

**ORDINANCE #ORD2018-14**

**AN ORDINANCE OF THE CITY OF DUNNELLON, FLORIDA, PROVIDING FOR A FUTURE LAND USE MAP AMENDMENT TO THE COMPREHENSIVE PLAN TO INCLUDE WITHIN THE FUTURE LAND USE MAP AND CHANGE THE DESIGNATION OF PROPERTY FOR THAT PORTION OF TAX PARCEL IDENTIFICATION 3455-002-000 COMPRISING 2.5 ACRES, MORE OR LESS, LOCATED EAST OF RAINBOW GARDENS APARTMENTS AND WEST OF BLUE COVE LAKE, ACCESSED VIA LAKE SHORE DRIVE, FROM CURRENT DESIGNATION OF RESIDENTIAL LOW DENSITY LAND USE TO RESIDENTIAL HIGH DENSITY LAND USE TO CREATE CONSISTENCY WITH ZONING OF R-3 MULTIPLE DWELLING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Dunnellon adopted a Comprehensive Plan on October 14, 1991, which meets the requirements of the Local Government Comprehensive Planning and Land Development Regulation Act of 1985; and

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

**WHEREAS**, the City Council of the City of Dunnellon has the authority to amend its Comprehensive Plan pursuant to Chapter 163, Florida Statutes; and

**WHEREAS**, the Future Land Use Map of the Comprehensive Plan depicts the Land Use categories that are permissible within the City; and

**WHEREAS**, the City Council desires to amend the Future Land Use Map of the Comprehensive Plan to designate the subject property's land use from Residential Low Density Land Use to Residential High Density; and

**WHEREAS**, the Local Planning Agency held a public hearing on June 19, 2018, to consider this amendment; and

**WHEREAS**, the City Council of the City of Dunnellon held public hearings to consider this amendment, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

**WHEREAS**, the City of Dunnellon has complied with all requirements and procedures of Florida law in processing this small-scale amendment to the City's Comprehensive Plan; and

**WHEREAS**, the City Council of the City of Dunnellon hereby finds and determines that this amendment is internally consistent with the City's Comprehensive Plan.

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

**Section 1.** The recitals set forth above are hereby adopted as the legislative findings of the City Council of the City of Dunnellon, Florida.

**Section 2.** Comprehensive Plan Amendment – Future Land Use Map

The City of Dunnellon Comprehensive Plan and Future Land Use Map, and ordinances which adopted and amended said Future Land Use Map, are hereby amended to include and change the designation of the subject property (which consists of that portion of Tax Parcel Identification 3455-002-000 comprising 2.5 Acres, more or less, located East Of Rainbow Gardens Apartments and West of Blue Cove Lake, accessed Via Lake Shore Drive; said property being legally described in Exhibit “A,” attached hereto and by this reference incorporated herein) from Residential Low Density Land Use to Residential High Density Land Use, as depicted on Exhibit “B,” attached hereto and by this reference incorporated herein.

**Section 3. Severability.** If any portion of this Ordinance shall be declared unconstitutional or if the applicability of this Ordinance or any portion thereof, to any person or circumstance shall be held invalid, the validity of the remainder of this Ordinance and the applicability of this Ordinance, or any portion thereof, to other persons or circumstances, shall not be affected thereby. It is the specific intent of the City Council of the City of Dunnellon that the Severability as set forth above shall apply to this Ordinance.

**Section 4. Conflicts.** Any Ordinance in conflict with this Ordinance is hereby repealed.

**Section 5. Effective Date.** This Ordinance shall become effective 31 days after adoption if no challenge is filed.

**Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon the first reading on the 10<sup>th</sup> day of September, 2018.

**Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon the second reading and public hearing on the 11<sup>th</sup> day of March, 2019.

Ordinance Posted on the City’s website on September 7, 2018. Public hearing advertised on the City’s website on February 14, 2019 and advertised in the Riverland News on February 28, 2019.

Attest:

**CITY OF DUNNELLON**

\_\_\_\_\_  
Amanda L. Roberts, CMC  
City Clerk

\_\_\_\_\_  
C. Dale Burns, Jr., Mayor

Approved as to Form and Legal Sufficiency:

---

Andrew Hand, City Attorney

**CERTIFICATE OF POSTING**

**I HEREBY CERTIFY** that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and Dunnellon Library, in the City of Dunnellon, Florida, and on the City's Official Website this 7th day of September 2018.

---

Amanda L. Roberts, CMC  
City Clerk

**Exhibit "A"**

LOT 2, RAINBOW GARDENS, A REPLAT OF VILLAS OF BLUE COVE, AS RECORDED IN PLAT BOOK Y, PAGES 4 AND 5, PUBLIC RECORDS OF MARION COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGES 124 AND 125, PUBLIC RECORDS OF MARION COUNTY FLORIDA.

**Exhibit "B"**

