

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

1.1.1: Any proposed industrial uses will be located in areas deemed to have the least impact on air quality standards.

1.1.2: The applicant shall include documentation that ambient air quality in the City will not be lowered.

1.1.3: The applicant shall use adequate landscaping to promote air quality and effectively reduce noise and view impacts to adjacent property.

Policy 1.2: Promote the use of alternative modes of transportation where economically feasible, including bicycle paths and walking trails.

Policy 1.3: 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. Recent data indicate Dunnellon's rivers currently have good water quality. The City shall ensure future land uses do not contribute to a decrease in surface water quality within the planning timeframe, through enforcement of the following policies upon adoption of this plan, and adoption of land development regulations by the statutory deadline which establish requirements for development, 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:

2.1.1: All waterfront development, shall use methods of stormwater treatment which filter the first one inch and a half of stormwater prior to direct discharge into surface waters, consistent with SWFWMD and DER rules for Outstanding Florida Waters.

2.1.2: Minimum setbacks of not less than 50 feet from the ordinary high water line shall be established for structures and not less than 100 feet for septic tanks and drainfields for all development along the river; minimum setbacks of not less than 25 feet from wetlands shall be established for structures. Applicants unable to meet the 50 foot setback due to lots size may be allowed to provide a 25 foot setback so long as a vegetated swale is provided in the uplands adjacent to the water line or other accepted engineering technique which is effectively designed to protect water quality and provide erosion control.

2.1.3: All new development (other than the agricultural district, unless clustered at densities requiring central sewer) shall be required to utilize central sewer. The City has designated existing waterfront development as a first priority for provision of central sewer hookup and shall provide central sewer to existing waterfront development according to the schedule in the Capital Improvements Element. When central sewer becomes available, all existing development, including waterfront lots shall be required to hook up within 90 days of availability.

2.1.4: 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.

2.1.5: 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 must replace wetlands lost acre for acre, by wetland type, form and function.

2.1.6: For existing and new development, clearing of shoreline and wetland vegetation within 25 feet of the ordinary high water shall be limited to that required to provide reasonable access to the shoreline; in no case shall clearing exceed 25 percent of the total shoreline of each property.

2.1.7: The removal of healthy, non-nuisance trees shall be in accordance with the tree ordinance.

2.1.8: 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 500 feet of the rivers' edge (ordinary high water), except those associated with water-oriented commercial uses which obtain appropriate permits by DER.

2.1.9: The construction of new boat ramps along the rivers shall be designed to direct runoff away from the river. Direct sheet flow is prohibited.

Policy 2.2: Future improvements or widening of the City's roadways and drainage structures will include retrofitting for stormwater treatment.

Policy 2.3: 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.

Policy 2.4: The City shall coordinate with the Southwest Florida Water Management District Surface Water Management and Improvement Program (SWIM) program regarding additional measures or funding sources available towards preservation of the Rainbow River.

Policy 2.5: 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, in accordance with DER and SWFWMD rules.

Policy 2.6: Water collected in agricultural drainage systems shall be routed through vegetated buffer areas, such as field borders and grassed swales, to reduce pollution to the river.

Policy 2.7: Through the site plan review process, development of single-family homes on existing platted lots along the river shall be required to have the lot graded in a manner to minimize runoff. Single family lot owners shall be encouraged to reduce fertilizer and other pollutant runoff into the river through educational programs.

Policy 2.8: Redevelopment of areas designated as water-oriented and tourist-oriented commercial on the Future Land Use Map shall include site design providing for stormwater treatment on-site.

Policy 2.9: Coordinate with Federal, State and local enforcement agencies to effectively enforce established regulations.

Policy 2.10: Prohibit any major water withdrawal or diversion of the Rainbow River which would adversely impact water quality.

### 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, establish mandatory site plan review criteria and additional requirements for development within the floodplain through the land development regulations, adopted by the statutory deadline.

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 finish elevation of first floor construction is at least one foot above the 100-year flood.

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Policy 3.3: Other 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, consistent with the Regional Policy Plan.

#### 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 policies upon adoption of this plan, and through land development regulations, adopted within the statutory deadline.

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 in the land development regulations to be adopted within the statutory deadline.

Policy 5.1: The City shall develop "Best Management Practices" to be followed during development activities:

5.1.1: Use of hay bales or other effective means to prevent erosion on areas of steep slope;

5.1.2: Shorelines and wetlands shall be protected with filter berms or fabric screens, as appropriate to prevent siltation into water bodies and wetlands;

5.1.3: All site preparation and landscaping, as shown on the site plan for new development, shall be completed prior to certificate of occupancy.

5.1.4: Other best management practices shall be developed by the City which are appropriate towards reducing erosion.

Policy 5.2: Site plan review of new development shall consider loss of pervious surfaces which result in lowering of recharge capabilities and increasing runoff.

Policy 5.4: All landscaping within 25 feet of the ordinary high water line of the rivers shall be vegetation which ensures the stabilization of soils and which is not considered noxious or invasive.

Policy 5.5: Stabilization of banks shall be accomplished by planting of vegetation or use of rip-rap, and not by seawalls; construction of new seawalls is prohibited.

Policy 5.6: Existing seawalls requiring maintenance and repair shall be faced with rip-rap for stabilization and prevention of undercutting and erosion.

Policy 5.7: The City shall require the use of best agricultural practices on agricultural land to minimize erosion and ensure compatibility with protection of natural systems.

Policy 5.8: 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 ecological communities and wildlife, especially species designated of special status by the Florida Game and Freshwater Fish Commission, Department of Agriculture and U.S. Fish and Wildlife, upon adoption of this plan, through requirements and site plan review criteria in the land development regulations, to be adopted by the statutory deadline.

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 which will be researched during development of the land development regulations.

Policy 6.2: Require 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 development and enforcement of regulations which pertain to endangered, threatened and species of special concern, adopted by the statutory deadline. In the interim, request that the Florida Game and Freshwater Fish Commission assist in review and approval of management plans required to mitigate adverse impacts to wildlife, as described in policy 6.11.

Policy 6.4: Seek assistance from Florida Game and Freshwater Fish Commission prior to approval of new development in areas known to be inhabited by endangered, threatened or endangered species, in order to ensure development design mitigates any negative impacts through management plans.

Policy 6.5: Enforce regulations which restrict disturbance of wetlands by development activity, including setbacks, prohibitions on dredge and fill, and vegetation clearing.

Policy 6.6: Encourage use of native 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.

Policy 6.9: The removal of cypress trees shall be regulated in the city tree ordinances.

Policy 6.10: Coordinate with Federal, State and local programs for the protection of the most vulnerable ecological communities, including acquisition through the CARL program.

Policy 6.11: Large-scale development projects of 10 acres or more directly adjacent to the Rainbow and Withlacoochee Rivers shall provide an inventory of endangered or threatened animal species and measures to mitigate adverse impacts.

**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 in the land development regulations, to be adopted by the statutory deadline.

Policy 7.1: Cooperate with any state, federal, or local programs concerning hazardous waste.

Policy 7.2: Prior to site approval of any activity that stores, uses or produces hazardous waste, the responsible party shall:

7.2.1: Develop an emergency response system addressing accidents involving hazardous waste.

7.2.2: Ensure that location of the site will not degrade quality of groundwater or surface water or other natural resources.

7.2.3: Ensure DER standards for transfer, handling and storage of hazardous waste are implemented by undergoing review and approval under the Marion County Storage Tank Program.

7.2.4: 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 on 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 through adoption of the land development regulations by the statutory deadline, and establishment of intergovernmental coordination activities upon adoption of the plan.

Policy 8.1: 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.

Policy 8.2: In order to protect present and future water supplies, the City shall adopt a wellfield protection ordinance prohibiting new development within a 200 foot radii to potable water wells (This does not apply to nonpotable wells or individual wells serving a single family residence). In addition, all potential polluters shall be regulated under the Marion County Storage Tank Program.

Policy 8.3: Require owners of existing underground storage tanks within 1000 foot radius of any public potable water well to 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.

Policy 8.4: Through site plan review mechanisms, ensure development, other than residential infill of existing platted subdivisions, retain a minimum of 30 percent pervious surface on site, except within the downtown historical district area.

Policy 8.5: Participate in water conservation and protection programs of the Southwest Florida Water Management District.

Policy 8.6: Encourage the use of native vegetation in landscaping, which reduces irrigations needs.

Policy 8.7: 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.

Policy 8.8: Obtain technical assistance from the Southwest Florida Water Management District in establishing a water conservation program. The Public Utilities Director shall be responsible for developing a water conservation program by 1993 which includes: progressive rate structures; leak detection and remediation programs; and educational programs.

Policy 8.9: Coordinate with the Southwest Florida Water Management District in development of organized procedures to be followed during emergency water supply interruptions.

Policy 8.10: Encourage innovative site design techniques which maintain aquifer recharge capabilities, such as cluster development, pervious pavement, and open space requirements.

Policy 8.11: Enforce state laws requiring low volume plumbing fixtures for new construction through building permit procedures.

Policy 8.12: Development orders shall not be issued prior to verification of adequate potable water supplies, consistent with adopted level of service standards.

Policy 8.13: The use of pervious pavement shall be encouraged on all publicly and privately owned lands to retain recharge functions, through provisions in the land development regulations that require that parking areas that provide seasonal use (deferred parking areas) be of pervious pavement or grass.

CITY OF DUNNELLON  
CONCURRENCY MANAGEMENT SYSTEM

Chapter 9J-5, Florida Administrative Code, requires the adoption of a concurrency management system to ensure that facilities and services needed to support development are available concurrent with the impacts of such development. This concurrency management system is designed to ensure that prior to the approval of an application for a development order or permit which contains a specific plan for development, including densities and intensities of development, the adopted level of service standards required within this Comprehensive Plan for roads, potable water, sanitary sewer, solid waste, drainage and recreation and open space will be maintained.

The comprehensive Plan of the City of Dunnellon contains policies which establish level of service standards for public facilities; the concurrency management system in turn provides a mechanism for which the City can ensure the maintenance of level of service standards.

Purpose and Overview

The City shall require a concurrency review be made with applications for development approvals and a Certificate of Concurrency issued prior to the approval of any application for a development order or permit which contains a specific plan for development, including intensities and densities of development. If the application is found to be concurrent, a Certificate of Concurrency will be issued. If any other development permits are required, a copy of the Certificate of Concurrency shall be included with the future application. A separate concurrency review shall not be required for each permit for the same development. This concurrency review will only address the availability of and capacity of public facilities, and a Certificate of Concurrency does not infer approval of the entire development, such as approval of final plats where review indicates availability during preliminary plat approval.

If the application is found not to be concurrent, the applicant shall be notified in writing that a certificate of concurrency cannot be issued. The burden of demonstrating that adequate facilities are available, consistent with the adopted concurrency management system, shall rest with the applicant.

The City shall issue development approvals only if the proposed project does not lower the public facility level of service below the standards adopted as part of the Comprehensive Plan.

A. Minimum Requirements for Concurrency

The minimum requirements for concurrency within this management system are as follows:

1. for roads, potable water, sewer, solid waste, drainage and recreation and open space, provisions shall be in place to ensure that:

a. the necessary facilities and services are in place at the time a development permit is issued, or conditions are placed on the permit stating that the necessary facilities and services will be in place when the impacts of development occur; or

b. The necessary facilities are under construction at the time a development permit is issued;

c. The necessary facilities and services are guaranteed in an enforceable development agreement that includes the provisions of Chapter 9J-5.0055 (2)(a)(1-3), F.A.C., in effect upon the adoption of this comprehensive plan. All development agreements shall be consistent with the provisions of Chapter 163.3220, Florida Statutes or an agreement or development order issued pursuant to Chapter 380, Florida Statutes.

These requirements shall be enforced for various types of development orders, as follows:

1. For building permits, necessary facilities and services shall be in place prior to issuance. The determination of the existence of the necessary facilities and services in place shall be made by the Public Works Director or designee.

2. For other development orders, including, but not limited to, approval of subdivisions, rezonings, special exceptions or permits and site plans, public facilities and services must be available concurrent with the impacts of development permitted by other development orders. Subject to a determination by the City Public Works Director or designee that the necessary facilities or services are in place and are maintaining the adopted level of service, the following concurrency management requirements shall apply to all development orders with the exception of buildings permits:

a. Provisions shall be included within the development order, which shall require the construction of additional public facility capacity, where public facilities, due to the impacts of the development proposal do not meet the adopted level of service; and

b. such provisions shall require that the necessary public facilities be constructed to the adopted level of service so that necessary facilities and services will be in place when the impacts of the development occur and within conformance with the 5-year Schedule of Capital Improvements. Construction shall be undertaken by the developer or other private entity having authority over the facility, at their expense, or may be constructed by the City only in cases where the City Council agrees to construct such a facility.

B. Concurrency Determination Procedures

A concurrency test shall be made for these public facilities: roadways, sanitary sewer, solid waste, drainage, potable water, and recreation and open space.

1. For all public facilities with the exception of roadways, the adequacy of facilities will be determined by comparing the available capacity of facilities or services to the demand created by the development. Available capacity will be determined by adding together the total excess capacity of existing facilities and the total capacity of any new facilities which meet the previously defined concurrency standards and subtracting any capacity committed through issuance of certificates of concurrency from previously approved development orders. The following procedures shall be applicable to all development orders and permits:

a. If an applicant desires to determine whether there is adequate capacity to accommodate a proposed development, the City shall make an informal non-binding determination of whether sufficient capacity exists.

b. If sufficient capacity does not exist, the City shall determine what public facilities are deficient if the project were to be approved.

c. Certain development approvals are ineligible to receive concurrency reservation since they are conceptual in nature and do not allow an accurate assessment of public facility impacts. These development approvals include land use amendments and rezoning applications. These approvals shall receive a non-binding concurrency determination.

d. any concurrency determination, with or without a development approval application, is a non-binding determination of public facilities availability and capacity at the time of inquiry. The only binding action shall be the issuance of a Certificate of Concurrency, which reserves capacity for public facilities and services.

2. For roadways, the following determination procedures shall

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apply:

a. The City shall provide level of service information as set forth in the most recent Data and Analysis of the Traffic Circulation Element of the comprehensive plan. If this level of service information indicates a level of service failure would occur due to approval of the development, the applicant may either:

(1) accept the level of service information as set forth in the most recent Data and Analysis of the Traffic Circulation Element of the comprehensive plan, or

(2) prepare a more detailed Highway Capacity Analysis as outlined in the most recent Highway Capacity Manual or other approved methods of the Florida Department of Transportation.

b. If the applicant chooses to do a more detailed analysis, the applicant shall submit the completed alternative analysis to the Public Works Director or designee for review of the accuracy and appropriateness of the application of the methodology.

c. If the alternative methodology is accepted by the Public Works Director or designee, and indicates an acceptable level of service, the alternative methodology may be used in place of the most recent Data and Analysis of the Traffic Circulation Element of the comprehensive plan.

d. Any proposed development generating more than 400 trips a day shall be required to provide a trip distribution model, in addition to the requirements outlined above.

3. For sanitary sewer, solid waste, drainage, potable water and recreation and open space, the following determination procedures shall apply:

a. The city shall provide level of service information as set forth in the most recent Data and Analysis of the Data and Analysis of the comprehensive plan.

b. If such information indicates that the proposed project would not result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was available.

c. If such level of service information indicates that the proposed project would result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was not available at the date of application or inquiry.

Specific procedures for determination of concurrency for each

public facility and service shall be included in the revised Land Development Regulations.

C. Certificate of Concurrency Compliance

The City's concurrency management system shall include provisions to ensure reservation of capacity in the public facilities necessary to serve previously approved/vested developments as well as proposed development following approval of a development order and concurrent issuance of a Certificate of Concurrency. A Certificate of Concurrency Compliance (COCC) shall only be issued upon final development approval, and each development approval/COCC shall include a time limit by which development must commence and be completed or the reserved capacity (and required hookup fees) are forfeited. The COCC shall remain in effect for the same period of time as the development order or permit granting final development approval. If there is no expiration date, the Certificate shall be good for a period of one (1) year. Certificates of Concurrency shall be issued on a first-come, first-served basis.

In summary, the following conditions apply to the City of Dunnellon's Concurrency Management System:

1. Amendments to the Comprehensive Plan can be made twice each year, and as other wise permitted. Changes can be made to the Capital Improvements Element by ordinance if the changes are limited to those contained in Chapter 163, Part II, Florida Statutes.
2. No development order or permit shall be issued requiring the City to delay or suspend construction of any of the capital improvement listed in the 5 year schedule of the Capital Improvement Element.
3. If a comparable project on the 5 year schedule is proposed through the issuance of a development order or permit, the applicant may request a change to the 5 year schedule as part of the twice annual land use plan amendment review periods.