.
- c. A maintenance schedule for sediment and vegetation removal must be included.

History Note: SWFWMD ERP Information Manual Part B, Basis of Review, Section 6.8.

5.9 Dam Safety.

All dams must be designed, constructed, operated and maintained consistent with accepted engineering and dam safety practices as applied to local conditions, considering such factors as type of materials, type of soils and degree of compaction, hydrologic capacity, construction techniques and hazard rating. A document that provides useful information for this purpose is *Design of Small Dams*, U.S. Department of the Interior, Bureau of Reclamation, Third Edition, 2006.

History Note: Adapted from NFWMD AH I Section 8.4.7.

5.10 Rural or Minor Residential Subdivisions.

a. Rural or minor residential subdivisions typically are designed to have large multi-acre lots and minimal roadways that, together, result in a relatively small amount of additional impervious or semi-impervious surfaces compared to pre-developed conditions. Rural or minor residential subdivisions that are designed in accordance with the following parameters will be considered to not cause significant adverse impacts to occur individually or cumulatively and will meet the applicable water quality and water quantity design criteria for permit issuance:

(1) The proposed activities will occur in, on or over less than 100 square feet of wetlands or other surface waters. Road or driveway crossings of ditches constructed in uplands will not be

counted against the 100 square foot limit.

- (2) The activities will not utilize pumps for storm water management.
- (3) The activities will not utilize storm drainage facilities larger than one 24-inch diameter pipe, or its equivalent.
- (4) Discharges from the site will meet state water quality standards.
- (5) The proposed building floors will be above the 100 year flood elevation.
- (6) The surface water management system can be effectively operated and maintained.
- (7) Roadways within the subdivision will consist of paved or unpaved stabilized roads with an unyielding subgrade.
- (8) The drainage system will not act in a manner that would divert and channelize large areas of overland sheet flow, thereby creating point source discharges that will adversely affect wetlands, or areas beyond the applicant's perpetual control.
- (9) Point discharges will not exceed the capacity of receiving waters.
- (10) All terminal discharge structures are designed to withstand the 25-year, 24-hour post-development discharge without functional failure.
- (11) The proposed post-development impervious and semi-impervious surfaces will not exceed a five percent (5%) increase over pre-developed conditions.
- (12) Proposed or projected construction will maintain a minimum 75 foot vegetated buffer, which includes a 25 foot perpetually undisturbed buffer upland of all wetlands and other surface waters. Only the 25 foot perpetually undisturbed buffer will be required adjacent to an isolated wetland entirely located within an individual residential lot.
- (13) Proposed or projected construction will maintain a minimum 75 foot buffer adjacent to all project boundaries.

b. The applicant's demonstration of compliance with this subsection shall include provision of a typical lot layout showing proposed driveways, buildings, and other impervious and semi-impervious areas and the anticipated percentage of impervious and semi-impervious surfaces resulting from projected construction on individual residential lots.

c. The boundaries of the surface water management system, wetlands, surface waters and buffers shall be recorded in plats or easements and included in any declaration of covenants, conditions, easements and restrictions and shall be identified in all sales contracts by the developer. These recorded documents shall be perpetual and applicable to all future sales of property within the development. Language shall also be contained in the recorded documents notifying all individual lot owners that permits are required if any of the following items are proposed:

- (1) Alteration to the surface water management system; or
- (2) Encroachment into the wetlands, wetland buffers, or adjacent off-site property line

Lonnie Smith

From: Lonnie Smith <lsmith@dunnellon.org>
Sent: Friday, October 23, 2015 3:24 PM
To: Virginia Cassady
Cc: Eddie Esch
Subject: FW: Dunnellon 15-1ESR Proposed

Follow Up Flag: Follow up
Flag Status: Flagged

Virginia,

Here is the State of Florida response. What's our next move on this? Do we send directly to planning and council or do we put it in the workshop?

Thanks,

Lonnie Smith
IT/ Community Development
City of Dunnellon
352-465-8500 x1011
lsmith@dunnellon.org



Please Note: Florida has a very broad public records law. Written communication to or from city officials regarding city business is public record and open to inspection including names, addresses and email addresses. Therefore, your email communication may be subject to public disclosure.

From: Ray, Suzanne E. [<mailto:Suzanne.E.Ray@dep.state.fl.us>]
Sent: Friday, October 23, 2015 2:59 PM
To: Lonnie Smith; DCPexternalagencycomments@DEO.myflorida.com
Subject: Dunnellon 15-1ESR Proposed

To: Lonnie Smith, Community Development

Re: Dunnellon 15-1ESR – Expedited Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Feel free to contact me at Suzanne.e.ray@dep.state.fl.us or (850) 245-2172 for assistance or additional information. Please send all amendments, both proposed and adopted, to plan.review@dep.state.fl.us or

Florida Department of Environmental Protection
Office of Intergovernmental Programs, Plan Review
3900 Commonwealth Blvd., MS 47
Tallahassee, FL 32399-3000

A handwritten signature in cursive script that reads "Suzanne E. Ray". The signature is written in black ink on a light-colored background.

FUTURE LAND USE ELEMENT



Goals, Objectives and Policies

FUTURE LAND USE ELEMENT GOALS, OBJECTIVES, AND POLICIES

GOAL

Through the provision of appropriate land uses, promote, protect and improve the public health, safety, and welfare of Dunnellon's residents, while maximizing economic benefits and minimizing threats to natural and man-made resources.

Objective 1:

The Future Land Use Map (FLUM) depicts the land use categories that are permissible in the City. The following policies establish the uses, densities, and intensities that are depicted on the FLUM. The City specifically intends that all development shall be consistent with the uses, densities and intensities described below and shown on the FLUM.

Policy 1.1:

The Low-Density Residential land use category allows single-family dwelling units and customary residential accessory uses. The maximum density is 2.5 dwelling units per acre. The maximum impervious surface is forty-five (45) percent. Buildings shall not exceed forty (40) feet in height.

Policy 1.2:

The Medium Density Residential land use category allows single-family dwelling units and customary residential accessory uses. The maximum density is 5.0 dwelling units per acre. The maximum impervious surface is fifty (50) percent. Buildings shall not exceed forty (40) feet in height.

Policy 1.3:

The High-Density Residential land use category allows multifamily dwelling units and customary residential accessory uses. Multifamily structures shall have at least two dwelling units per building. The minimum density is 5.1 dwelling units per acre and the maximum density is 12.0 units per acre. The maximum impervious surface is fifty (50) percent. Buildings shall not exceed forty (40) feet in height. Multifamily development shall be located to provide direct access to a collector road.

Policy 1.4:

The Commercial land use category includes uses such as retail, entertainment, eating establishments, offices, medical facilities, personal services, trade services, wholesale and discount establishments, storage facilities, lodging establishments, recreational vehicle parks, fueling facilities, rental establishments, religious facilities, and facilities for repair and maintenance of vehicles and equipment. The maximum impervious surface is 65 percent and the maximum building height is forty (40) feet. The following standards apply to uses and locations as specified:

- A. Uses such as the sale, rental, repair, storage, or maintenance of vehicles (cars, boats, trucks, motorcycles) shall be permissible only when determined to be compatible with adjacent residential uses.
- B. Uses that use, generate, store or handle hazardous materials shall be permissible only when approved as a conditional use in order to ensure appropriate location, handling, storage, and disposal of the hazardous materials.
- C. Uses which occupy a single building with 80,000 or more square feet of total floor area or which occupy two or more buildings on a single parcel with a total of 100,000 square feet of total floor area shall meet the following standards:
1. Screening of mechanical equipment, utility devices, and similar service components.
 2. Integration of accessory uses and structures into the overall design of the building and site.
 3. Specific design techniques to minimize the impact of walls longer than fifty (50) feet in length.
 4. Sign standards that ensure integration of sign design with the design of the buildings.
 5. Provision of a perimeter buffer that is 150% of the otherwise required buffer.
 6. Provision for landscaped internal pedestrian circulation.
 7. Specific design requirements for parking lots to ensure protection of native vegetation and provision of canopy trees for shade.
 8. Approval shall be only by special exception ~~with a super majority vote~~.
- D. Uses with drive-up or drive-through facilities shall meet the following requirements:
1. The drive through lanes shall not be adjacent to land used or designated for use for residential development.
 2. Windows for ordering or providing services shall not be located adjacent to land used or designated for use for residential development.
- E. Uses located within 150 feet of the shoreline of the Rainbow or Withlacoochee River shall be limited to activities which are water dependent or water oriented. In order to be considered water dependent or water oriented, the activity shall meet at least one of the following requirements:

1. The activity requires access to the water in order to operate. Such activities as boat docks, marinas, boat rental, boat ramps, fishing piers or docks, or water recreation are typical of activities that require access to the water.
 2. The activity provides public access to the water for fishing, boating, swimming, or water sports.
 3. The activity provides public access for visual enjoyment of the water through a boardwalk along or adjacent to the shoreline, a pedestrian promenade adjacent to or along the shoreline, outdoor seating or dining areas adjacent to the shoreline or extending into the water as permissible by permitting agencies.
- F. Recreational vehicle parks shall be subject to special design standards to ensure compatibility and safe layout of the vehicle sites and park amenities.
- G. All commercial uses shall meet the following compatibility requirements:
1. Buffers will be provided to ensure compatibility between commercial and residential uses.
 2. Dumpsters will be located to avoid negative impacts to adjacent residential uses.
 3. Outdoor lighting will be designed and located to avoid direct illumination of adjacent properties.
 4. Parking lots will be designed and located to avoid negative impacts from vehicle lights and noise to adjacent residential properties.

Policy 1.5:

The Traditional Neighborhood land use category includes the following uses: residential, neighborhood scale commercial, neighborhood scale office, artisan uses, personal service, civic, cultural, transient lodging, bed and breakfast establishments, religious facilities, and financial services. The following location and design standards apply:

- A. A single platted lot may be developed for a single use.
- B. A single platted lot may contain a nonresidential use and one dwelling unit, provided that the dwelling unit is located on a second floor or to the rear or side of the business use, either attached or detached from the principal building.
- C. A development proposed for two (2) or more lots may contain a single use or a mixture of uses. When mixed uses are proposed, no more than fifty (50) percent of the development shall be devoted to residential uses. When residential uses are proposed, either single family or multifamily is acceptable. Density shall not exceed eight (8) units per acre.

- D. Transient lodging and bed and breakfast uses shall be limited to an equivalent of eight (8) units per acre. Each guest bedroom shall be considered a unit.
- E. Uses which have frontage on West Pennsylvania Avenue or Cedar Street may have up to twelve (12) dwelling units per acre.
- F. The maximum impervious surface for all sites is sixty-five (65) percent.
- G. Parcels with five (5) or more acres shall contain at least two (2) different uses. Single-use development is not permissible. Residential uses shall not exceed sixty-five (65) percent of the development site.
- H. When an amendment to the Future Land Use Map is proposed to apply the traditional neighborhood land use category, a minimum of five (5) acres is required.
- I. Where neighborhood scale development is proposed, no individual building shall exceed a total of 3,000 square feet of floor area.
- J. The maximum height for buildings development is forty (40) feet.
- K. Parking lots within the traditional neighborhood land use district shall be designed to ensure that no tier of parking includes more than ten (10) cars.
- L. All uses, including accessory structures, mechanical and service equipment, and utility structures shall be integrated with the design of the principle building. Mechanical, service, and utility equipment shall be screened.
- M. Nonresidential land uses within the traditional neighborhood district shall be limited to uses with a trip generation of 100 trips per 1,000 square feet of building, per fuel station, or comparable unit of measure. The trip generation calculation shall be based on the Institute of Transportation Engineers trip generation book or a similar, professionally acceptable source.

Policy 1.6:

The Mixed-Use land use category includes the following uses: residential, neighborhood scale commercial, neighborhood scale office, artisan uses, personal service, civic, cultural, transient lodging, bed and breakfast establishments, recreational vehicle parks, religious facilities, and financial services. The following location and design standards apply:

- A. A development shall contain at least three (3) of the permissible uses.
- B. A development site with ten (10) or more acres may have community scale commercial or office uses.

- C. Where neighborhood scale development is proposed, no individual building shall exceed 3,000 square feet. The maximum height for buildings used for neighborhood scale development is forty (40) feet.
- D. Where community scale development is proposed, no individual building shall exceed 30,000 square feet.
- E. The maximum residential density is twelve (12) units per acre.
- F. The maximum impervious surface in a mixed-use development is sixty-five (65) percent.
- G. All development shall be designed to ensure compatibility with adjacent development, based on concepts such as transition of building height, buffering, building orientation, and location and design of site features such as parking, outdoor lighting, and equipment.
- H. All uses, including accessory structures, mechanical and service equipment, and utility structures shall be integrated with the design of the principle building. Mechanical, service, and utility equipment shall be screened.
- I. When an amendment to the Future Land Use Map is proposed to apply the mixed-use land use category, a minimum of ten (10) acres is required.
- J. A recreational vehicle park shall be subject to specific design standards to ensure compatibility and safe layout of vehicle sites and amenities. The maximum density of RV sites within a park is twelve (12) sites per acre.

Policy 1.7:

The Public land use category includes public schools, government offices, public works buildings and yards, community centers, and similar uses typically owned or operated by public agencies. The maximum building height is forty (40) feet.

Policy 1.8:

The Agriculture land use category includes agricultural and silvicultural activities. Residential dwelling units are permissible at a density of one (1) unit per ten (10) acres, except where a conservation subdivision is proposed. A conservation subdivision design allows a density of one (1) unit per five (5) acres, and requires clustering. The minimum lot area in a conservation subdivision design development is two (2) acres. A conservation subdivision shall meet the design standards set forth in Policy 1.11. The maximum building height is forty (40) feet.

Policy 1.9:

The Recreation land use category includes active or passive parks, community centers, and areas for recreational activities such as picnicking, jogging, cycling, hiking, golf courses, playgrounds, ball fields, ball courts, stables, swimming pools or beaches, and water related or water dependent uses such as boat ramps, fishing docks and piers, and similar outdoor recreational uses, public or private. No other uses are permissible. The maximum impervious surface is forty (40) percent. The maximum building height is forty (40) feet.

Policy 1.10:

The Conservation land use category is intended to protect sites that should have extremely limited development. Wetlands, designated habitats, river islands, and water bodies shall be designated in the conservation land use category. Permissible development is limited to passive recreation, such as unpaved jogging or walking trails, picnic areas without pavilions, boardwalks, or viewing platforms. No buildings are permissible, except public restrooms. Parking areas shall be subject to the following design requirements: unless porous paving materials are used, only access aisles and handicapped parking spaces are allowed to be paved. Clearing on any sites designated as conservation land use shall be limited to the minimum needed to provide access, trails, or play areas, and in no case shall exceed ten (10) percent of a site. In no instance shall clearing of native vegetation or vegetation necessary to ensure the viability of a designated habitat be permissible.

- A. The following parcels listed by tax parcel identification numbers, which were designated as Conservation on the Future Land Use Map by Ordinance 2007-25, may be developed consistent with Medium Density Residential as previously depicted on the Future Land Use Map prior to Ordinance 2007-25, subject to all requirements of applicable laws: Tax Parcel identification numbers 33757-003-08, 33757-003-07, 33757-003-06, and 33757-003-05.

Policy 1.11:

Conservation subdivisions shall meet the following requirements:

- A. Clustering of units is required. A conservation subdivision on land designated for agricultural use may have lots of two (2) or more acres.
- B. Required open space is at least fifty (50) percent of the site, with at least fifty (50) percent of the open space in one (1) contiguous parcel.
- C. All open spaces shall be connected to the maximum extent feasible. Whenever possible, required open space shall be adjacent to open space on adjacent parcels.
- D. No more than twenty (20) percent of the open space shall be devoted to stormwater facilities.
- E. Open space should be located on the most vulnerable portion of the site. There shall be no chemical applications permissible on required open space land.
- F. Required open spaces shall be protected in perpetuity through recorded easements.
- G. Central water and sewer treatment facilities are available.
- H. Development shall be located in such a manner as to minimize the length of new roads and drives from existing public streets to the development.

- I. Development shall be sited as far away as possible from water bodies, rivers, wetlands, or other environmentally fragile features.
- J. Development shall be designed to minimize site disturbance to the minimum area necessary to accomplish development. This shall include minimizing soil compaction by delineating the smallest disturbance area feasible.
- K. Existing native vegetation shall be protected, whether within the designated open space or on the developed portion of a site.

Policy 1.12:

Design of parking lots, sidewalks, buildings, and other impervious surfaces shall minimize connections between impervious surfaces through the following techniques. Not all techniques may be required to accomplish the requirement to minimize connections of impervious surfaces:

- A. Directing flows from roof drains to vegetated areas or to rain barrels or cisterns for reuse of the water;
- B. Directing flows from paved areas to vegetated areas;
- C. Locating impervious surfaces so that they drain to vegetated buffers or natural areas; and
- D. Breaking up flow directions from large paved surfaces.

Policy 1.13:

Porous pavement materials, such as pervious concrete, pervious asphalt, or other pervious or porous materials shall be used to minimize the amount of impervious surface within all development.

Policy 1.14:

All golf course siting, design, construction, and management shall implement the prevention, management, and monitoring practices, detailed in the golf course siting, design, and management chapter of the *Protecting Florida's Springs Manual - Land Use Planning Strategies and Best Management Practices (November 2002)* as may be amended by city code to conform to other policies of this Comprehensive Plan and to city needs and characteristics. All golf courses shall use reclaimed water for irrigation.

Policy 1.15:

Maintain and enforce land development regulations which implement the adopted comprehensive plan, including:

- A. Regulation of use and subdivision of land, in consideration of adjacent land uses, natural and historic resources, open space and environmental constraints such as flood prone areas, soil suitability, drainage, surface and groundwater quality and storm water management.

- B. Protect wetlands, potable water well fields, natural aquifer recharge areas, endangered species, intact ecological systems, and air and water quality, consistent with the requirements of the Conservation Element.
- C. Regulate setbacks, landscaping, on-site parking and traffic flow, signage, and pedestrian access and other impacts which protect natural and historical resources and promote quality of life.
- D. Provide that development orders and permits shall not be issued which result in a reduction in the level of services of public facilities adopted in this plan.
- E. Implement site design standards for residential development of varying densities and commercial uses as designated in the Future Land Use Element and on the Future Land Use Map.
- F. Protect property against wildfire and implement Best Management Practices.
- G. Provide site design standards for large-scale discount, commercial, or "big box" establishments.

Policy 1.16:

The land development code shall include requirements that new development in areas of elevated radon emissions use appropriate radon resistant construction techniques, as recommended by the State of Florida.

Policy 1.17:

Public schools shall be an allowable use in all residential land use categories.

Policy 1.18:

All residential and nonresidential development shall be subject to site plan review procedures. ~~Single-family homes on platted lots existing at the time of plan adoption shall not require a site plan.~~

Policy 1.19:

The City of Dunnellon relies on the definitions in Chapter 163, Florida Statutes, ~~Chapter 9J-5, Florida Administrative Code~~, and in the land development regulations in the City Code of Ordinances. In addition, the following terms are defined for application to the Dunnellon Comprehensive Plan:

Best Management Practices (BMPs) means practice or combination of practices, including non-structural and structural improvements, based on sound science and professional judgment to be the most effective and practicable means of carrying out the specified activity. BMPs ~~may be~~ are promulgated by government agencies such as the Florida Department of Agriculture and Consumer Services, and the Florida Department of Environmental Protection, ~~and the Florida Department of Community Affairs.~~

Naturalized plant species means vegetation that, while not native, has naturally adapted to the soils and climate of the area without direct or indirect human intervention. Acceptable species are found on the Florida-friendly plant database from the University of Florida Institute of Food and Agricultural Sciences or other similar database.

Wetlands mean those areas that are saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Wetlands are identified by the uniform methodology adopted in § 373.421, *Florida Statutes* and by a certified wetlands delineator.

Objective 2:

The City shall ensure the availability of suitable land for placement of utilities and facilities necessary to support proposed development, and coordinate future land use with availability of services and facilities.

Policy 2.1:

New residential developments, including subdivisions, multifamily developments, or mobile home developments shall be required to provide land to meet the recreation and park needs of the residents. The amount of land to be provided shall be based upon the maximum density of the development and the City's adopted level of service standards for recreation land. Single-family and duplex structures on lots platted on or before the date of adoption of this comprehensive plan and residential development proposed within the designated historic district are not required to provide land for recreation needs.

Policy 2.2:

The City shall establish incentives for all new water front residential development to reserve a portion of the total development acreage to provide public access to the river. This acreage may count as part of the development's share of providing recreation facilities.

Policy 2.3:

All development orders and permits for future development and redevelopment shall be issued only if public facilities necessary to meet level of service standards adopted as part of the Capital Improvement Element are available concurrently with the impacts of the proposed development.

Policy 2.4:

All waterfront development shall connect to the City wastewater treatment system. Waterfront property is property which borders the Rainbow River, Withlacoochee River, prairie ponds, borrow pits, wetlands, lakes, and other water bodies. ~~The determination that a parcel is waterfront shall be based on the parcel boundaries existing on June 25, 2007.~~

Policy 2.5:

When development is proposed, other than waterfront development, where the wastewater treatment system has not yet been extended, a septic system may be permissible, provided that the system is a performance-based system, ~~including annual maintenance, and ensuring that the system is designed to produce effluent that contains not more than 10 mg/L of total nitrogen.~~

~~When the wastewater treatment system is extended within 1,000 feet of the development, measured to the property line, all uses shall connect to the wastewater treatment system.~~

Policy 2.6:

Existing development, at any density or in land use category, shall be required to connect to the City wastewater treatment system in accordance with § 381.00655 and when sewer service is available as defined by the city's codes. ~~within 90 days of availability.~~

Objective 3:

The City will continue to prevent blight and eliminate any instances of existing blight through code enforcement, enforcement of building and housing codes, and implementation of a Community Redevelopment Plan.

Policy 3.1:

The land development regulations and codes shall be enforced for all property within Dunnellon.

Policy 3.2:

The land development regulations shall maintain minimum housing codes, providing for conservation, demolition, and rehabilitation techniques of residential structures.

Policy 3.3:

Land development regulations shall be enforced as one means to ensure structural and aesthetic integrity of housing stock.

Policy 3.4:

The City shall continue to coordinate with property owners concerning the availability of tax benefits and other incentives available for renovation and improvements of historic structures.

Policy 3.5:

The City shall continue to coordinate with the private sector in order to encourage rehabilitation of both residential and nonresidential structures, through continued application for CDBG and other grant programs which fund rehabilitation efforts and through establishment of partnerships with the private sector for construction and other services upon which the City relies on the private sector.

Policy 3.6:

The City shall coordinate with Marion County, the Department of Economic Opportunity Community Affairs, the Florida Department of Rehabilitative Services and US Department of Housing and Urban Development concerning various alternatives available towards the rehabilitation of substandard housing within the City.

Objective 4:

The City shall continue to enforce regulations regarding nonconformities as one means of eliminating both ~~nonconforming~~ uses which are nonconforming with the Future Land Use Map or zoning map and ~~nonconforming~~ structures which are nonconforming with this Comprehensive

Plan or land development regulations. The City shall revise its land development regulations, to make provisions for development on existing substandard sized platted lots in older subdivisions.

Policy 4.1:

~~Where existing structures are made nonconforming by this plan, such uses shall be allowed to continue with normal repairs and maintenance to existing buildings. However, these uses shall be subject to specific regulations in the land development code. The City shall revise its land development regulations to provide specific provisions necessary to implement the following policies regarding nonconformities.~~

- A. Lawfully existing nonconforming structures and structures devoted to nonconforming uses shall not be expanded.
- B. If the cost to reconstruct or repair a lawfully existing nonconforming structure, or a structure devoted to a nonconforming use, will exceed 50 percent of the property appraiser's assessed value prior to reconstruction or repair, the structure must be built or repaired in compliance with current codes, and the structure loses its nonconforming status.
 - 1. Structures built prior to January _____, 2016 [or effective date of this plan amendment] on lots of record recorded on or before October 27, 2008 that are less than 150 feet from the ordinary high water line of rivers, navigable coves, and abutting wetlands, as established by this Comprehensive Plan, are exempt from this Policy 4.1.B); provided, however, that any expansion or alteration of such structures shall not result in any such structure being located any closer to the water than its existing waterfront setback.
- C. Lawfully existing nonconforming structures, and structures devoted to nonconforming uses, which are involuntarily damaged by terrorist acts, accidental fires, or natural disasters may be rebuilt to their original nonconforming condition, even if damages exceed 50 percent of the property appraiser's assessed value prior to reconstruction or repair.
- D. Properties subject to the floodplain regulations shall adhere to those regulations.

Policy 4.2:

~~Structures that are destroyed involuntarily to an extent less than fifty (50) percent of the floor area of the structure may be rebuilt as they existed prior to destruction. Such structures may not be expanded or relocated without full compliance with standards and criteria currently in effect. Rebuilding of the destroyed portion of the structure without compliance with current standards and criteria is limited to an exact replacement of the destroyed structure. A legal nonconforming use may continue, or be resumed if destroyed, if it is not enlarged, increased, or extended to occupy a greater area. A legal nonconforming use that is voluntarily abandoned for a specific period of time set by the land development regulations shall lose its nonconforming status, and~~

any future use of the property must be in conformity with this Plan and the land development regulations.

Policy 4.3:

~~Structures that are involuntarily destroyed to an extent that is fifty (50) percent or more of the floor area, or structures that are voluntarily destroyed shall be rebuilt only in full compliance with current standards and criteria.~~

Objective 5:

It is the City of Dunnellon's objective to control urban sprawl, through its comprehensive plan, amendments to the comprehensive plan, and implementation of land development regulations, which provide specific criteria for development. Such criteria shall encourage infill and redevelopment within the city and ensure provision of adequate urban services within the city to meet adopted levels of service standards concurrent with the impacts of development. Additional actions towards reduction of urban sprawl shall include: Interlocal agreements with Marion County on annexation areas and adjacent development approved by the county.

Policy 5.1:

Proposed plan amendments for land uses which are more intense than those designated on the adopted Future Land Use Map shall be required to provide urban services at adopted levels of service at the developer's expense, in addition to demonstrating consistency with the adopted comprehensive plan, as required by s. 163.3194, F.S.

Policy 5.2:

Extension of services within the Dunnellon City Limits shall have priority over extension to unincorporated areas. This does not prohibit extension of services to unincorporated areas where needed to ensure protection of public health and safety.

Policy 5.3:

The City shall implement specific annexation policies which ensure annexation does not contribute to urban sprawl, including requiring that city services provide service to existing developed areas within the City prior to extension of services outside the city to discourage leapfrog development. Annexation proposals shall not be approved unless consistent with adjacent land use within the city, availability of public facilities and preventing leapfrog development.

Policy 5.4:

The City shall continue to seek and implement coordinating mechanisms with Marion County in order to control urban sprawl outside City limits. Such coordination shall include Interlocal agreements for: joint development review of proposals outside city limits, including DRIs, which impact roadway level of service, future land use designations for adjacent lands, and proposed road improvement plans for US 41 and the extension of sewer on the Rainbow River.

Policy 5.5:

Develop an Interlocal agreement with Marion County to increase coordination during subsequent updates of both the comprehensive plans in order that the City play an increasing role in the planning of areas directly outside City limits, and which hold potential for annexation.

Policy 5.6:

The land development regulations shall contain design standards to control and minimize the negative impacts of strip commercial development.

Objective 6:

All proposed amendments to the comprehensive plan, including amendments to the Future Land Use Map, shall meet the criteria in the following policies.

Policy 6.1:

Demonstrate that the proposed uses are appropriate, considering potential impacts on natural resources and environmentally sensitive lands. If an amendment is proposed for land within 500 feet of a wetland, shoreline, sinkhole, or geologic feature, the amendment shall be accompanied by a geophysical analysis with at least the following information: the characteristics of on-site soils; locations of geologic features including sinkholes, depressions, and swallets; depth of the water table; location of the Floridian Aquifer relative to ground surface and thickness and extent of the bedrock or other confining layers over the aquifer.

Policy 6.2:

Where a geophysical analysis confirms a direct connection to the aquifer, a comparative nitrate loading analysis shall be prepared by a licensed professional geologist using professionally acceptable methodology based on the designation on the Future Land Use Map at the time of the proposed amendment versus the proposed land use designation, considering the maximum intensity possible under the proposed land use designation. The analysis must demonstrate that there is no measurable net increase in nitrate loading to groundwater.

Policy 6.3:

Demonstrate that the uses permissible in the proposed land use category are able to be developed consistent with the city's codes implementing applicable Best Management Practices and the specific requirements set forth in the Conservation Element.

Policy 6.4:

Demonstrate that the proposed land use category is the least intensive category that will meet a clearly demonstrated need for the use.

Objective 7:

The following policies are retained in the Future Land Use Element until the remainder of the comprehensive plan is updated. At such time as the remainder of the comprehensive plan is updated, the policies will be relocated and revised as needed.

Recommendation for relocation to the Infrastructure Element when it is updated:

Policy 7.1:

Future siting of public facilities and services shall maximize efficiency, while minimizing financial costs. Soil suitability, sinkhole potential and setbacks from wetlands shall determine approval or denial of all future public facilities and services.

Recommended for inclusion in the Public School Facilities Element when it is adopted:

Policy 7.2:

The City of Dunnellon shall encourage to the extent possible the location of schools based on the following criteria:

- A. Proximity to residential areas, particularly for elementary schools.
- B. Proximity to existing or planned public facilities, such as parks, libraries, and community centers.
- C. Location of elementary schools along local or collector streets.
- D. Location of middle and senior high schools near arterial streets.
- E. Location of lands contiguous to existing school sites.
- F. Avoidance of school siting in environmentally sensitive areas.
- G. Avoidance of school siting in any area where the nature of existing or proposed adjacent land uses would endanger the safety of students or decrease the effective provision of education.
- H. Avoidance of school siting in any area where the proposed school facility would be incompatible with surrounding land uses.

Recommended for relocation to a Historic Preservation Element during further updates to the comprehensive plan. Other policies pertaining to historic preservation should be consolidated into a new Historic Preservation Element.

Policy 7.3:

In order to protect its historic resources, the City has recently had its Historic District nominated to the National Register of Historic Places. However, this nomination only limits alterations to structures, which are receiving federal and state funds. Therefore, the City shall enforce an historic preservation ordinance which:

- A. Provides for an historical preservation board, with the responsibility to direct and supervise development of the Historic District and any individual buildings with historical status. The Board shall also be responsible for coordinating with the State Division of Historic Resources, as well as providing property owners with information, such as federal taxes and other benefits available under National Register status.

- B. Provides criteria for redesign, maintenance, alteration, demolition, and relocation of historical buildings so that historic character is not diminished.
- C. Provides a sign ordinance specific to the historic district.
- D. Regulates replacement of physical features such as streetlights, street signs, fences, and utility poles to promoted compatibility with the historic district.
- E. Administers enforcement procedures and public hearings for review.
- F. Contains procedures for establishing new boundaries and monitoring construction in the existing district.
- G. Protects archaeological sites from disturbance and destruction, by prohibition of development on or in such close proximity to archaeological site 8MR95 as to destroy its substance or character, and requires that archaeologically significant sites that might be discovered in the future in Dunnellon be left intact and immediately reports to the City administration to initiate the preservation process.

Policy 7.4:

The City shall review and amend the land development regulations to eliminate zoning or other conflict with the historic preservation ordinance.

Policy 7.5:

The conservation and rehabilitation of substandard housing of historical significance shall be in accordance with the standards of the Division of Historic Resources and the City's local historical ordinance, when adopted.

Policy 7.6:

The City shall provide design guidelines for new construction and renovation of non-historic buildings within the district.

Policy 7.7:

The City shall promote the reuse of historic buildings within the district, by allowing innovative incentives and techniques whereby owners of historic properties who cannot justify the renovation of buildings as residential units shall meet standards for renovation as commercial, office, or a mix of commercial/office and residential. Such innovative incentives and techniques may include tax credits and conservation easements as stipulated in the land development regulations. The applicant shall be required to meet the standards for renovation and site design consistent with the historical district ordinance.

Policy 7.8:

The City shall promote development of educational programs to achieve a higher level of public awareness of local historic resources.

Policy 7.9:

The City shall offer public recognition incentives for active conservation of locally significant historic resources to encourage public and private participation in preservation.

CITY OF DUNNELLON

CONSERVATION ELEMENT

SUPPORT DOCUMENT

Amendments proposed by Ordinance #ORD2015-10

The proposed amendments to the Conservation Element are technical in nature and can be categorized as follows: (1) Amendments necessary to correct obsolete provisions; (2) amendments needing updating to be consistent with requirements of state or judicial law; (3) amendments to requirements which are more suitable in the land development regulations; (4) policy-driven amendments; and (5) clarity.

1. Policy 2.1 is changed to read:

The surface waters of the City, including lakes, rivers and wetlands, shall be designated conservation areas, ~~where the following requirements shall be enforced:~~ The following requirements shall apply to property along rivers, navigable coves, and abutting wetlands:

- A. All waterfront development shall use methods of stormwater treatment which filter ~~the first one and one-half inch (1½ inch)~~ of stormwater prior to direct discharge into surface waters, consistent with SWFWMD and DEP rules for Outstanding Florida Waters.
- B. Minimum setbacks of not less than 150 feet from the ordinary high water line of rivers, ~~and~~ navigable coves, and abutting wetlands, shall be established for all development along the river. This area shall be known as the river corridor protection area. ~~The land within the 150-foot setback shall be protected through a conservation easement.~~
- C. ~~No development shall be permitted by the City until the applicant has demonstrated that all proper state and federal permits have been received, including provisions for stormwater treatment. All development permits shall be conditioned upon an applicant obtaining all necessary state and federal permits before commencement of the development.~~
- D. No dredging or filling will be allowed in wetlands, except where prohibition would deny all reasonable use of the property; in such cases, activities meeting this standard shall replace wetlands by type, form and function according to the ~~at the rate of two (2) acres of new wetlands for each one (1) acre of lost wetlands, unless a more strict standard is imposed by a~~ the applicable state or federal agency.
- E. For existing and new development, clearing of shoreline and wetland vegetation within 150 feet of the ordinary high water shall be limited to that required to

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provide access to the shoreline; in no case shall clearing exceed 10 percent of the total shoreline of each property.

- F. The removal of healthy, non-nuisance trees shall be in accordance with the tree ordinance.
- G. No hazardous, toxic, chemical, petroleum, nuclear waste, or liquid sludge shall be discharged into lakes or wetlands. No bulk hazardous wastes including septic tank effluent or liquid sludge shall be stored within 1,000 feet of the rivers' edge (ordinary high water), except those ~~associated with water-oriented commercial uses~~ that obtain appropriate permits by DEP.
- H. The construction of new boat ramps along the rivers shall be designed to direct runoff away from the river. ~~Direct sheet flow is prohibited.~~
 - 1. Any development adjacent to surface waters shall incorporate Best Management Practices (BMP) for stormwater treatment and for any permissible application of fertilizers and pesticides.

Analysis: The modifications to the introductory paragraph of this Policy are more appropriate for comprehensive plans since it anticipates that the requirements will be incorporated into and expanded upon in the LDR's.

The elimination of "the first one and one-half inch (1½ inch) of" in Policy 2.1.A was recommended by the City's planner consultant because it is already a requirement of state law but may be subject to change by the state.

Both the city attorney and the planner consultant recommended eliminating the requirement that private property within the 150-foot waterfront setback be subject to a conservation easement in all cases. The City will be a holder of a property interest, subject to the legal consequences which such interest has. Well-drafted LDR's for riverfront property, in addition to a thorough site plan review process, are sufficient protection for the riverfront. The City can still require conservation easements on a case by case basis.

Policy 2.1.C is inconsistent with the requirements of §166.033(4), Fla. Statutes, which reads:

For any development permit application filed with the municipality after July 1, 2012, a municipality may not require as a condition of processing or issuing a development permit that an applicant obtain a permit or approval from any state or federal agency.....

Therefore, the Policy has been re-written to be consistent with the statute and provides a guide to the City when the land development regulations are re-written.

Policy 2.1.D recognizes that dredging and filling in wetlands is regulated by state or federal law.

Policy 2.1.E also recognizes that prohibition of discharges within wetlands is regulated by state law; therefore, the specificity is eliminated because it may not be consistent with state law. Policy 2.1.F

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eliminates the specific prohibition of direct sheet flow. State law addresses prohibitions, and direct sheet flow may be one of many.

2. Policy 6.2 is changed to read:

Require Provide incentives for the establishment of conservation easements and preservation areas for new development of private and public lands containing endangered, threatened or species of special concern on-site.

Analysis: It is likely that SWFWMD or DEP would require a conservation easement for lands which contained endangered or threatened species. As discussed above, if the City were also to have a conservation easement in all cases, the City will be a holder of a property interest, subject to the legal consequences which such interest has. The City can still require conservation easements for new development on a case by case basis. The state has requirements for preservation of lands which contain endangered, threatened or species of special concern. The modification to this Policy is more appropriate for comprehensive plans since it anticipates that the requirements will be incorporated into and possibly expanded upon in the LDR's.

3. Policy 6.4 is changed to read:

Ensure that development design mitigates any negative impacts through management plans which include Best Management Practices. The City shall seek assistance, as appropriate, from the Florida Fish and Wildlife Conservation Commission prior to approval of new development in areas known to be inhabited by endangered or threatened species. ~~in order to ensure development design mitigates any negative impacts through management plans which include Best Management Practices.~~

Analysis: The Planning Commission recommended that this Policy be re-written to correct its diction. "As appropriate" is added because, as currently written, the Policy requires the City to seek assistance from FFWC, which does not reflect what occurs in the application review process for new development. Owners or applicants are typically required to have an environmental study done and, if endangered or threatened species are found to be on the property, they must seek permitting from FFWC.

4. Policy 6.9 is changed to read:

~~The removal of cypress trees shall be prohibited.~~ protected and subject to removal only in extenuating circumstances which are enumerated and regulated by City ordinances.

Analysis: First, an outright prohibition of removal of cypress trees can have some unintended consequences when applied to individual parcels of property and is not in the best interest of the City. Second, the proposed language reflects what is currently in the City's LDR's. The Community Planning Act makes it illegal for LDR's to be inconsistent with the Comprehensive Plan.

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5. **Policy 8.2** is changed to read:

In order to protect present and future water supplies, the City ~~shall strictly control the types of~~ ~~prohibits~~ new development within a 200-foot radius to potable water wells (This does not apply to nonpotable wells or individual wells serving a single family residence). In addition, all development shall comply with the Marion County Storage Tank Program. [This policy may be relocated to the Infrastructure Element. However, until the element is updated, the policy is retained.]

Analysis: The planner consultant recommended this change to the Planning Commission because an outright prohibition is not in the best interests of the City and is not required by state law.

6. **Objective 9** and the Policies therein are changed to read:

Objective 9:

Protect, maintain, and restore water quality and quantity within the springsheds of the Rainbow Springs and Kings Bay Group in order to maintain and protect environmental, economic, recreational, and natural functions of springs as fragile resources necessary for sustaining the quality of life.

Policy 9.1:

In order to minimize the contribution of nitrates to groundwater with its resultant effects on increased growth of vegetation in the spring and river and loss of water clarity, and to foster long-term stewardship of springs, the City shall adopt special design standards and best management practices (BMPs) as appropriate to City needs and characteristics ~~shall be required~~ for all development located within the City of Dunnellon.

A. All development shall comply with the following setback standards:

Feature	Minimum Setback (Feet)
3 rd magnitude and smaller springs	100
Spring runs and rivers	150

1. The minimum setbacks set forth in this Policy and in Policy 2.1.B do not apply to lots of record recorded on or before October 27, 2008, which are vacant as of January [redacted], 2016 [or effective date of this plan amendment].

21. The setback from springs and spring runs shall be measured from the ordinary high water line.

32. Where a lot of record is too small to accommodate development in compliance with the setbacks set forth in Table 9.1, an allowable use may be established provided that it complies with the river corridor protection standards established by the city. Standards established by the City shall incorporate the following principles:
- a. The building and associated paved areas are located the maximum distance possible from the features listed in Table 9.1.
 - b. swale and berm are located between the development and the spring, spring run, or river, and
 - c. The swale and berm are designed to direct drainage away from the feature.

B. The City shall consider and adopt as appropriate regulations to minimize potential adverse impacts of development on environmentally sensitive lands. Development applications that may impact karst features will be required to provide. All development shall demonstrate that the proposed uses are appropriate, considering potential impacts on natural resources and environmentally sensitive lands. If a development is proposed for land within 500 feet of a wetland, shoreline, sinkhole, or geologic feature, the application shall be accompanied by a geophysical analysis with at least the following information: the characteristics of on-site soils, locations of geologic features including sinkholes, depressions, and swallets; depth of the water table; location of the Floridan Aquifer relative to ground surface and thickness and extent of the bedrock or other confining layers over the aquifer.

C. Where a geophysical analysis confirms a direct connection to the aquifer, a comparative nitrate loading analysis shall be prepared by a licensed professional geologist using professionally acceptable methodology based on the designation on the Future Land Use Map at the time of proposed development, considering the maximum intensity possible under the proposed land use designation. The analysis must demonstrate that there is no significant and measurable net increase in nitrate loading to groundwater. The analysis shall also demonstrate that there will be no stormwater discharge into any sinkholes.

Policy 9.2:

Landscaping design and maintenance practices shall be implemented that reduce impacts to land in the City.

A. Removal of vegetation shall be limited to the minimum necessary to accommodate development. Buildings and other disturbed areas shall be located to avoid removal of native vegetation to the maximum extent feasible.

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B. Native, Florida friendly or naturalized species shall be used in all landscape areas in order to avoid or minimize the use of irrigation and fertilizers. ~~Fast release fertilizers are prohibited.~~

C. The land area within the required setback set forth in Table 9.1 is designated as a buffer and all native vegetation shall be retained, except for minimal removal necessary to provide for pedestrian paths or boardwalks. Paths and boardwalks shall not exceed four (4) feet in width except where required for compliance with the Americans with Disabilities Act and shall not be paved.

D. All landscaping for development in the City shall conform to the best management practices as stated in the *Guidelines for Model Ordinance Language for Protection of Water Quality and Quantity Using Florida Friendly Lawns and Landscapes*. (Florida Department of Environmental Protection and University of Florida, January, 2009 ~~September 2, 2003~~).

E. The City shall establish guidelines for managing existing and future lawns and landscapes at all City facilities using the educational guidelines contained in the University of Florida Extension's Florida Yards and Neighborhoods Program, Environmental Landscape Management (ELM) principles and Best Management Practices. Such guidelines shall include practices that are designed to reduce nitrate infiltration into ground and surface water.

Analysis: The modifications to the introductory paragraph of Policy 9.1 are more appropriate for Comprehensive Plans since it anticipates that the requirements will be incorporated into and expanded upon in the LDR's. See also Paragraph 4 of Future Land Use Element above for discussion about Best Management Practices.

The addition in Policy 9.1.A ensures consistency with Future Land Use Element Policy 1.4 and raise awareness to the reader that the waterfront setback does not apply to commercial development which is water dependent and water oriented.

Policy 9.1.A.1 is new and exempts from the waterfront setback requirement those lots of record recorded on or before October 27, 2008, which are vacant as of the effective date of this Plan amendment, if adopted. Six to eight vacant waterfront parcels remain in the City, according to information received during public hearings before the Planning Commission. The requirement that the lots be vacant complements Future Land Use Policy 4.1.B.1 which provides that structures on waterfront property built prior to the effective date of the Plan amendment on lots of record recorded on or before October 27, 2008, that are less than 150 feet from the waterfront, are exempt the nonconforming provisions; however, that any expansion or alteration of such structures shall not result in any such structure being located any closer to the water than its existing waterfront setback.

Policy 9.2.B eliminates "fast release fertilizers are prohibited." The elimination of an outright prohibition makes this Policy consistent with Conservation Policy 2.1.I which recognizes that fertilizers and pesticides may be permissible for development adjacent to surface waters. Policy 2.1.I contemplates that the use of fertilizers will be addressed in the Code. Also, this change to Policy 9.2.B is

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consistent with the proposed change in the Aquifer Protection Element 2.1, which calls for the City to discourage the use of fast release pesticides through educational programs.

The remaining changes in the Policies are either self-explanatory or were recommended by the planner consultant, with input from the Planning Commission.

CITY OF DUNNELLON

PUBLIC FACILITIES ELEMENT

SUPPORT DOCUMENT

Amendments proposed by Ordinance #ORD2015-10

The proposed amendments to the Public Facilities Element are technical in nature and can be categorized as follows: (1) Amendments necessary to correct obsolete provisions; (2) amendments needing updating to be consistent with requirements of state or judicial law; (3) amendments to requirements which are more suitable in the land development regulations; (4) policy-driven amendments; and (5) clarity.

1. **Policy 1.2.3** is changed to read:

For development where the Future Land Use Map of the comprehensive plan allows the use of septic tanks, development orders shall not be issued prior to demonstration that appropriate permits for on-site wastewater treatment systems have been obtained from the Marion County Health Department in accordance with Chapter 10D-6, F.A.C., and other federal, state and local agencies. Private septic tanks shall be performance based septic systems with drip irrigation for effluent disposal. ~~designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen.~~

Analysis: The elimination of “designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen” in this Policy was recommended by the City’s planner consultant because setting the maximum total nitrogen of a septic system may be inconsistent with or duplicative of state law. Also, §§ 381.0065 – 381.0067, Florida Statutes, regulate on-site sewage treatment and disposal systems. § 381.0065(3) authorizes the Department of Health to promulgate rules consistent with the statutes.

2. **Policy 1.2.5** is eliminated, and **Objective 1.3** is changed to read:

Policy 1.2.5:

~~The City will prohibit the discharge of effluent after disinfection into waterbodies containing not more than 20 mg/l of carbonaceous biochemical oxygen demand and total suspended solids or at least 75% of each of these pollutants from the wastewater influent, whichever is more stringent. All facilities shall be subject to provisions of Rule 62-600.110 F.A.C., regarding the applicability of the above requirements, and Rules 62-600.440, 62-600.445, 62-600.740, F.A.C., regarding compliance with these requirements. Appropriate disinfection and pH control of effluents shall also be required.~~

Objective 1.3:

The City of Dunnellon will provide wastewater collection and transmission services to its residential and nonresidential customers through the expansion of the wastewater treatment facility and lines and through the use of performance-based septic systems, with drip irrigation for effluent disposal designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen in areas that will not be served by the central sewer system.

Analysis: Policy 1.2.5 is not necessary and should be eliminated because it is covered by, and may be inconsistent with, state law. Moreover, the BMAP's may require a change. For an Analysis of the change in Objective 1.3, see the Analysis under Paragraph 1 above.

3. Policy 1.3.1 is changed to read:

All new waterfront development shall utilize central sewer. ~~The use of private septic tanks to service new waterfront development is hereby prohibited. For the purposes of this section, waterfront development shall be defined as any development occurring on property which borders the Rainbow River, Withlacoochee River, wetlands, and lakes. Notwithstanding the above, single family residences on waterfront parcels of 10 acres or more shall be allowed to have a performance-based septic system with drip irrigation for effluent disposal designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen with the drainfield located 150' or more from the water's edge, provided that sanitary sewer service is not available.~~

Analysis: The sentence "The use of private septic tanks to service new waterfront development is hereby prohibited" is eliminated because it duplicates the previous sentence. The remaining provisions are eliminated because they are obsolete.

4. Policy 1.3.2 is changed to read:

All new development (other than bonafide agricultural uses) shall utilize central sewer and water. Existing developed property ~~development~~ shall hook up to central sewer when available. ~~within 90 days of availability. The City Council shall have the ability to grant a variance to this requirement in cases where financial or engineering hardships are demonstrated by an applicant requesting such variance.~~

Analysis: The first substantive change is to eliminate the reference to "within 90 days of availability." As it currently reads, City staff could interpret this Policy to mean that the City is required to give 90 days' notification when the City's sewer system is available for connection. § 381.00655, Florida Statutes, requires the City to give at least a year's notice of the anticipated availability of the sewer system. Thereafter, the City gives notice *within* 365 days of availability. Typically, local government regulations set the second date of notice as 90 days, 180 days, etc. Local government regulations also can define "availability." The City's code has defined "availability" to occur when a wastewater line is within 150 feet of building.

After much discussion, the Planning Commission recommended that the requirement that Council have the ability to grant variances from the requirement to hook up to central sewer and water be eliminated. Although the statute recognizes that local governments can grant variances in certain

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situations, they are not required to do so. Moreover, the City's codes do not recognize these types of variances, nor do they provide specific criteria and a process for these variances.

5. **Policy 1.3.3** and **Policy 1.3.4** are deleted:

Policy 1.3.3:

~~All septic systems shall be inspected every five (5) years or upon sale of the property for maintenance. The City shall develop a process for tracking the inspections. If at any time a septic system is determined by the Marion County Health Department to be in failing status, then the system must be replaced with a performance-based system with drip irrigation for effluent disposal designed to provide a recovered water product that contains not more than ten mg/l of total nitrogen, at the expense of the property owner, within 90 days. The City Council shall have the ability to grant a variance to the replacement requirement in cases where financial hardship is demonstrated by an applicant requesting such variance.~~

Policy 1.3.4:

~~For purposes of considering a variance as described in Policies 1.3.2 and 1.3.3, financial hardship is defined as having an income at or below the most recent poverty threshold established by the U.S. Census Bureau.~~

Analysis: § 381.00651(3), Florida Statutes, allows a city to adopt by local ordinance an onsite sewage treatment and disposal system evaluation and assessment program for on-site septic systems, so long as the program does not deviate from the statute. Therefore, if an ordinance is adopted by a city, it must adopt § 381.00651(1) – (10) in its entirety. Also, the statute prohibits the requirement that an evaluation be done at the point of sale. Finally, the requirement that inspections be done every 5 years is inconsistent with that portion of Future Land Use Policy 2.5 which requires annual maintenance (and which is proposed to be deleted, as discussed in Future Land Use Element Paragraph 8 herein). The Planning Commission recommended deleting of Policy 1.3.3.

Since that portion of Policy 1.3.2 regarding variances is proposed to be deleted, Policy 1.3.4 should also be deleted.

6. **Policy 1.4.1, Objective 1.5, Policy 1.5.1, and Policy 1.5.2** are changed to read:

Policy 1.4.1:

Estimates of infiltration and inflow will be made at least every five (5) years as needed. Where economically feasible, system improvements will be made to reduce these levels. Records shall be held by the Department of Public Works, ~~and be available for public inspection.~~

Objective 1.5:

Funded with a state or federal grants and a low interest loans, the City of Dunnellon will expand, replace, and rehabilitate the central sanitary sewer system, ~~through four phases between the years 2003 and 2012.~~

Policy 1.5.1: —

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~~The sanitary sewer system will be operated as an independent enterprise, such that revenues will be used for the benefit of its customers. The rate schedule for sanitary sewer services will be based on public utility cost of service principles in Florida Statute 180.30.~~

Policy 1.5.12:

The City shall continue applying ~~the ongoing application to the Farmer's Home Administration~~ for wastewater disposal loans and grants. Other options for funding shall also be researched and implemented if feasible, including:

- A. Feasibility of using CDBG program monies for infrastructure improvements during the next grant cycle;
- B. Application for available grants to assist in funding of sewer or water extension;
- C. Technical and financial assistance from the Southwest Florida Water Management District under the Surface Water Improvement and Management program or Basin District under the Surface Water Improvement and Management program or Basin Board funding to correct the direct discharge of any untreated stormwater; and
- ~~D. Records shall be held by the Department of Public Works, and be available for public inspection.~~

Analysis: The changes to Policy 1.4.1 and newly-numbered Policy 1.5.1.D are made because they reflect what is already required by the Public Records Law (Ch. 119, Fla. Statutes) and therefore are not policies specific to the City. Policy 1.5.1 is eliminated for the same reason.

Changes to Policy 1.5 and newly-numbered Policy 1.5.1 correct obsolete provisions and insert new phraseology.

September 14, 2015 Support Document – Aquifer Protection Element

CITY OF DUNNELLON

AQUIFER PROTECTION ELEMENT

SUPPORT DOCUMENT

Amendments proposed by Ordinance #ORD2015-10

The proposed amendments to the Aquifer Protection Element are technical in nature and can be categorized as follows: (1) Amendments necessary to correct obsolete provisions; (2) amendments needing updating to be consistent with requirements of state or judicial law; (3) amendments to requirements which are more suitable in the land development regulations; (4) policy-driven amendments; and (5) clarity.

1. **Policy 2.1 and Policy 2.2** are changed to read:

Policy 2.1:

The City will ~~prohibit~~ discourage the sale and use of fast release pesticides and fertilizers within city limits through educational programs.

Policy 2.2:

The City ~~shall~~ should provide funding for programs which assist in educating residents about proper use of fertilizers and irrigation practices.

Analysis: Policy 2.1 currently reflects an outright prohibition which could be legally challengeable and is difficult to enforce. Moreover, this prohibition is not appropriate as a land development regulation, nor has it been adopted as part of the City's land development regulations or in the City's codes.

Policy 2.2 mandates that the City provide funding to educate the public on the proper use of fertilizers and irrigation practices. Such a requirement to provide funding indefinitely, year after year, could be unconstitutional under Article VII, Section 12 of the Florida Constitution.

2. **Policy 3.1** is changed to read:

Control point sources of groundwater pollution by implementing land development regulations to restrict any land use that will ~~significantly~~ diminish groundwater quality and quantity. ~~[9J-5.013(c)1.]~~ The following land uses shall be regulated to reduce potential impacts ~~prohibited, including all uses specified in the Comprehensive Plan – Future Land Use element section:~~

- A. Vehicle sales, repair, rental, storage, or maintenance;
- B. Hazardous waste facilities;

September 14, 2015 Support Document – Aquifer Protection Element

- C. Buildings larger than 80,000 sq. ft.;
- D. Drive-up facilities;
- E. RV parks

Analysis: The Planning Commission recommended that the word “significantly” be eliminated.

The outright prohibition of the listed uses is not only inconsistent with the City’s current land development regulations, it is inconsistent with Future Land Use Element Policy 1.4, which recognizes that these uses are allowed under special conditions (by special exception). As stated above, inconsistencies within a comprehensive plan is illegal under the Community Planning Act.

NOTICE OF PUBLIC HEARING COMPREHENSIVE PLAN AMENDMENT ADOPTION #CPA2015-01

The City of Dunnellon proposes to make changes to its Comprehensive Plan in accordance with Chapter 163, Florida Statutes. The proposed changes would amend textual portions of the Dunnellon Comprehensive Plan.

ORDINANCE #ORD2015-10

AN ORDINANCE OF THE CITY OF DUNNELLON, MARION COUNTY, FLORIDA, PROVIDING FOR A LARGE-SCALE AMENDMENT TO THE COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE ELEMENT, CONSERVATION ELEMENT, PUBLIC FACILITIES ELEMENT, AND AQUIFER PROTECTION ELEMENT; UPDATING SUCH ELEMENTS TO BE CONSISTENT WITH STATE STATUTES; ELIMINATING OBSOLETE PROVISIONS; RE-WORDING OBJECTIVES AND POLICIES FOR CLARIFICATION PURPOSES; CREATING A SITE-SPECIFIC TEXT AMENDMENT TO ALLOW MEDIUM DENSITY RESIDENTIAL DEVELOPMENT ON CERTAIN UPLAND LOTS DESIGNATED AS CONSERVATION IN THE 2008 PLAN AMENDMENTS; AMENDING POLICIES REGARDING NONCONFORMING STRUCTURES, STRUCTURES DEVOTED TO NONCONFORMING USES, AND SUBSTANDARD SIZED LOTS; PROVIDING FOR CONFLICTS; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

A public hearing on the proposed amendment to the Comprehensive Plan will be held on **Monday, November 9, 2015**, beginning at **5:30 p.m.**, or soon thereafter, before the City Council, for the purpose of taking public comment. This hearing will be held for the purpose of adopting the proposed Plan amendment and Ordinance. The public hearing will be held in the City Council Chambers, Dunnellon City Hall, 20750 River Drive, Dunnellon, FL 34431. If necessary, this public hearing may be continued to a time and date certain by announcement at the scheduled hearing without any further written notice.

Interested parties may submit written comments at or before the public hearing, or provide oral comments at the public hearing, regarding the Comprehensive Plan amendment. The failure of a person to submit oral or written comment before final adoption of the amendment may preclude the ability of such person to contest the amendment at a later date.

The public may inspect the Plan amendment during normal business hours 8:00 a.m. to 4:00 p.m. at Dunnellon City Hall.

APPEAL: NECESSITY OF RECORD. Notice is given that if any person desires to appeal any action taken by the City Council at the above hearing, a verbatim record of the proceedings may be necessary pursuant to Florida Statutes, 286.0105. The City assumes no responsibility for furnishing said record, however, the hearings will be audio recorded by the City for public use.

If any accommodations are needed for persons with disabilities, please contact the Office of the City Clerk at 352-465-8500.

Teresa Malmberg

From: Dawn Bowne
Sent: Thursday, October 29, 2015 1:28 PM
To: 'Beam, Mikesha'
Cc: Sue Lavac; Teresa Malmberg; Lonnie Smith
Subject: RE: Ad/Ocala Star Banner
Attachments: City of Dunnellon Proof Nov.pdf

Looks good. Please proceed with publication.

Dawn M. Bowne
Dawn M. Bowne, MMC
City Clerk
City of Dunnellon
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Dunnellon, FL 34431
352-465-8500, ext. 1002
352-465-8505 fax
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www.dunnellon.org

Please Note: Florida has a very broad public records law. Written communication to or from city officials regarding city business is public record and open to inspection including names, addresses, and email addresses. Therefore, your email communication may be subject to public disclosure.

From: Beam, Mikesha [mailto:mikesha.beam@starbanner.com]
Sent: Wednesday, October 28, 2015 3:49 PM
To: Dawn Bowne
Subject: Ad/Ocala Star Banner

Hello Dawn,

I will be working with you on getting your ad published. I am attaching the proof for your review. Please let me know if this is feasible/acceptable. If there are no changes needed please send approval.

Thanks,

Mikesha Beam

Account Executive

2121 SW 19th Avenue Road, Ocala, FL 34471

T: 352-387-1486

Mikesha.Beam@starbanner.com

<http://www.Ocala.com>



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