

ORDINANCE #ORD2012-07

AN ORDINANCE OF THE CITY OF DUNNELTON, FLORIDA, AMENDING THE COMPREHENSIVE PLAN TO UPDATE THE FUTURE LAND USE MAP FOR THE CITY OF DUNNELTON; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; AND PROVIDING 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 Future Land Use Map of the Comprehensive Plan depicts the Land Use categories that are permissible within the City; and

WHEREAS, the City Council of the City of Dunnellon has amended the Comprehensive Plan from time to time; and

WHEREAS, the City has, as of the 27th day of August, 2012, annexed approximately 500.8 acres legally described in Exhibit "A" attached, with the Rural Land Use Designated by Marion County; and

WHEREAS, the City Council of the City of Dunnellon desires to amend the Future Land Use Map of the Comprehensive Plan to include said annexed area;

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

Section 1. The Future Land Use Element of the City of Dunnellon Comprehensive Plan is hereby amended to reflect the changes set forth in Exhibit "B," attached hereto, revising the Future Land Use Map to show the 500.8 acres legally described in Exhibit "A" attached as remaining Rural.

Section 2. 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 3. Repeal of Inconsistent Ordinances. Any Ordinance in conflict with this Ordinance is hereby repealed.

Section 4. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the 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,

Second draft to Council and posted in three places and website 01/08/2013

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.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the first reading on the 24th day of September, 2012.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the second reading on the 28th day of January, 2013.

Advertised in the Ocala Star Banner and Riverland News on Thursday, August 16, 2012 and January 17, 2013 and on the City's website on August 15, 2012 and January 8, 2013.

Attested by:

CITY OF DUNNELLON

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

Nathan Whitt, Mayor

Approved as to Form and Correctness:

Marsha Segal-George, City Attorney
Fowler & O'Quinn, P.A.
Empire Building
28 W. Central Blvd. 4th Floor
Orlando, Florida 32801
(407) 425-2684

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 15th day of August, 2012 and the 8th day of January, 2013.

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

Exhibit "A"

A portion of Sections 27 and 34, Township 16 South, Range 19 East, Marion County, Florida being more particularly described as follows: Commence at the S.E. Corner of said Section 27, said point also being the N.E. Corner of said Section 34; thence S 00°25'54"W, along the east boundary of said section 34, 594.63 feet; thence departing said East boundary N 89°34'34"W, 1474.97 feet; thence S 00°27'54"W, 3030.11 feet to the North right of way line of County Road No. 484 (80 feet wide); thence N 89°53'32"W, along said right of way line, 1184.38 feet; thence departing said right of way line N 00°33'58"E, 3633.37 feet to the South boundary of aforementioned section 27; thence N 89°26'54"W, along said South boundary, 2626.68 feet to a point 30.00 feet, as measured at right angles, from the West boundary of said Section 27; thence N 00°38'05"E, along a line parallel with said West boundary, 1758.21 feet; thence N 00°08'24"E, along a line parallel with said West boundary, 1458.07 feet; thence S 89°26'54"E, 5133.14 feet to the Westerly boundary of the Marion County – Dunnellon Airport; thence S45°25'22"W, along said Westerly boundary 643.12 feet; thence continue along said Westerly boundary S 44°34'32"E, 853.22 feet to the East boundary of aforementioned Section 27; thence S 00°28'11"W, along said East boundary, 2154.67 feet to the point of beginning.

Exhibit "B"

