

Agenda  
City of Dunnellon  
City Council Meeting  
January 11, 2021 5:30 P.M.  
Join Zoom

<https://dunnellon.zoom.us/j/93943964047?pwd=NzZjY1RQQUsxdmttc3pPNjhsRkMvQT09>

Webinar ID: 939 4396 4047

**Dunnellon City Council meeting will be held on January 11, 2021,  
5:30 p.m. at Dunnellon City Hall with Social Distancing Modifications**

**Public Comment:** Anyone who wishes to provide public comment will be able to do so by participating in the City Council meeting in person, or via the Zoom **"AUDIO ONLY"** platform and/or telephone, by speaking during public comment portions of the meeting when recognized per the instructions below or by submitting written comments, evidence and/or written testimony in advance of the meeting via email to the City Clerk at [mroberts@dunnellon.org](mailto:mroberts@dunnellon.org)

Members of the public who would like to participate are encouraged to register in advance by Noon on Monday January 11th. Please see instructions below on how to register.

Public input on non-agenda items will be heard at the beginning of the meeting. A three (3) minute time limit will be strictly administered.

**Instructions on How to Listen and/or Participate in the Meeting**

Attachment: [Meeting Instructions \(PDF\)](#)

**Call to Order**

**Pledge of Allegiance**

**Opening Prayer/Moment of Silence** (suggested time limit: 1 minute

Mayor to request if any invitee is present to open with prayer; if no invitee is present, Mayor will ask if a Dunnellon citizen will volunteer. If no volunteers, a moment of silence will be offered. If a citizen outside of Dunnellon requests to open with prayer, (s)he may so if no invitees/citizens volunteer.)

**Roll Call**

Proof of Publication - Posted on the City's website and City Hall bulletin board on Thursday January 7, 2021.

Council's Comments Regarding Agenda

Public Comments on non-agenda items - 3 minute time limit

**Consent Agenda**

Accept public comment on consent agenda items prior to making a motion

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

## **1. City Council Minutes**

September 9, 2020 Council workshop

September 14, 2020 Council meeting

Documents:

[August 9, 2020 Workshop.pdf](#)

[August 14, 2020 Meeting.pdf](#)

## **2. Reappoint Mary Ann Hilton As Full Member To The Planning Commission, Term January 13, 2021 To January 13, 2024**

Documents:

[20210111\\_Amended\\_Planning\\_Comm\\_Hist\\_Pres\\_Summary ADA.pdf](#)

## **3. Reappoint David Short As 1st Alternate To The Planning Commission, Term January 11, 2021 To January 11, 2024**

Documents:

[20210111\\_Amended\\_Planning\\_Comm\\_Hist\\_Pres\\_Summary ADA.pdf](#)

## **4. Reappoint James Burchett As A Full Member To The Historic Preservation Board Term, January 11, 2021 To January 11, 2024**

Documents:

[20210111\\_Amended\\_Planning\\_Comm\\_Hist\\_Pres\\_Summary ADA.pdf](#)

## **5. Reappoint Scott Kiefer As A Full Member To The Historic Preservation Board Term, January 11, 2021 To January 11, 2024**

Documents:

[20210111\\_Amended\\_Planning\\_Comm\\_Hist\\_Pres\\_Summary ADA.pdf](#)

## **6. Allow For Public Comment At The Beginning And At The End Of The Workshop Meetings.**

### **Consent Agenda Approval**

PROPOSED MOTION: I move the consent agenda be approved as presented.

### **Regular Agenda**

## **7. Appointment Of Vice-Mayor**

Proposed Motion: I move \_\_\_\_\_ be appointed as Vice-Mayor until the next election.

## **8. City Administrator Advertising Process**

Proposed Motion: I move to accept services provided by Florida City and County Management Association Senior Advisor, George Forbes as presented at the January 6, 2021 workshop meeting.

## **9. Consider Appointment Of Mr. Jay Dugan Or Mrs. Kathy Dunn To 2nd Alternate Position On The Planning Commission**

Proposed Motion: I move \_\_\_\_\_ be appointed to the Planning Commission as 2nd Alternate, term to expire January 11, 2024.

Documents:

[20210111\\_Amended\\_Planning\\_Comm\\_Hist\\_Pres\\_Summary ADA.pdf](#)

## **10. Ernie Mills Park And Short Tower Way Parking Lot Project Bid #BID2020-04**

Proposed Motion: I move to Award Bid #BID2020-04 to Pave Rite, Inc. in the amount of \$510,528.75 and authorize the Mayor to sign Notice of Intent to Award and all contract documents.

Documents:

[Bid Results Letter.pdf](#)

## **Public Hearing Statement**

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.

**Follow Public Hearing Notes - Public comment taken during public hearing**

**11. Public Hearing Ordinance #ORD2020-11 Comprehensive Plan Amendment, #CPA2020-04, Solar Farms (Advertised In The Ocala Star Banner And In The Riverland News On 12/31/2020)**

Documents:

[Staff Report adoption recommend to Council\\_final.pdf](#)

**12. Final Reading Ordinance #ORD2020-11 Comprehensive Plan, #CPA2020-04, Solar Farms**

Proposed Motion: I move Ordinance #ORD2020-11, #CPA2020-04 be read by title only.

Proposed Motion: I move Ordinance #ORD2020-11, #CPA2020-04 be approved.

Documents:

[Ordinance ORD 2020-11 CPA2020-04 Solar Farms w Exhibit A.pdf](#)

**13. Public Hearing Ordinance #ORD2020-10, Solar Farms Land Development Regulations (LDR) (Advertised In The Ocala Star Banner And In The Riverland News On 12/31/2020)**

Documents:

[Staff Report Council LDR Solar Farms ORD2020-10.pdf](#)

**14. First Reading Ordinance #ORD2020-10, Solor Farms LDR**

Proposed Motion: I move Ordinance #ORD2020-10 be read by title only.

Proposed Motion: I move Ordinance #ORD2020-10 be approved.

Documents:

[2020-10 Solar Farms LDR Ordinance 12-8 Final Revision AJH.pdf](#)

**15. City Parks Presentation - Mayor White**

**16. Council Liaison Reports And Comments**

**17. City Administrator's Report**

**18. City Attorney's Report**

**19. Adjourn**

**Proposed Motion:** I move the City Council meeting be adjourned.

ANY PERSON REQUIRING A SPECIAL ACCOMMODATION AT THIS HEARING BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT THE CITY CLERK AT (352) 465-8500 AT LEAST 48 HOURS PRIOR TO THE PROCEEDING. IF A PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO ANY MATTER CONSIDERED AT THE ABOVE MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY IS NOT RESPONSIBLE FOR ANY MECHANICAL FAILURE OF RECORDING EQUIPMENT.

**City of Dunnellon  
City Council Workshop**

Join Zoom <https://>

<https://dunnellon.zoom.us/j/98013836204?pwd=SGhjd3VSWGplcU5hMjU1Q2NVcS90Zz09>

Webinar ID: 931 4130 1416

Date: September 09, 2020

Time: 5:30 p.m.

Place: City Hall

20750 River Dr., Dunnellon, FL34431

Dunnellon City Council workshop will be held on September 09, 2020, at 5:30 p.m. at Dunnellon City Hall with Social Distancing Modifications.

Anyone attending the workshops will be required to wear a mask/face covering. All attendees will be subject to screening to include a temperature check.

**Public Comment**

Anyone who wishes to provide public comment will be able to do so by participating in the City Council meeting in person, or via the Zoom "AUDIO ONLY" platform and/or telephone, by speaking during public comment portions of the meeting when recognized per the instructions below or by submitting written comments, evidence and/or written testimony in advance of the meeting via email to the City Clerk at [mroberts@dunnellon.org](mailto:mroberts@dunnellon.org)

Members of the public who would like to participate are encouraged to register in advance by Noon on Wednesday September 9th. Please see instructions below on how to register.

Public input on non-agenda items will be heard at the beginning of the meeting. A three (3) minute time limit will be strictly administered.

Instructions on How to Listen and/or Participate in the Meeting Attachment: Meeting Instructions (PDF)

**Call to Order and Pledge of Allegiance:**

Mayor Burns called the meeting to order at approximately 5:30 p.m. and led the Council in the Pledge of Allegiance. He asked if any invitee or volunteer was present to open with prayer. Pastor Tom Welch provided the invocation.

**Roll Call**

The following members answered present at roll call:

Dale Burns, Mayor, Seat 1

Bill White, Councilman, Seat 2

Anita Williams, Councilwoman, Seat 3

Valerie Hanchar, Vice-Mayor, Seat 4 (arrived approximately 6:04 p.m.)

Jay Dugan, Councilman, Seat 5

**Staff Present**

Dawn Bowne, City Administrator  
Mandy Roberts, City Clerk  
Jan Smith, Finance Department  
Chief Mike McQuaig, Police Department  
Lonnie Smith, Community Development  
Troy Slattery, Public Works Manager  
Loretta Barton, Clerk's Department

**Legal Counsel**

Andrew Hand,  
Shepard, Smith, Kohlmyer & Hand, P.A.

**Proof of Publication**

Ms. Roberts announced for the record the agenda for this meeting was posted on the City's website and City Hall bulletin board on Wednesday, September 02, 2020. Amended on September 3, 2020 to add backup to items #2 and #3. September 8, 2020 Backup added to item #6.

Mayor Burns requested Item #10 be moved after Item #4. Council agreed.

**Agenda Item Number 1 – Dunnellon Chamber & Business Association Report**

Joanne Black, President of the Dunnellon Chamber & Business Association, provided an update on new members and upcoming events.

**Agenda Item Number 2 – Board Reports**

Brenda D'Arville, Chair of the Planning Commission, provided a report on their last meeting.

**Agenda Item Number 3 – Introduction of Marion County Elect Commissioner Craig Curry**

Commissioner Curry provided his background and introduced Keifer Calkins, Marion County Parks and Recreation, who provided a presentation on the Fort King project.

Jim Couillard, Marion County Parks and Recreational Director, addressed Mayor Burns' concern regarding three hundred (300) new tubes being ordered for KP Hole. Mr. Couillard explained the tubes were ordered for replacement of older or damaged tubes. He said their commitment is to allow three hundred twenty-five to three hundred fifty tubes per day on the river. He said as part of their safety program, the new tubes will include a map and rules of the river and emergency information. He noted they are pleased with the reduction of tubes on the river and noticing more kayaks.

Councilman Dugan asked if coolers are checked at KP Hole. Mr. Couillard said it is against the law to have alcohol in all County owned parks and on the Rainbow River. Coolers are subject to search and they do use alcohol detection devices.

Councilman White spoke to the suggestions that were presented by a group of concerned residents last year. Mr. Couillard said the numbering of the docks has been added to their website and he encouraged residents who own property along the Rainbow River to visit the site and fill in the information. He said the safety video is a work in progress and a draft should be available soon.

There was a brief discussion regarding an aero glider at the Rainbow River. Mr. Couillard stated the glider was banned from the airport for violating Marion County Airport policy and FCC safety regulations.

Councilman White discussed the large groups of jet skiers on the Rainbow River along with the tubers. He expressed his concern for potential problems.

**Agenda Item Number 4 – #BID2020-03, Property, Casualty & Workers Compensation Insurance**

Mrs. Bowne said proposals for insurance services were received from the Florida Municipal Insurance Trust (FMIT) and the Preferred Governmental Insurance Trust (PGIT). She provided spreadsheets for Council to review along with the full proposals. Mrs. Bowne explained the results indicate a savings to be realized to the City in the amount of \$25,624. A greater difference will be realized in the 2020/2021 budget in that the departments had budgeted for a larger expense of approximately \$47,023. The reduction of the expense has offset the reduced revenue projections provided by the State. Mrs. Bowne stated proposal provided by the FMIT will provide the largest savings to the City.

Mrs. Bowne introduced Clay Austin, Director, Trust Services and Luckner Francois, Account Executive from the Florida League of Cities who were present to provide a brief overview and answer questions from Council.

Council agreed to accept the proposal submitted by the FMIT and place this item on the consent agenda.

**Moved to:**

**Agenda Item Number 10 – Council General Discussion Pertaining to Establishing an Ordinance for Blue Run Park Rules and Regulations** Mayor Burns provided a PowerPoint presentation regarding the Blue Run Park of Dunnellon. He explained that it's the City's responsibility to manage this passive park. Marion County is the principle partner, per the Management Plan. He discussed the issues and concerns and recommended having staff draft a proposed Ordinance and any applicable code modifications as outlined for future Council consideration.



**Agenda Item Number 5 – #RFP2020-01, Review and Selection of Building Inspection Services Vendor**

Mr. Smith said the City recently initiated an RFP for Building Inspection Services. He explained the current agreement with M.T. Causley, LLC has expired and needs to be renegotiated. RFP2020-01 was created and advertised for prospective vendors to provide Building Inspection Services for the City. Two proposals were received by the closing date of the request, Charles Abbott Associates, Inc. and M.T. Causley, LLC. The proposals were reviewed and scored according to the provisions of the RFP. The responses were evaluated on experience, references, staffing capacity, services, fee structure, etc. Additional items were taken into consideration such as whether the building official, building inspector, and plan reviewers have familiarity with riverfront, waterway building and development issues and whether the firm can offer code enforcement services.

Mr. Smith discussed an option of hiring a part-time Code Enforcement Officer who could provide the services at \$16.00 per hour, which would be a significant savings.

Council and staff engaged in brief discussion regarding the options provided. Mr. Smith answered questions from Council.

Mr. Smith recommended approving M.T. Causley, LLC as our preferred vendor and authorize the creation of an Agreement for Services with them.

Council agreed to place this item on the consent agenda.

**Agenda Item Number 6 – Planning Commission Vacancy - Community Development Manager, Lonnie Smith**

Mr. Smith explained a vacancy for a full member on the Planning Commission became available upon the resignation of former Commissioner, Vice Chairwoman Louise Kenny. At the Planning Commission meeting on August 25, 2020, members discussed the vacancy and by consensus, agreed the first and second alternates would typically be moved up by Council appointment leaving the second alternate position vacant.

He recommended moving David Lancaster into the full member position to fill the unexpired term of Louise Kenny, 9/14/2020 – 1/14/2022; and David Short as 1st Alternate to fill the unexpired term of David Lancaster, 9/14/2020 – 1/12/2021.

Council agreed to place this item on the consent agenda.

Ms. Roberts addressed the pension board vacancy. An application was received this date from Stephen Lucini. She provided a brief background and recommended appointing Mr. Lucini to fill the vacancy.

Council agreed to place these items on the consent agenda.

**Agenda Item Number 7 – Agreement #AGR2020-26 IPO 89 Grant Application Assistance for Road Improvement on Oakwood - Troy Slattery, Public Works Manager**

Mr. Slattery explained the overall objective of the project is to provide support to the City in finding available grants and then making application for the applicable grants associated with the project.

Council agreed to place this item on the consent agenda.

**Agenda Item Number 8 – FY 2020-2021 Proposed Budget Update**

Mrs. Smith reviewed the following changes since the previous budget presentation of July 8, 2020. She said the changes will be included in the First Budget Hearing on Monday, September 14, 2020:

- Overall Revenues have increased \$314,724.
- Cody & Association Salary Study Plan Adjustment moved from Council contingency and allocated to each applicable department \$22,653.
- Reduction in general liability, automobile and worker's compensation insurances in preparation of an award to the lowest bidder. This was a \$47,023 budget reduction with a net realized cost savings to the City of \$25,624.
- Changes to budgeted life and health insurance amounts to properly identify those employees with coverage and premium adjustments which net an overall reduction of \$3,984.
- Reallocation of contracted code enforcement to a part-time code enforcement officer. The net effect \$0.00.
- The COPS Grant was not awarded. The City 25% match is reallocated to a part-time police officer at \$23,776.

Ms. Roberts discussed the cemetery fees and explained the structuring of the fees. She compared the rates to neighboring municipalities and said the City is on the low end. She said a portion of the revenue from the sale of a lot goes into a reserve for future infrastructure improvements. The current reserve balance is \$53,385.

Ms. Roberts said she worked with Jack Roland of Robert's Funeral Home to identify some irregularities in the City's issuance of internment rights. Currently, when someone purchases a lot, the City issues a document referred to as a "deed." However, because the City still owns the property, we are not actually deeding the property to someone else, as if they were purchasing a piece of land. Ms. Roberts explained it is considered an internment right. She said the change will be structured into a resolution and in moving forward instead of processing a deed, an internment right would be issued. She said based on our sales in 2020, if we were to increase the fees as identified, we would realize an increase of \$6,900 in revenue. It would be a resolution for Council to approve as part of the budget on September 29<sup>th</sup>.

Councilman White asked questions regarding the debt the City incurred with the Greenlight venture and is currently paying. Mrs. Smith provided answers to his questions.

Councilman White asked questions regarding the proposed property for the police department and the closing.

Council and staff engaged in brief discussion regarding the Cody & Associates Salary Study. Mrs. Bowne explained the allocations to the applicable departments.

**Agenda Item Number 9 – Police Department update - Chief McQuaig**

Chief McQuaig explained the property has been sold where the police department was parking the boat the department owns. He said somebody has offered their property for parking the boat and the department will still have access to the river. He reported that MCSO Sergeant White has trained three officers who are now qualified to patrol the river with the boat.

Chief McQuaig provided a COVID update. He stated there are 8,925 cases in Marion County and 230 deaths related to COVID.

**Agenda Item Number 11 – City Attorney Comments**

City Attorney Hand provided an update on the current status regarding former and current Planning Commission members. He said one member has resigned and is no longer a member of the Planning Commission and in addition, both members have severed their contractual relationship with the organization in question. He explained there is no action to take with the member who resigned. As to the other member, the contractual relationship has been severed so there is no possibility of violation moving forward. Any past conduct for either of the individuals is within the jurisdiction of the Commission on Ethics. He discussed a few options regarding the remaining individual who is currently serving on the Planning Commission. One of the options would require additional process to consider a proclamation which would address the behavior going forward and would have certain findings and directions regarding compliance with policy procedures. Attorney Hand provided an example of a resolution from DeBary, Florida.

Councilmembers provided their comments. No further action was taken on the matter.

**Agenda Item Number 12 – Council Comments**

Councilman White provided comments regarding the speaker system in the Chamber, City Beach revenues and lack of board meeting audio available on website. He also commented on Planning Commission upcoming items/projects. He stated he would not have known about the proposed solar farm project if he hadn't attended a Planning Commission meeting.

Councilman White discussed his concerns regarding the signs and conduct of candidates during this election. Attorney Hand addressed his concerns.

Mayor Burns asked Mrs. Smith to provide the operating expense for the City Beach this year and last year.

Mrs. Smith stated operating expenses for 2019 totaled \$9,104. Operating expenses in our current fiscal year as of August 31<sup>st</sup> is \$10,007.

Mayor Burns asked how many City residents used the beach and versus non-residents.

Mrs. Smith stated as of August 31<sup>st</sup> 219 City residents and non-residents 3,770. Last year in City residents 584 and 1,561 non-residents.

### **Agenda Item Number 13 – City Administrator Comments**

Mrs. Bowne expressed that staff has a clear understanding of Council's expectations when it comes to reporting information. She stated staff has done an extraordinary job in trying to improve transparency and has put a great effort into communicating with Council. She referred to the Administrator Report of March 9, 2020 indicated under Community Development stating: "John Taylor with Renewable Management Services will be presenting at the PC meeting for a proposed solar farm south of the City." She also noted on August 10<sup>th</sup> the solar farm topic was also mentioned in her Administrator Report. She explained staff makes sure that all Council members are part of the mailing list for all Planning Commission agendas.

Mrs. Bowne addressed the sale of the utilities. She noted in 2014 the debt of the water fund experienced an operating loss of \$376,502 and the sewer fund loss was \$481,386. She said the closing report from the auditor shows the net revenue of water fund operating loss of \$41,509 and sewer fund at \$96,260 loss. A net loss on the disposal of utility assets totaling over \$10,610,000. She also noted the failing infrastructure that would have been required to be brought up to meet the standards for the 2020 nitrate level.

Council and staff engaged in brief discussion regarding the sale of the utilities.

### **Agenda Item Number 14 – Public Comments**

Public comments were received by the following:

Paul Marraffino, 19544 SW 82<sup>nd</sup> Place Road, declined to speak.

Bill Vibbert, 9552 SW 192<sup>nd</sup> Court Road

Wally Dunn, 11386 SW Hendrix Drive

Kathy Dunn, 11386 SW Hendrix Drive

David Koger, 11983 Palmetto Way

Paula Koger, 11983 Palmetto Way

Chris Anderson, 11483 N. Williams Street

Amber Serena, 11426 SW Hendrix Drive

Suzanne Eno, 9220 SW 193<sup>rd</sup> Circle

Dave Porter, 11835 E. Blue Cove Drive

Dominic Battista, 19860 93<sup>rd</sup> Lane, Zoom Attendee

City of Dunnellon  
City Council Workshop  
September 09, 2020  
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The meeting was adjourned at approximately 9:44 p.m.

Attest:

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Amanda Roberts, CMC  
City Clerk

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Valerie Hanchar, Vice-Mayor

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**City of Dunnellon City Council**  
**Communications Technology Media (CTM) Zoom Meeting**

<https://dunnellon.zoom.us/j/93823311585?pwd=aG9HNzlnZ0hsUjdtSnR0TjQ0NEpvdz09>  
Webinar ID: 938 2331 1585

Date: September 14, 2020  
Time: 5:30 p.m.  
Place: City Hall, with Social Distancing Modifications  
20750 River Dr., Dunnellon, FL 34431

Dunnellon City Council meeting will be held on September 14, 2020, at 5:30 p.m. at Dunnellon City Hall with Social Distancing Modifications.

**Call to Order and Pledge of Allegiance**

Mayor Burns called the meeting to order at approximately 5:30 p.m. and led the Council in the Pledge of Allegiance. Mayor Burns asked if a citizen would volunteer to open with prayer. Katherine Burns provided the invocation.

Mayor Burns called upon the City Clerk to call roll.

**Roll Call**

Dale Burns, Mayor, Seat 1  
Bill White, Councilman, Seat 2  
Anita Williams, Councilwoman, Seat 3  
Valerie Hanchar, Vice-Mayor, Seat 4  
Jay Dugan, Councilman, Seat 5

**Staff Present**

Dawn Bowne, City Administrator  
Chief Mike McQuaig, Police Department  
Troy Slattery, Public Works Department  
Jan Smith, Finance Department  
Lonnie Smith, Community Development  
Loretta Barton, Clerk's Department  
Corporal Eldon Raines, Police Department

**Legal Counsel**

Andrew Hand,  
Shepard, Smith, Kohlmyer & Hand, P.A.

**Proof of Publication**

Mrs. Roberts announced for the record the agenda for this meeting was posted on the City's website and City Hall bulletin board on Thursday, September 10, 2020.

One or more members of the same City of Dunnellon advisory board may attend this meeting and may speak to Council.

**Accept Public Comments**

Mayor Burns called for public comments on non-agenda items.

David Koger, 11983 Palmetto Way, spoke in reference of the fencing on the bridge crossing over the Rainbow River on CR 484.

Ms. Roberts read the following written comment submitted by Sydney Hanchar into the record:

“Dear Dunnellon City Council,

I am asking that the following statement be read into the record tonight as I cannot personally attend being that I am away at college in North Carolina. This weekend I learned that Councilman White is attempting to take my first amendment right. I still have every right to support, and yes, place signs in the yard of my home that I share with my parents. My rights are being violated. This is not the Wild West, this is a democracy and a freedom of choice. Please cease and desist the afore behavior and stop trying to take my rights.

Sincerely,  
Sydney Hanchar, a registered voter  
11575 Vogt’s Springs Road.”

**Mayor Burns called for public comments on the consent agenda.**

There were none.

**Consent Agenda**

1. City Council Minutes  
July 08, 2020 Budget Workshop
2. Approve Agreement #AGR2020-26, IPO 89 Oakwood Ave. Grant Application Assistance With Kimley Horn For \$9,500.00
3. Approve Planning Commission Appointments - Move Mr. David Lancaster Into Full Member Position To Fill The Unexpired Term Of Mrs. Louise Kenny, 9/14/2020 - 1/14/2022; And Appoint Mr. David Short To The 1st Alternate Position To Fill The Unexpired Term Of Mr. David Lancaster, 8/14/2020 - 1/12/2021
4. Award #RFP2020-01, Building Inspection Services Vendor To M.T. Causley, LLC
5. Award Bid #BID2020-03 To (FMIT) Florida Municipal Insurance Trust For Property, Auto, Liability & Workers Compensation Insurance
6. Appoint Mr. Steve Lucini To The Firefighter And Police Officers Pension Board Of Trustees For A Two-Year Term Effective 09/14/2020, Term To Expire 9/14/2022
7. Approve Proclamation #PRO2020-09, Constitution Week

**Consent Agenda Approval**

Vice-Mayor Hanchar moved the consent agenda be approved as presented. Councilman Dugan seconded the motion.

Mayor Burns called for council comments. There were none. The vote was taken and all members were in favor. The vote was 5-0.

## **Regular Agenda**

Ms. Roberts read the following into the record:

### **“Public Hearing Statement**

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.”

### **Agenda Item No. 8 – Public Hearing On 2020 Tentative Proposed Millage Rate and Tentative Budget For The City Of Dunnellon For The 2020-2021 Budget Year (Advertised On Property Tax Notice)**

Mayor Burns called for public comments.

David Koger, 11983 Palmetto Way, commented on the millage rate. He said he owns several other properties in different states and this property is the highest.

Mayor Burns said, “This is a public hearing on the tentative proposed millage rate and tentative budget for the City of Dunnellon for the 2020-2021 budget year. The tentative millage rate for the City of Dunnellon is 6.5000, which is 5.11% greater than the rolled back rate of 6.1841. The tentative budget proposed is \$3,960,750.00.”

Mayor Burns gavelled down and said, “It is now 5:48 p.m. and I open the public hearing for staff to first make a presentation and then to anyone wishing to address the City Council on either, the proposed millage rate or 2020-2021 budget.”

He called upon staff to make a presentation as to the millage rate and budget.

Mrs. Smith provided reviewed the following “Budget Message” letter:

September 2020



Honorable Mayor and City Council

Pursuant to Part 1, Section 20 of the City Charter, the proposed budget for Fiscal Year (FY) 2020-2021 is submitted for review and adoption by the City Council.

The first document is the FY 2020-2021 Proposed Budget Summary. This document provides a line item review of multiple prior fiscal years actuals, FY 2019- 2020 budget, actuals as of July 31, 2020 and projected year end 2020. This document is designed to provide the reader the opportunity to make a comparison between FY 2019-2020 and the proposed budget for FY 2020-2021.

The second document, FY 2020-2021 Detail Line Item Budget, provides the individual amounts that make up the total of each line item. These two documents combined represent the City's budget plan for the upcoming fiscal year.

### **Fiscal Year 2019-2020 Budget Highlights General Fund**

Revenue is projected to come in under budget primarily due to capital projects advancing to the new fiscal year as follows:

- Short Tower Way public parking project in the amount of \$284,394. Design is substantially complete on the 33 parking space project and construction will be carried forward to FY2020-2021. City Beach parking project has been postponed. Therefore, the transfer from capital reserve will not be initiated.
- Grant revenue for mapping the City's storm water assets in the amount of \$47,500 from South West Florida Water Management District has been deducted as the City will not directly receive the grant revenue. The City is responsible for 50% of the cost of the project in the amount of \$142,500 over a 3 year period.
- The COVID-19 pandemic has had an effect on revenues coming in less than anticipated; Taxes \$17,817, Licenses & Permits \$16,888, State Revenue Sharing \$46,766. Building permit revenue is less than budget \$39,859. Total revenue projection is \$410,138 under budget.

Expenses for FY2019-2020 are projected to be \$459,525 under budget. This is primarily due to:

- Projects carried forward or postponed as outlined in the revenue portion of this report in the amount of \$413,241.
- Contracted building inspection services \$51,299.

The City has incurred \$59,915 COVID-19 related expenses as of July 31st. It is anticipated we will receive a minimum reimbursement of 75% \$40,436 between Federal CARES Act funds and FEMA. Net expense to the City \$19,479. The amount of future expenses cannot be anticipated. A budget amendment will be presented to City Council by November 30th to account for these expenses as statutorily required.

The net effect to the overall General Fund budget is a projected surplus of \$49,387 that will be deposited into reserves subject to year-end audit as follows:

- Cemetery \$33,968 – excess sales revenue.
- Tree Restoration Fund \$1,000 – fine levied against property owner.
- Remainder of surplus in the amount of \$14,419 to be reserved for capital expenditures. This results in staff managing the General Fund budget five consecutive years without needing to draw from reserves to cover operating costs.

As of July 31, 2020 the General Fund cash on hand is \$5,560,187. These funds are allocated among unassigned, assigned, and committed reserves with varying restrictions as to when and how they are used either by Council or State Statute.

General Fund Accomplishments –

- Water, sewer and road resurfacing improvements in the Historic District are substantially complete. The City received grant funding from DEO and the State Legislature that provided funding in the amount of \$950,000 for the \$1.1M project. The City contribution to the project is approximately \$116,000 for road resurfacing.
- A 14-year goal of identifying a location for a new police station was realized. City Council approved a purchase agreement in the amount of \$325,000 to close on November 18, 2020. A \$32,500 deposit is being held in escrow. The location is at 11808 N. Ohio Street. The property & building appraised at \$410,000 as opposed to the purchase price of \$325,000. The new facility will be renovated and furnished to house a current staff of 15 including Reserve Officers and volunteers over a multi-year period as funding sources are identified and become available estimated to be \$1.2M. Sources to be considered are grants, 1% Discretionary Sales Surtax if approved by voters in November and available capital reserves on hand at the discretion of Council. Other sources will be identified as they become known.
- Completion of a Police impact fee study to fund their future capital needs. The fees are applied to and collected from developers as a result of new development. The ordinance has been adopted with applicable impact fees to be collected effective 10/11/2020.
- Final payment was made on a 3-year lease purchase for new public safety radios required to be in compliance with Marion County 911 Dispatch. Total cost over 3 years \$174,509.
- The City initiated a citywide asset inventory audit to ensure proper accounting and oversight of the City's assets.
- The City was losing Police Officers to other surrounding state and local agencies because of a non-competitive salary plan. In order to improve retention and recruitment the City conducted a professional salary survey that reflected the City is 35% below the surveyed labor market. The following positions; Police Officers, Public Works Laborers and 4 Staff Assistants will be adjusted in FY2020-2021.
- A Fund Balance Policy was adopted October, 2019. This policy will ensure the City maintains an adequate fund balance and reserves in the City's operating fund to provide the capacity to: (1) provide sufficient cash flow for daily financial needs, (2) secure and maintain investment grade bond ratings, (3) offset significant economic downturns and revenue shortfalls, and (4) provide funds for unforeseen expenditures related to emergencies.
- Resolution #RES2020-20 designating funds required by the Fund Balance Policy (#RES2019-10) for emergencies in the amount of \$624,806 or 33% (3 months) of the current fiscal year operating expenditure will be considered by City Council at the final budget hearing on September 28th. This Resolution identifies and provides a definition for such eligible expenditures. City Council will consider approval of any necessary changes to our Purchasing Policy to ensure spending procedures and necessary restrictions are in place for the remainder of the Unassigned Fund Balance. In addition, the resolution also restricts an appropriate portion of the Unassigned Fund Balance to a capital reserve and outlines

approval procedures for City Council to follow in order to maintain a healthy overall balance in capital reserves, establish a minimum fund balance in accordance with generally accepted accounting principles, and provide for public hearing and comment by taxpayers prior to spending the capital funds. • Staff and City Council met on August 19th to begin the process of developing a Road Improvement Master Plan. Staff presented a detailed PowerPoint presentation identifying current conditions, needed improvements and potential funding sources.

- A restructuring of Public Services was successfully realized by utilizing less full-time multi-skilled service workers with an increase in part-time laborers to assume basic mowing/landscaping duties.
- Community Development implemented a new Munis permitting module. The benefits are; direct updates to the City's financial system and code enforcement, permit tracking history, streamlined reporting and online accessibility once finalized.
- Community Development has worked with several consultants to produce the first GIS enabled interactive mapping system for the City. This mapping system is built modeling the Marion County Interactive map to allow the public to view a number of maps of Dunnellon including Future Land use, Zoning, Wetlands, and others. The maps are part of a city map repository that will assist residents, business owners, and potential vendors in making informed decisions about the City and its environmental and economic diversity. We are at the final stages of implementation and are aiming for website publishing in the next 30 days or so.
- Other capital needs or projects addressed:
  - Sinkhole remediation \$43,563
  - Patrol Vehicle \$36,496
  - Design and permitting for a parking lot on Short Tower Way \$14,500. This project will go out to bid for construction in FY2020-21
  - Re-landscaping of the medians along North and South Williams St./US 41 \$11,240. This project was funded by a combination General Fund \$3,377 and CRA \$7,863.
  - Server for City Hall \$11,100 o Cameras for patrol vehicles \$10,000
  - Laptops (2) \$4,881
- As a result of the COVID-19 pandemic city staff implemented multiple options for the public to participate in City meetings. The public can now access City meetings through the Zoom webinar platform, the City's You-tube channel or listen via local radio station FM 104.9.

### **Tax Increment Financing District (CRA)**

#### **Expenses:**

- Capital improvements for the construction of a 73 space parking lot at Ernie Mills Park is nearing completion of the design phase for improved parking to aid in CRA and Historic District areas. Design expense to date is \$25,000. This project construction will carry forward in FY2020-21 \$361,446.
- Funding reserved and set aside for grants to residential and commercial property owners to assist with property renovations \$76,990. To date applications in the amount of \$2,880 have been received and processed.
- On February 11, 2019 City Council moved to authorize Marion County to commence with the Blue Run of Dunnellon Park restroom project in accordance with the Management Plan,

site plan and construction drawings as presented by Marion County. Of the \$30,000 contribution \$12,000 remains in the budget towards design & permitting. Marion County is overseeing the project and to date has not pulled the building permits with the City.

- 125 Anniversary Park. \$47,757 has been carried forward to FY2020-2021.

Grant funding with FDOT in the amount of \$3M for a Multi-Modal Enhancement project for redesign and inclusion of a bike path along East Pennsylvania Ave./CR 484 to include bridge construction and replacement of water/sewer utility lines within the project area is pending. The CRA board has committed \$350,000 over the next seven years as a local match to help fund this project. The City, through an interlocal agreement with Marion County, will set aside a minimum of \$50,000 per year. To date \$303,760 has been set aside.

### **Fiscal Year 2020-2021 Budget Highlights**

This will be the 3rd year the City has successfully held the millage rate at 6.5 mills after reducing it from 7.5 mills. The 6.5 millage rate is 5.11% greater than the rollback rate of 6.1841 mills. Property values have increased approximately 7% citywide. The City will realize an increase of \$79,549 in ad valorem proceeds by keeping the millage rate the same as FY 2019-2020. The proposed millage rate for the Certification of Taxable Value is 7.0 mills, which was approved at the July 13, 2020 council meeting. The budget is balanced without utilizing reserves to offset operational cost.

Budget workshops were held July 8th, July 22nd and August 19th. Two public hearings with regard to the millage rate and the budget will be held on September 14th and September 28th at 5:30 pm.

### **General Fund**

The FY 2020-2021 proposed General Fund Operating Budget is \$3,960,750 and consists of the following percentages of the total budget: Personnel and Other Operating Expenses 58.2%, Capital Expenses 37.1% and Debt Service 4.4%. \$12,953 or .3% of budget will be retained and deposited into the restricted capital reserve at September 30, 2021 in compliance with the City's Fund Balance Policy.

Operating expenses have decreased over FY 2019-2020 by \$546,837. This is primarily due to the completion of the Historic District water and sewer infrastructure improvement project.

Staff and City Council are both committed to continue the pursuit of additional revenue opportunities and reducing expenses in an effort to enhance the General Fund.

### **Tax Increment Financing District (CRA)**

The proposed FY 2020-2021 Tax Increment Financing District (TIFD) budget is \$741,900, a 28% increase over FY 2019-2020. This is primarily due to an increase in funding from reserves for capital projects. The TIFD Fund operating budget consists of the following percentages of the total budget: Personal & Other Operating Expenses 14.6%, Capital Expenses 75.9% and Grants & Aid 9.5%.

Capital projects funded in the proposed budget are:

- DEO TAC grant \$35,000 with no City match. This will allow the City to work with a planner to prepare a Historic District Enhancement Plan. Staff is very excited by this grant as it aides in our efforts to move forward with redevelopment in our CRA area and can potentially help in meeting goals within the Economic Development Strategy.
- Marion County to construct a restroom facility at Blue Run Park. This project will be funded by Marion County and supplemental HUD grant funding. In FY 2016-2017 the City appropriated \$30,000 to this project. \$18,000 was spent in FY 2016-2017 and the balance of \$12,000 has been carried forward toward design and permitting.
- W. Pennsylvania Ave. Streetscape-PH II. This project is a continuation from FY 2018-2019 (PH I). The Irrigation system was installed in FY 2018-19, in FY 2019-20 landscaping has been completed and park benches are purchased and scheduled to be installed. PH II entertains the concept of intersection upgrades US41/CR484, gateway infrastructure and stamped brick concrete \$50,000.
- The design of the parking lot at Ernie Mills Park is substantially complete and construction in the amount of \$393,750 will be completed in FY2020-2021 • Economic development strategy goal #10 Wayfinding Signage \$25,000.
- Historic District gateway signs \$25,000.
- Ernie Mills beautification project \$10,000.
- 125th Anniversary Park - The project budget is \$47,507. Council has committed \$23,400 from CRA. The remaining project balance will be funded by donations. However, as a redesign is addressed, modifications may be necessary.

### **Other Highlights**

- USDA grant for (3) patrol vehicles \$81,600 with City match of \$28,074
- FDLE Justice Assistance Grant \$7,000 with no City match for a desktop computer and 10 thermal patrol vehicle printers
- As a result of going out to bid for general liability, property, auto and worker's compensation insurances the City will realize a cost savings of \$25,624.
- Reduction in life and health insurance premiums \$3,984 • Second year of successfully funding Council contingency. \$49,483 to meet unanticipated expenses or to be transferred to capital reserve at year end.
- \$23,776 for a new part-time Police Officer
- \$14,560 for a new part-time Code Enforcement Officer. Transferred established funding from contractual services.
- \$20,655 employee performance based merit program
- \$10,800 laptops (2) and desktop PC's (5)

Staff has successfully acclimated to the operating adjustments and workload shift caused by multiple personnel reductions due to the transfer of Fire/Rescue services to Marion County and the sale of the City's water/sewer utility system. Council's participation, guidance and overall support of staff's efforts is greatly appreciated.

This concludes staff's presentation and review of prior year accomplishments and new fiscal year goals.

Respectfully submitted,  
Jan Smith, Finance Officer”

Mayor Burns called for public comments. There were none.

Mayor Burns called for comments from Council.

Councilman White asked Mrs. Smith as to why/how the City’s income was down \$400,000+ but yet the expenses were down about that. He said it’s kind of a wash.

Mrs. Smith explained it is primarily due to the capital projects that were either postponed or moved forward into the fiscal year such as the parking lot and city beach parking project.

He asked questions regarding the historic district sewer project and the extra \$100,000+ required from the City for roads during the project. Mrs. Smith and Mr. Slattery answered his questions.

Councilman White engaged in lengthy discussion with Mrs. Smith regarding the proposed police building project and the cost of maintenance and utilities. Funding options were also discussed.

Council and staff engaged in lengthy discussion regarding the proposed police facility.

Mayor Burns gavelled down and stated, “It is now 6:43 p.m. and I close the public hearing held to discuss the proposed millage rate and 2020-2021 budget.”

**Agenda Item No. 9 – Proposed Resolution #RES2020-15, Setting Tentative 2020 Tax Millage Rate**

Vice-Mayor Hanchar moved Resolution #RES2020-15 be read into the record. Councilwoman Williams seconded the motion. The vote was taken and all members were in favor. The vote was 5-0.

Ms. Roberts read the following resolution into the record:

“Resolution #RES2020-15

City Of Dunnellon

A Resolution Tentatively Setting the Tax Millage for the Year 2020

WHEREAS, the City Council for the City of Dunnellon met on September 14, 2020 at 5:30 p.m. at City Hall, 20750 River Dr., Dunnellon, FL 34431, to consider the tentative amount of the tax millage to be collected on all real and personal property in the City of Dunnellon, Florida for the year 2020; and

WHEREAS, the City Council has determined the tentative millage on all real and personal properties in the City of Dunnellon shall be set at 6.5000 mills which is 5.11% greater than the rolled-back rate of 6.1841 mills.

NOW, THEREFORE, be it resolved by the City Council for the City of Dunnellon, Florida that:

The tax millage on all real and personal properties in the City of Dunnellon for the year 2020 is tentatively set at 6.5000 mills.

Duly Adopted By The City Council At A Regular Meeting Held On The 14<sup>th</sup> Day Of September 2020.”

Mayor Burns asked for public comments.

Wally Dunn, 11386 SW Hendrix Drive, discussed the millage rate.

Vice-Mayor Hanchar moved Resolution #RES2020-15 setting the tentative 2020 tax millage at 6.5000 mills be approved as read. Councilman Dugan seconded the motion.

Councilman White discussed the 6.5% rate and said we are keeping it the same but the reality of it is that the millage applied to an appreciated piece of property means your tax will be higher.

Mayor Burns called for any additional public comments.

Kathy Dunn, 11386 SW Hendrix Drive, said she agrees trying to lower the taxes and trying to attract people to living within the City.

The vote was taken. The vote was 4-1 with Councilman White opposing.

Mayor Burns stated, “For the record, the tentative millage rate now adopted by the City Council is 5.11% greater than the rolled back rate of 6.1841.”

**Agenda Item No. 10 – Proposed Resolution #RES2020-16 Setting the Tentative FY2020-2021 General Fund Budget**

Councilwoman Williams moved Resolution #RES2020-16 be read into the record. Councilman Dugan seconded the motion.

Mayor Burns called for public comments. There were none.

Mayor Burns called for discussion.

Councilman White asked if salaries and operating expenses are included in the General Fund Budget of \$3,960,750.

Mrs. Smith replied yes.

Councilman White then asked what percent of the budget is salary and operating expenses.

Mrs. Smith replied 58.2% which includes professional services, contracts, etc. He then asked her to calculate how much is going toward salaries and benefits.

Mayor Burns called for a vote to read the resolution into the record. The vote was taken and all members were in favor. The vote was 5-0.

Ms. Roberts read the following into the record:

“RESOLUTION #RES2020-16

CITY OF DUNNELLON

A RESOLUTION ADOPTING THE TENTATIVE BUDGET FOR THE FISCAL YEAR  
2020-2021

WHEREAS, the City Council for the City of Dunnellon met on September 14, 2020 at 5:30 p.m. at City Hall, 20750 River Dr., Dunnellon, FL 34431, to consider the adoption of a tentative budget for the fiscal year 2020-2021; and

WHEREAS, the City Council for the City of Dunnellon has determined that the budget will be \$3,960,750.00 for the City of Dunnellon.

NOW, THEREFORE, be it resolved by the City Council for the City of Dunnellon, Florida that:

The budget for the City of Dunnellon has been tentatively set for \$3,960,750.00

DULY ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING HELD ON  
THE 14th DAY OF SEPTEMBER 2020.”

Vice-Mayor Hanchar moved Resolution #RES2020-16 setting the tentative FY2020-2021 General Fund Budget in the amount to \$3,960,750.00 be approved as read. Councilman Dugan seconded the motion.

Councilman White asked the City Attorney a question for clarification. He stated he previously voted to oppose the millage rate; so, will it be inconsistent for him to vote in favor of a budget that might be factored into the millage.

Attorney Hand replied no due to the motions being separate items.

Mayor Burns called for a vote. The vote was taken and all members were in favor. The vote was 5-0.

**Agenda Item No. 11 – Approval of Tentative Tax Increment Financing District Budget**  
Mayor Burns called for public comments. There were none.



Vice-Mayor Hanchar moved the tentative FY2020-2021 Tax Increment Financing District budget in the amount of \$741,900.00 be approved as presented. Councilman Dugan seconded the motion.

Mayor Burns called for comments from Council. There were none. The vote was taken and all members were in favor. The vote was 5-0.

**Agenda Item No. 12 – Council’s Liaison Reports and Comments**

Vice-Mayor Hanchar spoke to the upcoming FDOT turnpike connection meetings. The meetings will be held on September 22<sup>nd</sup> and 23<sup>rd</sup>. A Marion County Transportation Planning Organization meeting is scheduled at 4:00 p.m. on September 22<sup>nd</sup>.

Councilwoman Williams commented on the quoting of scripture and the topic of prayer. She would like for all, council members and residents to be able to offer prayer.

Councilman White recapped his comments from the workshop regarding:

- Speakers in the chamber and the need to have them looked into.
- Converting of audio into ADA compliance on website.
- The fencing on the bridge on CR484 over the Rainbow River.
- Council embracing participation by having public comments at the beginning of regular meetings. He would like to see same on workshop.

Councilman Dugan asked Mr. Slattery questions regarding the proposed fence on the bridge.

Mr. Slattery explained the fence would not go around entire DRA; it would be more of a barrier fence. He said he would need to research the City’s Code and bring options back to Council at a future meeting.

Mayor Burns reported on the positive feedback from Dunnellon’s small businesses regarding this year’s Christmas parade. The Christmas parade will be do-able this year but not the Christmas Celebration usually held at the baseball fields.

He thanked staff for their hard work in the budget preparation.

**Agenda Item No. 13 - City Attorney’s Report**

Attorney Hand addressed the comments regarding prayer. He said this was a hot topic a few years ago and he worked on heavily with other entities. He said he would be happy to share information with Mrs. Bowne for dissemination to Council.

Councilman White asked questions regarding the Attorney Hand’s report on the Code of Conduct and running a campaign.

Attorney Hand stated the Code of Conduct is created and enforced by City Council. Speech is protected outside of a meeting. The Council body determines if there is a violation. He said legally Council cannot take disciplinary action. He said the Code could be better written and clarified. It can also be discussed by City Council on how it will be interpreted.

**Agenda Item No. 14 - City Administrator's Report**

Mrs. Bowne provided an overview of the following report:

City Administrator Report 09/14/2020

City Clerk(HR)&City Administrator:

- Staff recommended to City Council volunteer Steve Lucini to serve on the Fire & Police Pension Board of trustees after many months of advertising and recruitment efforts.
- Staff working with health insurance benefit providers on virtual open enrollment process for employees.
- Staff has prepared a modified evaluation format for City Administrator that has been emailed to each Councilmember for completion.
- Six candidates successfully qualified for the 2020 election. Two each for each available seat.
- Completed bid process for property, casualty, liability and workers compensation insurances. City to realize a \$25,624 savings.
- In process of preparing second safety grant application to Preferred TIPS Program. Estimated award is \$840.00
- Marion County set dates for the Septic-to-Sewer study public outreach meetings. These meetings are for the County-wide study being conducting and will take place during the month of October in the Dunnellon area. The County is planning a meeting for the Dunnellon area. Two studies will be combined (the County-wide study and the Rainbow Springs Feasibility Study) into one meeting. A meeting will be held at the American Legion in Dunnellon on October 13th, 2020 at 6:00 pm.

Finance:

- At the workshop on September 9<sup>th</sup> Council was provided an update of changes made to the FY20/21 proposed budget that will be presented at the 1<sup>st</sup> public hearing on September 14<sup>th</sup>.
- Marion County has received approximately \$63M from the Federal Cares Act to be shared with Marion County municipalities for COVID-19 related expenses. We have received reimbursement in the amount of \$6,204.18 for operating expenses incurred through July 31<sup>st</sup>. We are required to submit payroll related expenses incurred through July 31<sup>st</sup> to the County no later than September 18<sup>th</sup>.

Police:

- Statistics report attached.

Community Development:

- Staff is continuing to working with the Planning Commission to draft various code updates regarding RV parks, solar energy facilities, etc.

- The IT department is working with Dell for configuring a new server that was budgeted for this fiscal year. Also upgrades to the WiFi system are forthcoming.
- The RFP submission for building inspection services will move from the approval phase at the 9/14 council meeting to the agreement phase with M.T. Causley.
- Technical Assistance grant application (TAC) was awarded by DEO and waiting on final DEO document.
- We are in preliminary review of one proposed residential dock permit application by Jim Gissy's engineer, Rodney Rogers. No permit has been issued and will not be until there is a thorough review by Community Development, City's planner and legal counsel indicates it must be permitted based on City's Code and is compliant with City Code.
- Staff continues updating several code-enforcement matters that are reflected on the monthly report.
- Staff is working with the Planning Commission on the Economic Development Strategy goals and the comprehensive plan redesign at their monthly meetings.
- The application for comp plan amendment and rezone from the First Baptist Church is under review pending traffic study, general site plan and survey.

Public Services:

- Dunnellon Heights: The road grading along with mowing and cleaning of the right of ways has been completed.
- Road resurfacing: As staff moves forward with the engineers seeking grants for the Oakwood project, we are having temporary repairs completed next week. Repairs will also be completed at the intersection of E. McKinney Avenue and Bostick Street.
- The Downtown CDBG project is very close to total completion. The engineers and contractors are working on a few remaining details that should be completed by the end of September.

**August Police 2020 STATS**

Persons Arrested	18
Felony	3
Misdemeanor	21
Warrants	0
DUI	0
Vehicle Stops	38
UTC	9
Domestic Violence	3
Part 1 Assigned	20
Part 1 Closed	15
FIVO	0

Long forms	72
Follow Ups	31
Bus – checks	638
Total calls assigned through dispatch	324
Clearance rate for August 2020	75%

Councilman White asked Mrs. Bowne questions regarding the Administrator’s Report. She provided answers to his questions.

**Agenda Item No. 15 – Adjourn**

At approximately 7:53 p.m. Vice-Mayor Hanchar moved the September 14, 2020 City Council meeting be adjourned. Councilwoman Williams seconded. The vote was taken and all members voted in favor. The motion passed 5-0.

Attest:

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Amanda Roberts, CMC  
City Clerk

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Valerie Hanchar, Vice-Mayor

## CITY OF DUNNELLON COUNCIL

**Meeting Date:** 01/06/2021 Workshop  
01/11/2021 Regular Meeting

**Review by City Attorney:**

**Submitting Dept.:** Community Development

**Council Action:**

**Department Head Approval:** *tam/12/30/2020*

**Date of Action:**

**Subject:** Board Member Appointments – Planning Comm and Historic Preservation Boards

### **Request for Approval Summary Explanation & Background:**

A vacancy for 2<sup>nd</sup> alternate on the Planning Commission became available upon the move of David Short from 2<sup>nd</sup> Alternate to 1st Alternate position. At the Planning Commission meeting on August 25, 2020, members discussed the vacancy and, by consensus, agreed the first and second alternates would typically be moved up by Council appointment leaving the second alternate position vacant. Jay Dugan, former Planning Commission member and former Councilman, has applied for the vacant 2<sup>nd</sup> Alternate seat. Mrs. Kathy Dunn, local resident, has also applied for the vacant 2<sup>nd</sup> Alternate seat.

Four current board members have requested consideration for reappointment as their terms are expiring in January of 2021.

David Short is requesting reappointment as 1<sup>st</sup> alternate to the Planning Commission for the term 1-11-2021 to 1-11-2024

Scott Kiefer is requesting reappointment as full member to the Historic Preservation Board for the term 1-11-2021 to 1-11-2024

James Burchett is requesting reappointment as full member to the Historic Preservation Board for the term 1-11-2021 to 1-11-2024

Mary Ann Hilton is requesting reappointment as full member to the Planning Commission for the term 1-13-2021 to 1-13-2024

Current vacancies: Planning Commission - 2<sup>nd</sup> Alternate.

**Fiscal Information:**  
**Procurement Method:**  
**Purchase Requisition#:**

**Recommended Action:** To consider for appointment Mr. Jay Dugan or Mrs. Kathy Dunn to 2<sup>nd</sup> Alternate position to fill the Planning Commission vacancy; and reappoint Mr. David Short as 1<sup>st</sup> Alternate, and Mrs. Mary Ann Hilton as full member to the Planning Commission.

Reappoint Mr. Scott Kiefer and Mr. James Burchett as full members to the Historic Preservation Board.

Sec. 94-32. - Qualifications of members.

As provided in section 94-31, the city planning commission consists of five members plus two alternate members, appointed by the city council. A minimum of three members and one alternate shall be residents of the city. A maximum of two members and one alternate may be non-resident property owners and/or non-resident business owners. Non-resident property owners and/or non-resident business owners must have owned property and/or owned a business within the city for three years prior to being eligible for said appointment. No member of the planning commission shall be a paid employee or elected official of the city.

(Code 1985, § 2-92; [Ord. No. 2011-13, § 2, 1-23-2012](#))

**Initiated by:** LS/tam

## CITY OF DUNNELLON COUNCIL

**Meeting Date:** 01/06/2021 Workshop  
01/11/2021 Regular Meeting

**Review by City Attorney:**

**Submitting Dept.:** Community Development

**Council Action:**

**Department Head Approval:** *tam/12/30/2020*

**Date of Action:**

**Subject:** Board Member Appointments – Planning Comm and Historic Preservation Boards

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Four current board members have requested consideration for reappointment as their terms are expiring in January of 2021.

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Scott Kiefer is requesting reappointment as full member to the Historic Preservation Board for the term 1-11-2021 to 1-11-2024

James Burchett is requesting reappointment as full member to the Historic Preservation Board for the term 1-11-2021 to 1-11-2024

Mary Ann Hilton is requesting reappointment as full member to the Planning Commission for the term 1-13-2021 to 1-13-2024

Current vacancies: Planning Commission - 2<sup>nd</sup> Alternate.

**Fiscal Information:**  
**Procurement Method:**  
**Purchase Requisition#:**

**Recommended Action:** To consider for appointment Mr. Jay Dugan or Mrs. Kathy Dunn to 2<sup>nd</sup> Alternate position to fill the Planning Commission vacancy; and reappoint Mr. David Short as 1<sup>st</sup> Alternate, and Mrs. Mary Ann Hilton as full member to the Planning Commission.

Reappoint Mr. Scott Kiefer and Mr. James Burchett as full members to the Historic Preservation Board.

Sec. 94-32. - Qualifications of members.

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(Code 1985, § 2-92; [Ord. No. 2011-13, § 2, 1-23-2012](#))

**Initiated by:** LS/tam

## CITY OF DUNNELLON COUNCIL

**Meeting Date:** 01/06/2021 Workshop  
01/11/2021 Regular Meeting

**Review by City Attorney:**

**Submitting Dept.:** Community Development

**Council Action:**

**Department Head Approval:** *tam/12/30/2020*

**Date of Action:**

**Subject:** Board Member Appointments – Planning Comm and Historic Preservation Boards

### **Request for Approval Summary Explanation & Background:**

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James Burchett is requesting reappointment as full member to the Historic Preservation Board for the term 1-11-2021 to 1-11-2024

Mary Ann Hilton is requesting reappointment as full member to the Planning Commission for the term 1-13-2021 to 1-13-2024

Current vacancies: Planning Commission - 2<sup>nd</sup> Alternate.

**Fiscal Information:**  
**Procurement Method:**  
**Purchase Requisition#:**

**Recommended Action:** To consider for appointment Mr. Jay Dugan or Mrs. Kathy Dunn to 2<sup>nd</sup> Alternate position to fill the Planning Commission vacancy; and reappoint Mr. David Short as 1<sup>st</sup> Alternate, and Mrs. Mary Ann Hilton as full member to the Planning Commission.

Reappoint Mr. Scott Kiefer and Mr. James Burchett as full members to the Historic Preservation Board.

Sec. 94-32. - Qualifications of members.

As provided in section 94-31, the city planning commission consists of five members plus two alternate members, appointed by the city council. A minimum of three members and one alternate shall be residents of the city. A maximum of two members and one alternate may be non-resident property owners and/or non-resident business owners. Non-resident property owners and/or non-resident business owners must have owned property and/or owned a business within the city for three years prior to being eligible for said appointment. No member of the planning commission shall be a paid employee or elected official of the city.

(Code 1985, § 2-92; [Ord. No. 2011-13, § 2, 1-23-2012](#))

**Initiated by:** LS/tam

## CITY OF DUNNELLON COUNCIL

**Meeting Date:** 01/06/2021 Workshop  
01/11/2021 Regular Meeting

**Review by City Attorney:**

**Submitting Dept.:** Community Development

**Council Action:**

**Department Head Approval:** *tam/12/30/2020*

**Date of Action:**

**Subject:** Board Member Appointments – Planning Comm and Historic Preservation Boards

### **Request for Approval Summary Explanation & Background:**

A vacancy for 2<sup>nd</sup> alternate on the Planning Commission became available upon the move of David Short from 2<sup>nd</sup> Alternate to 1st Alternate position. At the Planning Commission meeting on August 25, 2020, members discussed the vacancy and, by consensus, agreed the first and second alternates would typically be moved up by Council appointment leaving the second alternate position vacant. Jay Dugan, former Planning Commission member and former Councilman, has applied for the vacant 2<sup>nd</sup> Alternate seat. Mrs. Kathy Dunn, local resident, has also applied for the vacant 2<sup>nd</sup> Alternate seat.

Four current board members have requested consideration for reappointment as their terms are expiring in January of 2021.

David Short is requesting reappointment as 1<sup>st</sup> alternate to the Planning Commission for the term 1-11-2021 to 1-11-2024

Scott Kiefer is requesting reappointment as full member to the Historic Preservation Board for the term 1-11-2021 to 1-11-2024

James Burchett is requesting reappointment as full member to the Historic Preservation Board for the term 1-11-2021 to 1-11-2024

Mary Ann Hilton is requesting reappointment as full member to the Planning Commission for the term 1-13-2021 to 1-13-2024

Current vacancies: Planning Commission - 2<sup>nd</sup> Alternate.

**Fiscal Information:**  
**Procurement Method:**  
**Purchase Requisition#:**

**Recommended Action:** To consider for appointment Mr. Jay Dugan or Mrs. Kathy Dunn to 2<sup>nd</sup> Alternate position to fill the Planning Commission vacancy; and reappoint Mr. David Short as 1<sup>st</sup> Alternate, and Mrs. Mary Ann Hilton as full member to the Planning Commission.

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(Code 1985, § 2-92; [Ord. No. 2011-13, § 2, 1-23-2012](#))

**Initiated by:** LS/tam



December 27, 2020

Troy Slattery  
City of Dunnellon  
20750 River Drive  
Dunnellon, FL 34431

**RE: *Ernie Mills Park and Short Tower Way Parking Lot Project / Bid Results  
#BID2020-04***

Dear Mr. Slattery:

We have reviewed the construction bids received for the above referenced project. As of the deadline on December 14, 2020 at 2:00 PM four (4) bids were received and were opened at 2:10 PM. Based on our review all bids submitted were responsive bids. Attached is the bid tabulation summary showing the submitted bids totals. Ranger Construction had a minor totaling error, but it did not affect the outcome of the bid.

Based upon our review of the documents submitted, Pave-Rite, Inc. appears to be the lowest responsive bidder with a bid in the amount of \$510,528.75. Kimley-Horn does not object to the City of Dunnellon issuing a Notice of Intent to Award to Pave-Rite, Inc. for this project.

Sincerely,

Alan J. Garri, PE  
Associate

Attachment: Bid Tabulation Summary

Cc: File

K:\OCA\_Uilities\Dunnellon\Projects\042382065- Ernie Mills Park Parking Design\Documents\Bid Admin\Bid Tabulations\Bid Results Letter.docx

ERNIE MILLS PARK AND SHORT TOWER WAY PARKING LOT PROJECT  
 BID2020-04 BID COMPARISON

BIDDER	ERNIE MILLS PROJECT TOTAL	VERIFIED ERNIE MILLS	SHORT TOWER WAY PROJECT TOTAL	VERIFIED SHORT TOWER WAY	COMBINED TOTAL	VERIFIED COMBINED TOTAL	BID FORM COMPLETE	PUBLIC ENTITY	DRUG FREE	INSURANCE CERTIFICATE	BID BOND	Addendums
CW Roberts	\$ 508,673.00	\$ 508,673.00	\$ 189,029.90	\$ 189,029.90	\$ 697,702.90	\$ 697,702.90	Y	Y	Y	Y	Y	Y
Hartman Civil Construction	\$ 487,833.00	\$ 487,833.00	\$ 163,738.75	\$ 163,738.75	\$ 651,571.75	\$ 651,571.75	Y	Y	Y	Y	Y	Y
Pave-Rite, Inc.	\$ 375,670.84	\$ 375,670.84	\$ 134,857.91	\$ 134,857.91	\$510,528.75	\$ 510,528.75	Y	Y	Y	Y	Y	Y
Ranger Construction	\$ 501,865.80	\$ 501,685.80	\$ 215,691.55	\$ 210,291.55	\$ 717,377.35	\$ 711,977.35	Y	Y	Y	Y	Y	Y

MATH WAS CORRECT THROUGHOUT THE SPREADSHEET BUT THE TOTAL WAS OFF BY \$5,400.00



# *City of Dunnellon*

## STAFF REPORT TO CITY COUNCIL

### COMPREHENSIVE PLAN TEXT AMENDMENT

To: Dunnellon City Council  
From: Community Development  
Date: January 7, 2020  
Subject: Request to City Council for Adoption of proposed text amendments to the City of Dunnellon comprehensive plan Future Land Use Element, Ordinance #ORD2020-11.

---

#### BACKGROUND INFORMATION

The City of Dunnellon is committed to planning and managing the future growth and development of the City and recognizes the increasing demand for clean energy sources.

Dunnellon is known for the importance its citizens place on its environmental resources and in harmony, desires to grow in a well-planned and environmentally friendly manner.

Large-scale solar deployments are increasing at a rapid rate and as costs drop, are expected to continue this trend for the near future.

The City is taking this opportunity to prepare for the growing demand for Solar energy generation by adopting Comprehensive Plan text amendments to allow for the availability of and properly regulate large-scale solar energy installations as a special exception in the Agriculture and Public land use categories.

The community benefits of Solar energy projects are many, including job creation, economic development, clean energy sourcing, and increased city tax base. Having provisions in the code for the regulation of Solar Energy facilities brings the City one step closer to completing its adopted Economic Development plan.

#### FUTURE LAND USE ELEMENT:

**Goal:** Through the provision of appropriate land uses, promote 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 6:**

Designate land use categories on the Future Land Use Map to meet the short term and long-term needs of the community in a manner consistent with the policy direction set forth in the elements

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

**Policy 6.2:**

The City of Dunnellon shall allocate sufficient residential and non-residential land uses to support community needs through the 20-year planning period. The City population projections shall be based on the medium population projections published by the Office of Economic and Demographic Research for Marion County and shall allocate, at a minimum, a proportionate share of countywide population growth to the City, taking into account historic growth trends and potential alternative growth scenarios. In evaluating long term community needs, the City recognizes the following guiding principles:

- A. Support a diversity of residential housing types and products and allow for the operation of real estate markets as set forth in Section 163.3177(6)(a), Florida Statutes.
- B. Encourage job creation, economic diversification and capital investment from the private sector to achieve and sustain a healthy local economy.
- C. Provide opportunities for diverse growth within the City to discourage urban sprawl beyond the City corporate boundaries.

**Impacts to the Future Land Use Element**

The Future Land Use Element is critical in formatting how the city chooses to grow. For Dunnellon, Goal 1 addresses improving the public health, safety, and welfare of Dunnellon’s residents. The proposed changes will continue to protect the future needs of the community while still encouraging job creation, economic diversification and capital investment from the private Sector.

INTERGOVERNMENTAL COORDINATION ELEMENT

**Goal:** To establish processes which respond to the needs for coordination among City, local, regional, state and federal governments and private entities resulting from the implementation of Dunnellon’s comprehensive plan and any incompatible goals, objectives and policies proposed in other local, regional or state plans.

**Objective 2:**

Coordinate the impacts of development proposed in the City’s Comprehensive Plan upon development in Marion and Citrus Counties, the region, and the state.

FINDINGS OF FACT:

To determine whether the proposed ordinance is consistent with all adopted elements of the adopted Comprehensive Plan, all elements were examined. Consistency has been established with the preceding goals, objectives, and policies.

Previously, staff found Ordinance ORD2020-11 to be consistent with the comprehensive plan and meets city code criteria; the Planning Commission reviewed the ordinance for Comprehensive Plan consistency on October 20, 2020, and recommended, via Resolution RES2020-24, that the City

Council approve for transmittal Ordinance ORD2020-11 as presented. The City Council subsequently approved Ordinance ORD2020-11 for transmittal to the Department of Economic Development on November 9, 2020.

On December 18, 2020, the Department of Economic Development (the Department) via Expedited State Review of the proposed Comprehensive Plan Amendment, Dunnellon 20-03ESR, submitted the following statement in response, “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.” Other agencies responding with “no comments or issues found” were Florida Department of Transportation, Florida Department of Environmental Protection and the Southwest Florida Water Management District.

RECOMMENDATION:

Based on the findings of fact above, staff recommends Council adopt Ordinance ORD2020-11.

## **ORDINANCE #ORD2020-11**

**AN ORDINANCE OF THE CITY OF DUNNELLON, FLORIDA, ORD2020-11, PROVIDING FOR TEXTUAL COMPREHENSIVE PLAN AMENDMENTS TO THE FUTURE LAND USE ELEMENT BY INCLUDING SOLAR FARMS IN POLICY 1.7 AND 1.8; PROVIDING FOR TRANSMISSION; 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 Local Planning Agency, reviewed the proposed amendments and provided recommendations to the City Council by resolution after a duly noticed public hearing; and

**WHEREAS**, it is the goal of the City to make provisions for appropriate land uses, to 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; and

**WHEREAS**, the City Council finds that there is currently no provision in the Comprehensive Plan or the City of Dunnellon's Land Development Regulations for solar farms as a land use, there is the present and future need for the availability of such land use under the appropriate conditions within the public and agriculture land uses categories; 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 supporting documents; and

**WHEREAS**, the City of Dunnellon has complied with all other requirements and procedures of Florida law in processing this 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 and is consistent with other controlling law to include, but not limited to Chapter 163, Florida Statutes; and

**WHEREAS**, the City Council of the City of Dunnellon hereby finds that this Ordinance serves a legitimate governmental purpose and is in the best interests of the public health, safety and welfare of the citizens of Dunnellon, Florida.



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

**Section 1. LEGISLATIVE FINDINGS.** 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 FUTURE LAND USE ELEMENT.** The proposed amendments to the Future Land Use Element of the City of Dunnellon’s Comprehensive Plan are attached to this Ordinance as Exhibit “A,” and are hereby adopted and incorporated into the text of this Ordinance as if fully set forth herein. Within Exhibit “A,” underlined words constitute additions to the Future Land Use Element and strikethrough constitutes deletions.

**Section 3. TRANSMISSION TO AGENCIES; DIRECTIONS TO THE CLERK.** Within ten (10) days after the first public hearing of this Ordinance and passage of same by the City Council of the City of Dunnellon, the City Clerk is hereby directed to transmit a copy of the adopted plan amendments, with any supporting data and analysis, to the Florida Department of Economic Opportunity (DEO), the East Central Florida Regional Planning Council, Florida Department of State (DOS), Florida Department of Environmental Protection (DEP), Florida Department of Transportation – District Office 5, Southwest Florida Water Management District, the Ocala/Marion Transportation Planning Organization (TPO), 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.

**Section 5. CONFLICTS.** After the effective date of this Ordinance in any case where all or any part of this Ordinance is found to be in conflict with any provision of any other ordinance of the City of Dunnellon, to the extent of such conflict, all such ordinances are hereby repealed.

**Section 6. SEVERABILITY.** If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unenforceable, unlawful or unconstitutional by a court of competent jurisdiction, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance.

**Section 7. EFFECTIVE DATE.** This Ordinance shall become effective 31 days after the Department of Economic Opportunity notifies the City that the plan amendment package is complete. However, if timely challenged, this Ordinance shall not become effective until the Department of Economic Opportunity or the Administration Commission enters a final order determining the adopted amendment to be in compliance. *See Fla. Stat. 163.3184(3)(c)4 (2019).*

**Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon the first reading and public hearing on the 9<sup>th</sup> day of November 2020.

**Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon the second reading public hearing on the \_\_\_\_\_ day of \_\_\_\_\_ 2020.

First public hearing advertised on the City’s website on October 26, 2020 and advertised in the Riverland News on Thursday, October 29, 2020.

Second public hearing advertised on the City’s website on \_\_\_\_\_ and advertised in the Riverland News on Thursday, \_\_\_\_\_ 2020.

Attest:

**CITY OF DUNNELLON**

\_\_\_\_\_

Amanda L. Roberts, CMC  
City Clerk

\_\_\_\_\_

William P. White, Mayor

Approved as to Form:

\_\_\_\_\_

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 26th day of October 2020.

\_\_\_\_\_

Amanda L. Roberts, CMC  
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 gross 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 gross 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 gross acre and the maximum density is 12.0 units per gross 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 where available.

### **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.
- 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. Recreational vehicle parks shall be subject to special design standards to ensure compatibility and safe layout of the vehicle sites and park amenities.
- F. 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 acreage 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 gross residential acre.
- D. Transient lodging and bed and breakfast uses shall be limited to an equivalent of eight (8) units per gross 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 gross 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 building 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 principal 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 day 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/office uses (includes retail, financial services, professional services, personal services, restaurants, transient lodging, and bed and breakfast establishments), and institutional uses (including schools, civic, cultural, religious facilities and similar uses), recreational vehicle parks. The following location and design standards apply:

- A. A development shall contain at least three (3) of the permissible uses within the following ranges measured by acreage: Residential uses or recreational vehicle parks (40-80%), commercial uses (10-50%) and institutional (5-10%).
- 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 gross 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 five (5) 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 gross acre.

**Policy 1.7:**

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

**Policy 1.8:**

The agriculture land use category includes agricultural and silvicultural activities, as well as solar farms. 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:**

Notwithstanding the density limitations of the Comprehensive Plan and minimum lot size and dimension requirements as set forth in the Land Development Regulations, a lot of record in a residential land use category may be developed for one (1) single family dwelling unit and an accessory dwelling unit, subject to compliance with eligibility requirements and additional standards as may be adopted in the Land Development Regulations to protect the public health, safety and welfare. For the purpose of this policy, a “lot of record” includes any lot established pursuant to a plat or metes and bounds description recorded in the records of Marion County, provided that the lot was established prior to the effective date of the Dunnellon Comprehensive Plan. Any lot established after the effective date of the Dunnellon Comprehensive Plan shall conform to all requirements of the Dunnellon Comprehensive Plan and Land Development Regulations.

**Policy 1.10:**

Notwithstanding the minimum lot size and dimension requirements as set forth in the Land Development Regulations, a lot of record in a non-residential land use category may be developed for permitted uses as authorized by the applicable land use category, subject to compliance with eligibility requirements and additional standards as may be adopted in the Land Development Regulations. For the purpose of this policy, a “lot of record” includes any lot established pursuant to a plat or metes and bounds description recorded in the records of Marion County, provided that the lot was established prior to the effective date of the Dunnellon Comprehensive Plan. Any lot established after the effective date of Dunnellon Comprehensive Plan shall conform to all requirements of the Dunnellon Comprehensive Plan and Land Development Regulations.

**Policy 1.11:**

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 1.12:**



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 1.13:**

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 1.14:**

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 1.15:**

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 1.16:**

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 1.17:**

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 stormwater management.

- B. Protect wetlands, potable water well fields, natural aquifer recharge areas, endangered species, intact ecological systems, 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 1.18:**

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 1.19:**

Public schools shall be an allowable use in all residential land use categories and the traditional neighborhood development category.

**Policy 1.20:**

All residential and nonresidential development shall be subject to site plan review procedures.

**Policy 1.21:**

The City of Dunnellon relies on the definitions in Chapter 163, Florida Statutes, 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 promulgated by government agencies such as the Florida Department of Agriculture and Consumer Services, and the Florida Department of Environmental Protection.

*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* means 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 Section 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 development, including subdivisions, multifamily developments, or mobile home developments may provide land to meet the recreation and park needs of its residents as one option to satisfy concurrency requirements for neighborhood parks if the adopted level of service standard is not otherwise met, and the population of the development shall not be counted in calculating the neighborhood level of service standard for the City thereafter. The amount of land to be provided shall be based upon the estimated population of the development based on the number of approved units in the development. Single-family and duplex structures on lots platted on or before the effective date of this comprehensive plan and residential development proposed within the designated historic district shall not be included in the City population counted for calculating level of service for neighborhood parks.

**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.

**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.

**Policy 2.6:**

Existing development, at any density or in any land use category, shall be required to connect to the City wastewater treatment system in accordance with Section 381.00655, Florida Statutes and when sewer service is available as defined by the City's codes.

**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, 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 uses which are nonconforming with the Future Land Use Map or zoning map and 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:**

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 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.
- 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:**

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.

**Objective 5:**

It is the City of Dunnellon's objective to discourage urban sprawl, through its comprehensive plan, amendments to the comprehensive plan, implementation of land development regulations, which provide specific criteria for development, and through interlocal agreement and other coordination mechanisms with Marion County.

**Policy 5.1:**

Applicants for large scale-future land use map amendments shall submit an evaluation to demonstrate that the proposed amendment discourages urban sprawl, based on the criteria set forth in Chapter 163, Florida Statutes, when any of the following conditions occur:

- A. The property is not contiguous on at least 50% of its boundary to parcels with existing residential, commercial or industrial development;
- B. The property is not proposed for a future land use category that is equal to or greater in allowable density or intensity as compared to the average density or intensity on adjacent developed parcels;
- C. The property is not proposed for a future land use category that is equal to or greater in allowable density or intensity as compared to the average density or intensity allowed by the Future Land Use Map designation on adjacent developed parcels;
- D. The property is not served by central water or sewer at time of application and its nearest boundary is more than a half-mile from existing water or existing sewer; o
- E. The property requires capacity improvements or other capital improvements to achieve adequate water or sewer service.

An application that exhibits one or more of the conditions above does not necessarily mean that it fails to discourage urban sprawl, but rather that it warrants more comprehensive review to demonstrate that it discourages urban sprawl. An applicant can demonstrate that an amendment discourages urban sprawl by analyzing the extent to which the applicant triggers the 13 indicators of urban sprawl set forth in Section 163.3177(6)(a)9.a, Florida Statutes, taking into account the context of the area. An applicant can also demonstrate that the plan amendment discourages urban sprawl based on the criteria set forth in Section 163.3177(6)(a)9.b, Florida Statutes. The City shall review the Application and make finding of facts determining whether the plan amendment discourages urban sprawl. At its discretion, the City may also conduct an evaluation of a plan amendment application which does not trigger an evaluation by the applicant based on the criteria in this policy.

**Policy 5.2:**

Proposed plan amendments for land uses which are more intense than those designated on the adopted Future Land Use Map shall be required to extend water and sewer service at adopted levels of service at the developer's expense, in addition to demonstrating consistency with the adopted comprehensive plan, as required by Section 163.3194, Florida Statutes.

**Policy 5.3:**

Extension of services within the Dunnellon city limits shall be consistent with the prioritization policies set forth in the Capital Improvements Element. Service agreements shall be required in order to extend services to unincorporated areas or proposed annexation areas and shall demonstrate that they will be fiscally advantageous to the City and will discourage urban sprawl. This does not prohibit extension of services to unincorporated areas where needed to achieve protection of public health and safety.

**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 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:**

Designate land use categories on the Future Land Use Map to meet the short term and long term needs of the community in a manner consistent with the policy direction set forth in the elements of the Comprehensive Plan. 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:**

The City of Dunnellon adopts two planning periods for the purposes set forth in the Comprehensive Plan. The short term planning period shall be five years, and the long range planning period shall be approximately twenty years, allowing for adjustment to coincide with decade or mid-decade years (i.e., 2035, 2040, etc) to maximize coordination with other agency plan updates. The short term planning period shall be utilized primarily for capital improvements planning to meet the immediate needs for the community as addressed in the Capital Improvements Element. The long range planning period shall be utilized to determine land use allocations based on population demand and other community needs and to appropriately plan for associated long term transportation, infrastructure and schools needs in



coordination with Marion County, the Florida Department of Transportation, the Southwest Florida Water Management District and the Marion County School District. Population projections shall be updated at a minimum during each evaluation-based, comprehensive plan amendment cycle pursuant to Section 163.3191, Florida Statutes.

**Policy 6.2:**

The City of Dunnellon shall allocate sufficient residential and non-residential land uses to support community needs through the 20-year planning period. The City population projections shall be based on the medium population projections published by the Office of Economic and Demographic Research for Marion County and shall allocate, at a minimum, a proportionate share of countywide population growth to the City, taking into account historic growth trends and potential alternative growth scenarios. In evaluating long term community needs, the City recognizes the following guiding principles:

- A. Support a diversity of residential housing types and products and allow for the operation of real estate markets as set forth in Section 163.3177(6)(a), Florida Statutes.
- B. Encourage job creation, economic diversification and capital investment from the private sector to achieve and sustain a healthy local economy.
- C. Provide opportunities for diverse growth within the City to discourage urban sprawl beyond the City corporate boundaries.

**Policy 6.3**

Demonstrate that the proposed uses as allowed by the land use category are suitable for the property, 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 6.4:**

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 6.5:**

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 6.6:**

Applications for future land use map amendments shall include a traffic study to determine the impacts on the operating level of service on arterials and collector roads within the City. The purpose of the study is not to implement transportation concurrency, which has been repealed, but rather to support the planning efforts of the TPO regarding long term transportation needs. The City shall provide a copy of the traffic study to the TPO.

**Objective 7:**

Siting of public uses shall be coordinated in a manner consistent with the policy direction set forth in the elements of the Comprehensive Plan and in accordance with state and federal regulations, to the extent applicable.

**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.

**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 urban 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; and
- H. avoidance of school siting in any area where the proposed school facility would be incompatible with surrounding land uses, including but not limited to, airport hazard zones, airport clear zones and airport noise compatibility zones.

**Objective 8:**

The City of Dunnellon shall prohibit land uses and development that are defined as incompatible with normal airport operations at the Dunnellon Airport.

**Policy 8.1:**

The City of Dunnellon shall coordinate with Marion County to execute an interlocal agreement or formulate a Joint Airport Zoning Board by June 15, 2017 to ensure that decision-making by both jurisdictions are adequately coordinated regarding Marion County airport planning and Dunnellon land use and transportation planning.

**Policy 8.2:**

The City of Dunnellon shall prohibit public education facilities and residential uses and development within noise compatibility zones, as defined by 333.03(2)(c) and (d), Florida Statutes, as applicable. The City shall confirm the extent of existing noise compatibility zones with Marion County, and the potential extent of future noise compatibility zones based on any runway modifications that may be considered by Marion County.

**Policy 8.3:**

The City of Dunnellon shall prohibit the following uses within clear zones, as defined by 333.03(3), Florida Statutes:

- A. Public and private schools.
- B. Uses encouraging or requiring a concentration of people, such as auditoriums, arenas, large-scale multifamily development and large-scale office uses.
- C. Industrial uses which emit smoke and uses which emit light that could potentially pose a hazard to aircraft operations.

**Policy 8.4:**

The City of Dunnellon shall not allow obstructions, such as buildings, structures, poles and trees to penetrate airport hazard zone surfaces occurring within its jurisdiction. The City limits building height to 40' within all future land use categories. Prior to considering any future amendment to the 40' building height standard, the City shall document that any proposed building height standard would not penetrate applicable airport hazard zones and surfaces, as defined by the Federal Aviation Administration.

**Policy 8.5:**

The City of Dunnellon shall adopt an airport zoning overlay by June 15, 2017 to implement land development regulations based on Objective 8 and its implementing policies.

# *City of Dunnellon*

## STAFF REPORT TO COUNCIL

### AMENDMENTS TO LAND DEVELOPMENT REGULATIONS

To: Dunnellon City Council  
From: Community Development  
Date: December 15, 2020  
Subject: Request to City Council for approval of proposed text amendments to the Land Development Regulations, Ordinance #ORD2020-10.

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#### BACKGROUND INFORMATION

The City of Dunnellon is committed to planning and managing the future growth and development of the City and recognizes the increasing demand for clean energy sources.

Dunnellon is known for the importance its citizens place on its environmental resources and in harmony, desires to grow in a well-planned and environmentally friendly manner.

Large-scale solar deployments are increasing at a rapid rate and as costs drop, are expected to continue this trend for the near future.

The City is taking this opportunity to prepare for the growing demand for Solar energy generation by adopting Land Development Regulation amendments to allow for the availability of and properly regulate large-scale solar energy installations as a special exception in the Agriculture and Public land use categories.

The community benefits of Solar energy projects are many, including job creation, economic development, clean energy sourcing, and increased city tax base. Having provisions in the code for the regulation of Solar Energy facilities brings the City one step closer to completing its adopted Economic Development plan.

#### FUTURE LAND USE ELEMENT:

**Goal:** Through the provision of appropriate land uses, promote 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 6:**

Designate land use categories on the Future Land Use Map to meet the short term and long-term needs of the community in a manner consistent with the policy direction set forth in the elements

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

**Policy 6.2:**

The City of Dunnellon shall allocate sufficient residential and non-residential land uses to support community needs through the 20-year planning period. The City population projections shall be based on the medium population projections published by the Office of Economic and Demographic Research for Marion County and shall allocate, at a minimum, a proportionate share of countywide population growth to the City, taking into account historic growth trends and potential alternative growth scenarios. In evaluating long term community needs, the City recognizes the following guiding principles:

- A. Support a diversity of residential housing types and products and allow for the operation of real estate markets as set forth in Section 163.3177(6)(a), Florida Statutes.
- B. Encourage job creation, economic diversification and capital investment from the private sector to achieve and sustain a healthy local economy.
- C. Provide opportunities for diverse growth within the City to discourage urban sprawl beyond the City corporate boundaries.

**Impacts to the Future Land Use Element**

The Future Land Use Element is critical in formatting how the city chooses to grow. For Dunnellon, Goal 1 addresses improving the public health, safety, and welfare of Dunnellon’s residents. The proposed changes will continue to protect the future needs of the community while still encouraging job creation, economic diversification and capital investment from the private Sector.

TRANSPORTATION ELEMENT

**Objective 2:**

Ensure that transportation system needs are coordinated with the type and intensity of land use. Review of all development proposals and plans should include appropriate consideration of transportation impacts as related to access, operational conditions and safety. Provisions to ensure such consideration should be included in the land development regulations to be adopted by the statutory deadline.

CONSERVATION ELEMENT

**GOAL**

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

**Policy 2.1:**

The surface waters of the City, including lakes, rivers and wetlands, shall be designated conservation areas. 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 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, 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.
- C. 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 standard imposed by the applicable state or federal agency.
- E. 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, rivers 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 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.
- 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 shall be required for all development.

**Policy 2.5:**

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

**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 5.5:**

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.

**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.

**Impacts to the Conservation Element**

Dunnellon remains steadfast in protecting and maintaining its Conservation areas. By applying Best Management Practices and diligent implementation of natural resource protection, we can assist in long-term preservation.

INTERGOVERNMENTAL COORDINATION ELEMENT

**Goal:** To establish processes which respond to the needs for coordination among City, local, regional, state and federal governments and private entities resulting from the implementation of Dunnellon's comprehensive plan and any incompatible goals, objectives and policies proposed in other local, regional or state plans.

**Objective 2:**

Coordinate the impacts of development proposed in the City's Comprehensive Plan upon development in Marion and Citrus Counties, the region, and the state.

FINDINGS OF FACT:

To determine whether the proposed ordinances are consistent with adopted elements of the adopted Comprehensive Plan, all elements were examined. Consistency has been established with the preceding goals, objectives, and policies;

RECOMMENDATION:

Based on the findings of fact above, the Planning Commission by Resolution RES2020-23 finds Ordinance ORD2020-10 consistent with the comprehensive plan and meets city code criteria. The Planning Commission recommends City Council approve Ordinance ORD2020-10 as presented.



1  
2  
3 **ORDINANCE #ORD2020-10**

4 **AN ORDINANCE OF THE CITY OF DUNNELLON,**  
5 **FLORIDA, AMENDING THE CODE OF ORDINANCES,**  
6 **APPENDIX “A” OF THE LAND DEVELOPMENT**  
7 **REGULATION, SECTION 7.1, “TABLE OF PERMITTED**  
8 **USES” TO INCLUDE SOLAR FARMS IN SERVICE AND**  
9 **PUBLIC USES; AMENDING SECTION 7.2, “DISTRICT USE**  
10 **DEFINITIONS” TO CREATE A DEFINITION FOR “SOLAR**  
11 **FARM”; AMENDING SECTION 8.16, “AGRICULTURAL**  
12 **(A-1) TO INCLUDE SOLAR FARMS; AMENDING SECTION**  
13 **8.17, “PUBLIC (P)” TO INCLUDE SOLAR FARM;**  
14 **AMENDING SECTION 9.1, “SPECIAL EXCEPTIONS” TO**  
15 **ADD CONDITION OF APPROVAL FOR SOLAR FARMS;**  
16 **PROVIDING FOR SEVERABILITY, CODIFICATION,**  
17 **CONFLICTS, AND AN EFFECTIVE DATE.**

18 **WHEREAS**, it is the goal of the City of Dunnellon to make provisions for appropriate land  
19 uses, to promote, protect, and improve the public health, safety and welfare of Dunnellon’s  
20 residents, while maximizing economic benefits and minimizing threats to natural and man-made  
21 resources;

22 **WHEREAS**, the City Council finds that there is a need to make provisions in the City of  
23 Dunnellon’s Land Development Regulations for solar farms as a land use permissible by special  
24 exception in the Agriculture and Public land use categories; and

25 **WHEREAS**, the City Council finds that such provisions are consistent with the City of  
26 Dunnellon’s Comprehensive Plan; and

27 **WHEREAS**, accordingly, the City Council finds it is necessary and in the best interest of the  
28 public health, safety and welfare to establish conditions upon which solar farms may be a permissible  
29 land use in Agriculture and Public land use/zoning categories by special exception.

30 **LEGISLATIVE UNDERSCORING:** Underlined words constitute additions to the City of  
31 Dunnellon City Code, ~~striketrough~~ constitutes deletions from the original, and asterisks (\*\*\*)  
32 indicate an omission from the existing text which is intended to remain unchanged.  
33

34 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**  
35 **OF DUNNELLON, FLORIDA THAT:**

36  
37 **SECTION 1.** The recitals set forth above are hereby adopted as legislative findings of the  
38 City Council of the City of Dunnellon.  
39

40           **SECTION 2.** Appendix A, of the Land Development Regulations of the City of Dunnellon  
 41 is hereby amended as follows:

42  
 43 **Section. 7.1 Table of permitted uses.**

44 \*\*\*

SERVICE USES	A-1	R-1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B-2	B-3	B-4	B-5	B-6	P	PUD
****																	
Self service station – convenience store												X	X				
<u>Solar farms</u>	<u>SE</u>															<u>SE</u>	
Stable	X																

45

46 \*\*\*

Public uses	A-1	R-1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B-2	B-3	B-4	B-5	B-6	P	PUD
****																	
Public transportation terminal													X			x	
<u>Solar farms</u>	<u>SE</u>															<u>SE</u>	
****																	

47

48 \*\*\*

49 **Section. 7.2 District use definitions.**

50 \*\*\*

51           *Shoe store* means establishments engaged in the sale of foot-ware, including athletic foot-  
 52 ware. These establishments also stock accessory items, such as hosiery, gloves, and handbags.

53           *Solar farm* means lands containing multiple ground mounted solar panels, ancillary  
 54 equipment, and buildings used for the collection, storage, and transmission of solar power as  
 55 electricity by commercial and/or public enterprises. Such facilities shall be 10 acres or more in  
 56 size and capable of generating a minimum of one-megawatt of power per hour.

57  
 58           *Sporting goods store* means an establishment engaged in the sale of sporting goods,  
 59 sporting equipment

60 \*\*\*

61

62

63 **Section 8.16 Agricultural (A-1).**

64 The A-1 district applies to areas intended for agricultural use, including solar farms by  
65 special exception, and low density residential. The regulations of this district are intended to permit  
66 a reasonable use of property while preventing the creation of conditions which would blight or  
67 prevent the proper future use of nearby property. The allowable density shall be one unit per ten  
68 acres, except that a density of one dwelling unit per five gross acres shall be allowed for  
69 Conservation Subdivision, approved with the requirements of Chapter 97.

70 **Section 8.17 Public (P).**

- 71 (a) The Public (P) zoning district is permitted in only the Public land use category.  
72
- 73 (b) The Public (P) district is intended to provide for areas where public and semipublic  
74 facilities serve the needs of the community. Solar farms are permissible in this  
75 zoning district by special exception.  
76
- 77 (c) Front, side, and rear setbacks shall be no less than the corresponding minimum  
78 setback requirement in the code applicable to each adjoining property line. In the  
79 event that front, side, or rear property line adjoins multiple properties with multiple  
80 setback requirements, the minimum required setback shall be met for each  
81 adjoining zoning district along that property line.  
82
- 83 (d) Maximum height shall be limited to the lowest maximum height allowed of the  
84 adjacent properties.

85 \*\*\*

86 **Article IX. SUPPLEMENTARY DISTRICT REGULATIONS**

87 **Section 9.1 Special Exceptions.**

88 \*\*\*

89 (12) *Recreation facility, outdoor.* This use will be permitted in all residential areas as identified  
90 in the use chart and shall be approved as part of the site plan for a multifamily project or on a  
91 specified lot or tract approved as part of a subdivision. A special exception shall be required if any  
92 part of the use, including parking, is proposed with 100' of the property line that abuts a R-1, R-  
93 1A or R-1B lot. Criteria for the special exception will include:

- 94 a. The facility must meet all required site plan and building code requirements.
- 95 b. The facility must be buffered against any lower intensive uses adjacent to the site.

96 c. The facility must be addressed as to its location to the residents and the potential  
97 noise that may be generated by the use.

98 (13) Solar farms. Solar farms shall be permitted as a special exception in the Agriculture (A-1)  
99 and Public (P) zoning district if, in addition to the criteria set forth in Section 9.1(b), the following  
100 conditions are met:

101 a. Setbacks equal to those of the zoning district the solar farm abuts shall be applied,  
102 except:

103 1. When abutting a property with residential zoning, a 100-foot setback shall  
104 be required.

105 2. When abutting the Rainbow River or Withlacoochee River and their natural  
106 or artificial coves, canals, lakes or other water bodies capable of maintaining  
107 navigation in their current state, a 300-foot setback from the more  
108 discernable of the shoreline/high water line shall be required. For purposes  
109 of this section, the word 'navigation' shall mean the ability to operate any  
110 type of watercraft, barge, or airboat as a means of transportation on water.

111 b. Where the solar farm abuts a residentially zoned property or waters described in  
112 (a)(2) above, a 25-foot landscape buffer meeting the buffer requirements of Section 74-108(4)(a)-  
113 (b) shall also be met.

114 c. When the solar farm abuts a residentially zoned property, all fencing abutting said  
115 zoned property shall be required to be at least 80-percent opaque. Fabric or similar screening shall  
116 be attached to chain link or other less-opaque fences to meet this standard.

117 d. If trees are to be removed for construction of the solar farm, the applicant shall  
118 comply with the standards of Section 74-66(a)-(j) and all applicable state statutes regarding tree  
119 removal.

120 e. As a condition precedent for qualifying for a special exception for a solar farm, the  
121 applicant must demonstrate compliance with all federal and state statutes or regulations governing  
122 solar farms and the applicant shall obtain all applicable licenses and/or permits from such federal  
123 and state agencies.

124 \*\*\*

125 **SECTION 3. CODIFICATION.** It is the intent of the City Council of the City of  
126 Dunnellon that the provisions of this Ordinance shall be codified. The codifier is granted broad  
127 and liberal authority in codifying the provision of this Ordinance.  
128

129 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word or portion of  
130 this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall

131 not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,  
132 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or  
133 unconstitutional.

134  
135 **SECTION 5. CONFLICTS.** In any case where a provision of this Ordinance is found  
136 to be in conflict with a provision of any other ordinance of this City, the provision which  
137 establishes the higher standards for the promotion and protection of the health and safety of the  
138 people shall prevail.

139  
140 **SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective immediately  
141 upon its passage and adoption.

142  
143 **Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first  
144 reading on the \_\_th day of \_\_\_\_\_, 2020.

145  
146 **Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon  
147 the second and final reading and public hearing on the \_\_th day of \_\_\_\_\_, 2021.

148  
149 Ordinance Posted on the City’s website on \_\_\_\_\_, 2021. Public hearing advertised on  
150 the City’s website on \_\_\_\_\_, 2021 and advertised in the Riverland News on \_\_\_\_\_  
151 \_\_\_\_\_, 2021.

152  
153 ATTEST: **CITY OF DUNNELLON**

154  
155 \_\_\_\_\_  
156 Amanda L. Roberts, CMC  
157 City Clerk

158  
159 \_\_\_\_\_  
160 William P. White, Mayor

161  
162 Approved as to Form:  
163 \_\_\_\_\_  
Andrew J. Hand, City Attorney