

Agenda
City of Dunnellon
Planning Commission Zoom Meeting
May 19, 2020 at 5:30 p.m.

Join Zoom

<https://dunnellon.zoom.us/j/93274664889?pwd=R2FKd3hEV2VXemt1clRnbVBzMU0zZz09>

Meeting ID: 93274664889

One or more City Council members may attend this meeting and may speak.

Dunnellon Planning Commission meeting to be held on May 19, 2020 with Social Distancing Modifications

The City of Dunnellon is using Zoom to hold the May 19, 2020 Planning Commission meeting via Communications Media Technology (CMT) as authorized by Governor DeSantis' *Executive Order 20-112 extending Executive Order 20-69*. Members of the public may also use Zoom to view and participate in the meeting online. Zoom is a cloud platform for video and audio conferencing, collaboration, chat and webinars across mobile devices, laptops, desktops, telephones and room systems. Members of the public may call (352) 465-8500 in advance of the meeting for assistance regarding viewing and/or participating in the meeting.

Public Comment

Anyone who wishes to provide public comment will be able to do so by participating in the Planning Commission meeting via the Zoom 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

Members of the public who would like to participate are encouraged to register in advance by Noon on Tuesday May 19th. Please see instructions below on how to register.

Instructions on How to Watch, Listen and/or Participate in the CMT Meeting

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

Pledge of Allegiance

Roll Call - Recording Secretary to verify video and audio connections

Proof of Publication (Posted on the City's website and City Hall bulletin board on Tuesday May 12, 2020)

Regular Agenda

1. Approval Of Minutes

Documents:

[Minutes January 21, 2020.Pdf](#)
[Minutes February 18, 2020.Pdf](#)

2. Public Hearing - Comprehensive Plan Amendment - Aquifer Protection
Public hearing for review of comprehensive plan consistency of Ordinance #2020-05 by the Planning Commission acting as the Local Planning Agency (LPA)
 - Chairman to close regular meeting and open public hearing
 - Staff Presentation
 - Public Comments
 - Commissioners' Comments
 - Chairman to close public hearing and reopen regular meeting

Documents:

[2020-05 Draft Comp Plan Ordinance - Aquifer Protection Comp Plan.pdf](#)

3. RESOLUTION - Consideration Of Comprehensive Plan Consistency - ORD2020-05
Resolution #RES2020-03 finding of consistency and forwarding a recommendation of approval to City Council for consideration

Proposed Motion: I move Resolution #RES2020-03 be ready by title only.

Proposed Motion: I move Resolution #RES2020-03 be approved.

Documents:

[2020-03 PC Resolution For Ord2020-05 Comp Plan Amendment.pdf](#)

4. Public Hearing - Land Development Regulations - Chapter 98 - Subdivisions And Land Development
Public hearing for review of comprehensive plan consistency of Ordinance #2020-06 by the Planning Commission acting as the Local Planning Agency (LPA)
 - Chairman to close regular meeting and open public hearing
 - Staff Presentation
 - Public Comments
 - Commissioners' Comments
 - Chairman to close public hearing and reopen regular meeting

Documents:

[Ordinance 2020-06 Proposed LDR Amendments - Accompanying Aquifer Protection Element Amendments.pdf](#)

5. RESOLUTION - RES2020-05 Consideration Of Comprehensive Plan Consistency - ORD2020-06
Resolution #RES2020-05 finding of consistency and forwarding a recommendation of approval to City Council for consideration

Proposed Motion: I move Resolution #RES2020-05 be ready by title only.

Proposed Motion: I move Resolution #RES2020-05 be approved.

Documents:

[2020-05 PC Resolution For Ord2020-06 LDRs Section 98.Pdf](#)

6. Quasi-Judicial Hearing - Rezone REZ2020-02 Souls Harbor Property ORD2020-07

Application PZ2020-111 by City of Dunnellon requesting a rezone for Parcel 3380-1359-00, consisting of Lots 1359, 1360, 1361, 1362, 1363 and 1364 from Residential Business Office (RBO) to Public (P)

- Chairman to close regular meeting and open Quasi-Judicial Hearing
- Swearing in of all persons who will give testimony by City Attorney
- Commission members to disclose any Ex-Parte Communication
- Members to disclose any Conflict of Interest
- Staff Presentation
- Applicant Presentation
- Presentation of Evidence from the Public and/or Non-evidentiary Public Comment
- Chairman to close Quasi-Judicial Hearing and reopen regular meeting

Documents:

[2020-07 Rezone 11808 N Ohio St - FINAL Atty.pdf](#)

7. RESOLUTION - PC Resolution #RES2020-06 For Comp Plan Consistency - Rezone ORD2020-07
Resolution #RES2020-06 finding of consistency and forwarding a recommendation of approval to City Council for consideration

Proposed Motion: I move Resolution #RES2020-06 be ready by title only.

Proposed Motion: I move Resolution #RES2020-06 be approved.

Documents:

[2020-06 PC Reso For Ord2020-07 Rezone 11808 N Ohio St - FINAL Atty.pdf](#)

8. Public Comment
9. Adjournment

Any person requiring a special accommodation at this meeting or 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. 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.

**Minutes
City of Dunnellon
Planning Commission Meeting
January 21, 2020 at 5:30 p.m.**

Chairwoman D'Arville called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

Roll Call:

Members Present:

Brenda D'Arville, Louise Kenny, Lisa Sheffield, and Mary Ann Hilton

Staff Present:

Lonnie Smith, Teresa Malmberg, and Assistant City Attorney Patrick Brackins (via telephone)

Proof of Publication: The Agenda was posted on City's website and City Hall bulletin board on Wednesday, January 15, 2020.

1. Approval of Minutes - December 17, 2019

Louise Kenny made a motion to approve the minutes of the December 17, 2019, meeting as submitted. Mary Ann Hilton seconded. The motion was passed by unanimous vote, 4-0.

2. Public Hearing - ORD2020-05 Comp Plan and LDR Amendments - Wellhead Protection Area

Public hearing for review of comprehensive plan consistency of Ordinance #2020-05 by the Planning Commission acting as the Local Planning Agency (LPA)

Chairwoman D'Arville closed the regular meeting and opened the public hearing at 5:33 p.m. Mary Ann Hilton made a motion to table the comprehensive plan and land development regulations amendments to date certain, February 18, 2020 at 5:30 p.m. Louise Kenny seconded. The motion passed by unanimous vote, 4-0. Chairwoman D'Arville reported she will be out of the country for the next meeting and asked the availability of the other members. Members anticipated closed the public hearing and reopened the regular meeting at 5:34 p.m.

Chairwoman D'Arville called for discussion. Lonnie Smith presented a summary review of the amendments. Members discussed the need for additional information to be included with the next presentation package to add engineering with data and analysis consistent with Marion County; appeal information; and possibly an engineering summary.

3. Reports & Updates

None.

4. Commissioners' Planning Items

Commission Goals, Objectives, and Projects - Review and Update

Parking Update: Discussion regarding status of parking plans in progress and future of applying for the grant through USDA.

Beautification utilizing CRA funds: Discussion regarding landscape upgrades in-progress on West Pennsylvania and possibilities for other CRA areas to be considered in the future.

Comprehensive Plan: The Evaluation and Appraisal Report (EAR) will be due in 2021.

Discussed inclusion of visioning and economic development strategy.

Economic Development Strategy: Lonnie Smith reported that Allison McGrath with Kimley-Horne submitted the City of Dunnellon for an award related to the Economic Development Strategy process and completion.

5. Public Comment

Burt Eno, 9220 SW 193rd Circle, spoke concerning the wellhead protection zones and the need for Florida Governmental Utility Authority (FGUA), owner of the utilities, to review and provide input regarding the changes to the wellhead protection zones.

Bill Vibbert, 9552 SW 192nd Court Rd., spoke concerning Nine Island Cove and provided an overview of the Florida Communities Trust (FCT) process land identification. Also noted that Nine Island Cove, if considered for a park, should be identified in the Comprehensive Plan, Recreation & Open Space Element, same as Blue Run Park was in the previous plan.

Bill White, City Councilman, Seat 2, spoke concerning the amendments before the Planning Commission and items that come before Council. It is a Council assumption that the homework has been done. The language is in harmony with Marion County and confirmed the science is done. To address Mrs. Kenny's recommendation for engineering, take a look at the county and use their science in lieu of all new engineering. Councilman White confirmed that staff will include any comments from FGUA with the backup for the amendments.

6. Adjournment

Mary Ann Hilton motioned to adjourn the meeting at 6:42 p.m. Lisa Sheffield seconded. The motion passed by unanimous vote, 4-0.

Respectfully submitted,

Louise Kenny, Vice Chairwoman

Teresa Malmberg, Recording Secretary

**Minutes
City of Dunnellon
Planning Commission Meeting
February 18, 2020 at 5:30 p.m.**

Commissioner Sheffield called the meeting to order at 5:30 p.m. and led the Pledge of Allegiance.

Roll Call

Members Present: Lisa Sheffield

Members Absent: Brenda D'Arville, Louise Kenny, Mary Ann Hilton

Staff Present: Lonnie Smith, Dawn Bowne, Attorney Patrick Brackins (by phone), and Teresa Malmberg

Proof of Publication: The Agenda was posted on City's website and City Hall bulletin board on Tuesday, February 11, 2020. Modified to add minutes to Item #1 and posted on the City's website, Tuesday, February 18, 2020.

Commissioner Sheffield announced the public hearings would not be held due to a lack of quorum, and asked staff to explain further. Lonnie Smith explained that due to a scheduled absence and unavoidable absences, the meeting could not be held. The hearings will be re-advertised and notices sent to surrounding property owners. The public hearings will be held during the March 17, 2020, Planning Commission meeting, which begins at 5:30 p.m. Mr. Smith thanked everyone in the audience for their attendance, and looked forward to having them attend the next meeting as well.

Commissioner Sheffield, in consideration for those in attendance, called for public comments.

Pastor Russ Randall, 20831 Powell Road, spoke of his and the congregation's support of the changes to the city code and comprehensive plan. He distributed a letter to Commissioner Sheffield and staff which was written by a certified engineer concerning the wellhead protection zone. The letter refers to the inconsistency of the city's aquifer protection element of the comprehensive plan as related to the Florida DEP. Pastor Randall discussed the history of the church's search for property and having found suitable property, the effect the city code and comprehensive plan is now having on the Peterson property in particular located at 11330 Rolling Hills Road and the church's ability to move forward with plans. A verbatim transcription of the contents of the letter is included herein and made a part of these minutes:

“December 4, 2019
Memo to: Dunnellon City Council

Re: Wellhead Setback on Peterson Property located at 11330 Rolling Hills Road

Comp Plan Policy 1.1 A of the Aquifer Protection Element established the 500-foot radius setback but also states that "The above allowable uses...shall be consistent with Chapters 62-521...and 62-555.312, F.A.C. (the "FDEP Rules"). These provisions may have an internal inconsistency which the City should correct and clarify.

The FDEP Rules allow for zoning and land use regulation that limit uses of land within 100 feet of the well. Further decreases in setback can be approved by the City with FDEP consent if supported by science and engineering considerations.

The only fair way to read the comp plan policy consistent with the FDEP Rules is to conclude that your intended uses may be built up to 100 feet of the well location.

You are in a process where this information can be presented to the decision-makers. Please provide the RPC comments and any updated information. You may wish to provide this information to the City for their review and analysis. Please encourage City planners to call me for further discussion if they wish (941-720-1605).

Edward Vogler II VOGLER ASHTON, PLLC
705 10th Avenue W., Unit 103
Palmetto, FL 34221
941-304-3400 x104
941-866-7648 Facsimile”

Aaron Kramer, 20831 Powell Road, introduced himself as the youth pastor and spoke in support of the changes to the comprehensive plan.

Wilbur Vanwyck, 11824 N. Williams St., spoke in support of the changes. Having read the documents and reports, he feels that staff has prepared sufficient evidence to support the changes.

Carol Lefler, 9546 SW 196th Avenue Rd., spoke in support of the changes.

There being no further comments, Commissioner Sheffield thanks those in attendance and hoped to see everyone at the next meeting for the public hearings on March 17, 2020, at 5:30 p.m.

The meeting was adjourned at 5:49 p.m.

Respectfully submitted,

Brenda D'Arville, Chairwoman

Teresa Malmberg, Recording Secretary

ORDINANCE #ORD2020-05

AN ORDINANCE OF THE CITY OF DUNNELLON, FLORIDA, ORD2020-05, PROVIDING FOR THE AQUIFER PROTECTION ELEMENT TEXT AMENDMENTS AND WELL/WELLHEAD PROTECTION ZONE MAP AMENDMENTS TO THE COMPREHENSIVE PLAN; 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 protect, maintain and restore the Floridan Aquifer to ensure the quality and availability of potable water resources for present and future generations; and

WHEREAS, it is the desire of the City Council to update its Aquifer Protection Element to protect the public health and general welfare of the citizens of the City of Dunnellon, ensure consistency with Marion County regulations, and provide for the implementation of land development regulations that prevent land use practices that would contaminate or reduce the recharge of the Floridan aquifer; 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 AQUIFER PROTECTION ELEMENT TEXT AMENDMENT. The proposed amendments to the Aquifer Protection 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 Aquifer Protection Element and strikethrough constitutes deletions.

Section 3. COMPREHENSIVE PLAN WELLHEAD PROTECTION ZONE MAP AMENDMENT. “Map 3 – Existing Cone of Influence for Wellfields” dated June 15, 2016 and which is attached to this Ordinance as Exhibit “B” is hereby deleted and replaced by the updated map of the same name dated December 12, 2019^[AHI] which is attached to this Ordinance as Exhibit “C” and incorporated herein.

Section 4. TRANSMISSION TO AGENCIECS; 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 on the ___th day of _____, 2020.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the second reading on the ___th day of _____, 2020.

Advertised in the Riverland News on Thursday, _____ ____, 2020.

Attest:

CITY OF DUNNELLON

Amanda L. Roberts, CMC
City Clerk

C. Dale Burns, Jr., 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 ___ day of _____ 2020.

Amanda L. Roberts, CMC
City Clerk

RESOLUTION #RES2020-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUNNELLON, FLORIDA, MAKING RECOMMENDATION TO THE CITY COUNCIL ON PROPOSED ORDINANCE 2020-05, PROVIDING FOR THE AQUIFER PROTECTION ELEMENT TEXT AMENDMENTS AND WELL/WELLHEAD PROTECTION ZONE MAP AMENDMENTS TO THE COMPREHENSIVE PLAN; PROVIDING FOR TRANSMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dunnellon Planning Commission held a public meeting to consider a text and map amendment to the Comprehensive Plan to update Aquifer Protection Element; and

WHEREAS, the Planning Commission reviewed proposed Ordinance 2020-05; and

WHEREAS, the Planning Commission, sitting as the local planning agency, finds that Ordinance 2020-05 is consistent with the City’s Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED by the City of Dunnellon Planning Commission that:

A recommendation of approval of Ordinance 2020-05, as set forth in Exhibit ‘A’ attached hereto, will be forwarded to the City Council for their consideration.

BE IT, FURTHER, RESOLVED that this Resolution shall be effective immediately upon adoption.

Upon motion duly made and carried, the foregoing Resolution was approved this ____ day of _____, 2020 by the Planning Commission upon a motion by Commissioner _____ and seconded by Commissioner _____ and upon being put to a vote, the result was as follows;

Chairwoman Brenda D’Arville	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Vice-Chairwoman Louise Kenny	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Commissioner Lisa Sheffield	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Commissioner Mary Ann Hilton	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Commissioner John Pierpont	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Commissioner Jay Dugan, 1 st Alt	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Commissioner David Lancaster, 2 nd Alt	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote

[Signature page follows]

Attested by:
PLANNING COMMISSION

Approved as to Legal Form and Legality
For use and reliance by the City of Dunnellon,
Florida

BY: _____
Brenda D'Arville, Chairwoman
Planning Commission, City of Dunnellon

BY: _____
Patrick J. Brackins
Assistant City Attorney

This ____ day of _____, 2020.

This ____ day of _____, 2020.

AQUIFER PROTECTION ELEMENT



Goals, Objectives and Policies

AQUIFER PROTECTION ELEMENT GOALS, OBJECTIVES AND POLICIES

GOAL:

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

Objective 1:

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

Policy 1.1:

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

- ~~A. Primary Zone—For all wells within the City meeting the above criteria, the boundary of the primary zone shall be defined by a 500 foot radius from the wellhead. This area shall be a zone of exclusion for all uses except existing uses that functionally related to the water supply system, open space, parks, and playgrounds. No parking areas, structures, or other impervious surfaces, other than those surfaces that are accessory to existing uses, will be allowed in this zone. The above referenced allowable uses, materials, and substances shall be consistent with Chapters 62-521, 38I-30, and 62-555.312, F.A.C.~~
- ~~B. Secondary Zone—The boundary of this zone shall be defined by a 1,000 foot radius from the wellhead. Existing wells, of any size or depth, must be currently permitted or properly abandoned, prior to the issuance of any development or demolition permit. Prohibited uses, materials and substances shall be consistent with Chapters 62-521, 38I-30, and 62-555.312, F.A.C. Within this zone, any use other than low density residential, existing non-residential use, or handling, production or storage of hazardous materials and substances shall be considered non-conforming. The following uses shall also be prohibited within this zone:
 - ~~1. Landfills or sludge disposal sites;~~
 - ~~2. Effluent spray fields;~~
 - ~~3. Discharge to ground water through manmade conduits, except for septic tanks and stormwater treatment facilities;~~
 - ~~4. Feedlots or other concentrated animal waste;~~
 - ~~5. Stormwater facilities where recharge occurs into a potable water aquifer; and~~
 - ~~6. All uses specified in the Comprehensive Plan—Future Land Use Element.~~~~

Well/Wellhead Protection Area (WHPA) requirements for a qualified Community Water Systems (CWS), as defined by Chapter 62-521.200(1), FAC, shall be maintained to provide protection of existing and proposed wells from contamination for the design life of the facility. When multiple wells are existing and/or suitably planned for future service, in lieu of a WHPA for each individual well, a wellfield protection area approach may be used, provided the identified Wellfield Protection Area encompasses all existing and planned wells to be used by the qualified CWS.

Policy 1.2

Qualified CWS WHPAs shall be consistent with Marion County’s WHPA requirements and are defined and established as listed below, and on “Map 3 ‘- Existing Cone of Influence for Wellfields_[AH1]” incorporated herein:

<u>ZONE</u>	<u>Community Water System (CWS) (FAC 62-521.200(1))</u> <u>(Municipal/Local Government, Community or Special District, PFSC Regulated Utility)</u>
<u>Primary</u>	<u>≤100’</u>
<u>Secondary</u>	<u>>100’ to ≤500’</u>
<u>Tertiary</u>	<u>> 500’ to ≤ 1,000’</u>

Policy 1.23:

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

Policy 1.4:

The City shall maintain land development regulations regarding the placement and establishment of new land uses and development for WHPAs, at a minimum consistent with Chapters 62-521, 62-532, 62-555.312, and 62-610.200, FAC, as amended.

Objective 2:

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

Policy 2.1:

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

Policy 2.2:

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

Policy 2.3:

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

Objective 3:

Restrict land use activities that have the potential to pollute public water supply facilities and/or the Floridan Aquifer.

Policy 3.1:

Control point sources of groundwater pollution by implementing land development regulations to restrict any land use that will diminish groundwater quality and quantity. The following land uses shall be regulated to reduce potential impacts:

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

Objective 4:

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

Policy 4.1:

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

Policy 4.2:

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

Policy 4.3:

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

Policy 4.4:

Participate in water conservation and protection program of the Southwest Florida Water Management District.

Policy 4.5:

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

Policy 4.6:

Coordinate with the Southwest Florida Water Management District to ensure the City and its residents comply with the requirements for water conservation during times of water shortage.

Policy 4.7:

Maintain a water conservation program which includes: progressive rate structures; leak detection and remediation programs; and educational programs.

Policy 4.8:

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

Policy 4.9:

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

Policy 4.10:

Participate in water conservation and protection programs of the SWFWMD, and seek assistance in the development of a water shortage plan, which establishes preparations for emergency water supply interruptions. Develop mechanisms to ensure appropriate procedures are followed during district-declared and local emergency water supply interruptions, as required by Chapter 373.609, Florida Statutes by establishing chain-of-command communication between the Southwest Florida Water Management District, the City Manager, public utilities director, plant operators, newspapers, law enforcement and local citizens. Information on water shortage and conservation programs shall be disseminated through the monthly billing statement.

Objective 5:

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

Policy 5.1:

Design of parking lots, sidewalks, buildings, and other impervious surfaces shall minimize connections between impervious surfaces through the following techniques:

- 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.

Not all techniques may be required to accomplish the requirement to minimize connections.

Policy 5.2:

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

Policy 5.3:

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

Objective 6:

Provide for the management of hazardous waste in order to protect environmental quality, potable water supplies, and the health, safety, and welfare of Dunnellon's population. This shall be achieved by implementing monitoring and other regulatory programs and through policies for siting of new land uses involving hazardous waste.

Policy 6.1:

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

Policy 6.2:

Prior to any activity that stores, uses or produces hazardous waste, the responsible party shall:

- A. Develop an emergency response system addressing accidents involving hazardous waste.
- B. Ensure that location of the site will not degrade quality of groundwater or surface water or other natural resources.
- C. Ensure DEP standards for transfer, handling, and storage of hazardous waste are implemented by undergoing review and approval under the Marion County Storage Tank Program.

- D. Coordinate with State, Regional and County officials to demonstrate that compliance with the above requirements will satisfy all regulations and policies.

Policy 6.3:

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

Policy 6.4:

- A. All new underground storage tanks within the City shall be required to provide a double lining, consistent with DEP rules. All land use requests for installation of underground storage tanks shall not be issued development orders until approved by the Marion County Underground Storage Tank Program to ensure consistency with DEP rules.
- B. All existing underground storage tanks within the City shall be inspected annually in accordance with the Marion County Underground Storage Tank Program. Existing hazardous substance storage tank systems shall be required to meet performance standards of DEP Rules.
- C. Prior to permitting of demolition or redevelopment of land uses which contain underground storage tanks, the developer shall be required to submit closure plans consistent with DEP Rules. to the Marion County Underground Storage Tank Program officials for prior approval.
- D. Should the City police, fire department, public works personnel or other staff become aware of any spills throughout the City, the Public Works Director shall report the information within 24 hours to the Marion County Underground Storage Tank Program and request assistance under the program towards enforcement of cleanup procedures.
- E. Above ground storage tanks systems shall meet the standards of DEP Rules.

Policy 6.5:

Owners of existing underground storage tanks within 1000-foot radius of any public potable water well shall monitor groundwater quality and report quarterly to the City. Any tank found to be leaking shall be required to report within 24 hours to the Marion County Storage Tank Program.

Policy 6.6:

The City shall verify that adequate potable water supplies are available, consistent with adopted level of service standards, prior to issuing development orders.

Policy 6.7:

Coordinate with SWFWMD in the protection of aquifer recharge areas after such information on prime recharge areas is made available. As soon as such information becomes available, the City shall amend the comprehensive plan to protect prime recharge areas. As an interim measure, the

following impervious surface ratios shall apply to new development and redevelopment: all new subdivisions and nonresidential development shall provide a minimum of 35 percent pervious (porous) open space or green area, except within the historic district.

40 **SECTION 1.** The recitals set forth above are hereby adopted as legislative findings of the
41 City Council of the City of Dunnellon.

42
43 **SECTION 2.** Chapter 98, “Subdivisions and Land Development Criteria,” of the City of
44 Dunnellon Code of Ordinances is hereby amended as follows:

45
46 **Sec. 98-1. - Definitions.**

47 The following words, terms and phrases, when used in this chapter, shall have the meanings
48 ascribed to them in this section, except where the context clearly indicates a different meaning:

49 ***

50 High Risk Activity means a land use or activity that causes a relatively high risk of potential water
51 pollution.

52 ***

53 **Sec. 98-101. - Preapplication plans and data.**

54 In connection with the subdivision or re-subdivision of land, the following materials are required
55 at the stage of preapplication:

56 ***

57 (2) The location map shall show adjacent and surrounding properties and the relationship of the
58 proposed subdivision to existing community facilities which serve or influence it. This shall
59 include the development name and location, well/wellhead protection area zones, main traffic
60 arteries, shopping centers, elementary and high schools, parks and playgrounds, principal places
61 of employment, other community features such as railroads and bus stations, hospitals and
62 churches, title, scale, north arrow, and date.

63 ***

64 **Sec. 98-102. - Plans and data for conditional acceptance or approval.**

65 The preliminary plat shall be at a scale of not more than 200 feet to the inch. It shall show or be
66 accompanied by the following information:

67 ***

68 (15) Utilities on or adjacent to the tract, including well/wellhead protection area zones,
69 indicating whether the utilities are above or below ground.

70 ***

71 ~~**Sec. 98-218. - Wellfields.**~~

72 (a) ~~— A wellfield protection area with a minimum protection buffer of 200 feet shall be provided~~
73 ~~and maintained around all potable water wellfields, other than individual wells serving single uses.~~

74 (b) ~~— New development or redevelopment in the wellfield protection area is limited to passive~~
75 ~~recreational uses.~~

76 ***

77 **SECTION 3.** Chapter 98, “Subdivisions and Land Development Criteria,” Article VII -
78 “Wellhead Protection” of the City of Dunnellon Code of Ordinances is hereby created as follows:
79

80 **Article VII. - Wellhead Protection.**

81 **Sec. 98-218. – Purpose and intent.**

82 Groundwater is Dunnellon’s unique and limited local water source necessary to support the
83 City’s population and environment. The purpose of Well/Wellhead Protection Area Zones are
84 to safeguard public health, safety, natural resources, and property by protecting the City’s
85 groundwater resources and manage land use and development consistent with the Aquifer
86 Protection Element of the City’s Comprehensive Plan.

87 **Sec. 98-219. – Applicability.**

88 1) The regulations set forth herein shall apply to all areas surrounding each potable water well
89 and/or wellfield for a Community Water System (CWS) established under the provisions
90 of § 62-521.200(1) FAC, as amended.
91

92 2) Exempt activities. The following are exempt from the provisions of this division:

93 a. The transportation of any hazardous material or substance through a Well/Wellhead
94 Protection Area Zone, provided the transporting vehicle is in transit.

95 b. Agricultural uses, including mosquito control or abatement, which are conducted in
96 conformance with Ch. 487 FS, The Florida Pesticide Law, as amended.

97 c. The use of a hazardous material or substance solely as fuel or fuel additive in a vehicle
98 or tractor fuel tank or as a lubricant in a vehicle or tractor.

99 d. Activities associated with fire, police, emergency medical services, emergency
100 management center facilities, and public utilities, except for landfills.

101 e. Retail sales establishments that store and handle hazardous materials or substances for
102 resale in their original unopened containers.

103 f. Office uses except those used for the storage, handling, or use of hazardous materials
104 or substances as provided for in applicable FACs.

105 g. Storage tanks which are constructed and operated in accordance with Florida’s storage
106 tank regulations.

107 h. Geotechnical boring.

108 i. Residential activities not including office space in a residential unit.

109 j. Public utility and medical facility emergency generating facilities except that
 110 permanently installed fuel storage facilities exempted under the FAC shall have
 111 secondary containment.

112 **Sec. 98-220 – Well/Wellhead Protection Areas Zones.**

113 1) Three Well/Wellhead Protection Area Zones are hereby created and arranged as a series
 114 of concentric rings as provided in the following table:

<u>ZONE</u>	<u>Community Water System (CWS) (FAC 62-521.200(1))</u> <u>(Municipal/Local Government, Community or Special District, PFSC</u> <u>Regulated Utility)</u>
<u>Primary</u>	<u>≤100'</u>
<u>Secondary</u>	<u>>100' to ≤500'</u>
<u>Tertiary</u>	<u>> 500' to ≤ 1,000'</u>

116
 117 At a minimum, each zone shall be measured from the well casing. If the casing location
 118 is not specifically known/identified, the well location may be estimated using the
 119 longitude/latitude of the well and the well diameter as established by the well's
 120 WMD/DOH permitting data.

121 2) The applicable provisions for each protection zone shall be inclusive of any smaller zone
 122 contained within the larger zone; however, more restrictive provisions, if any, for the
 123 smaller zone shall apply within that zone.

124
 125 3) The Community Development Manager shall be responsible for determining if a
 126 lot/parcel is located wholly or partially in a particular Well/Wellhead Protection Area
 127 Zone. Any person adversely affected by an administrative interpretation of the
 128 Community Development Manager may appeal that interpretation to the planning
 129 commission by filing a written notice of appeal of said interpretation within 30 calendar
 130 days of said interpretation. The planning commission shall hear and decide said appeal
 131 at its next available date. The applicant shall be sent via U.S. Mail a notice at least 15
 132 days prior to the hearing of the time, date and place when the planning commission will
 133 hear the appeal. Any person adversely affected by a decision of the planning commission
 134 under this subsection may appeal that decision to the city council by filing a written notice
 135 of appeal of the decision within 30 calendar days of said decision. The city council shall
 136 hear and decide appeals under this article at its next available meeting date. The applicant
 137 shall be sent via U.S. Mail a notice at least 15 days prior to the hearing of the time, date,
 138 and place when the city council will hear the appeal.

139 **Sec. 98-221 – Regulated uses.**

140 1) Primary Zone. The Primary Zone, as described in Sec. 98-220, is a zone of exclusion for
 141 all uses, structures, or other impervious surfaces except as follows:

142

- 143 i. Open space, parks, playgrounds, and new uses functionally related to the
- 144 CWS.
- 145 ii. Pervious playing courts, open-air shelters, and other similar recreation
- 146 facilities.
- 147 iii. Pervious parking areas for recreation areas; however, no stormwater
- 148 management detention and/or retention areas for any parking areas, including
- 149 their driving aisles, shall be allowed within 100 feet of a wellhead.
- 150 iv. A parcel or lot of record otherwise determined to be eligible for the
- 151 development of one single family dwelling unit shall be eligible for such use
- 152 provided that parcel or lot was created on or before Oct 27, 2008.
- 153

154 2) Secondary Zone. The following uses are prohibited within the Secondary Zone, as

155 described in Sec. 98-220:

156

- 157 i. Non-residential use handling, producing, or storing hazardous materials or
- 158 substances;
- 159 ii. Landfill, solid waste disposal facilities, or sludge disposal sites;
- 160 iii. Effluent spray fields;
- 161 iv. Expansion of existing high-risk regulated activities and new high-risk
- 162 regulated activities;
- 163 v. Discharge to groundwater through manmade conduits, except for OSTDS,
- 164 having total sewage flows less than or equal to 2,000 gallons per day and
- 165 stormwater treatment facilities;
- 166 vi. Feedlots or other concentrated animal waste storage and/or disposal;
- 167 vii. Mines and excavation sites;
- 168 viii. The use of drainage wells for stormwater disposal; or
- 169 The use of sinkholes for stormwater disposal.
- 170

171 3) Tertiary Zone. The following uses are prohibited within the Tertiary Zone, as described

172 in Sec. 98-220:

173

- 174 i. Landfills, solid waste disposal facilities, or sludge disposal sites;
- 175 ii. Effluent spray fields not meeting Class I reliability and not meeting high-level
- 176 disinfection;
- 177 iii. Expansion of existing high-risk regulated activities and new high-risk
- 178 regulated activities;
- 179 iv. Discharge to groundwater through manmade conduits, except for OSTDS and
- 180 stormwater treatment facilities;
- 181 v. Feedlots or other concentrated animal waste storage and/or disposal;
- 182 vi. Mines and excavation sites;
- 183 vii. The use of drainage wells for stormwater disposal; or
- 184 viii. The use of sinkholes for stormwater disposal, unless sufficient pretreatment
- 185 is provided and feasible alternatives cannot be achieved.

186 4) Prohibited uses, structures, and other impervious surfaces lawfully existing at the time of

187 the adoption of this ordinance or lawfully existing at the time a CWS serving as the basis

188 for the zone of exclusion is established shall be classified as non-conforming uses and/or
189 structures in accordance with Appendix A, Article 4 of the City's land development
190 regulations.

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

194
195 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word or portion of
196 this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall
197 not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
198 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
199 unconstitutional.

200
201 **SECTION 5. CONFLICTS.** In any case where a provision of this Ordinance is found
202 to be in conflict with a provision of any other ordinance of this City, the provision which
203 establishes the higher standards for the promotion and protection of the health and safety of the
204 people shall prevail.

205
206 **SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective immediately
207 upon its passage and adoption.

208
209 **Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first
210 reading on the __th day of _____, 2020.

211
212 **Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon
213 the second and final reading and public hearing on the __th day of _____, 2020.

214
215 Ordinance Posted on the City's website on _____, 2020. Public hearing advertised on
216 the City's website on _____, 2020 and advertised in the Riverland News on _____
217 _____, 2020.

218
219 ATTEST: **CITY OF DUNNELLON**
220
221 _____
222 Amanda L. Roberts, CMC C. Dale Burns, Jr., Mayor
223 City Clerk

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225
226 Approved as to Form:
227 _____
228
229 Andrew J. Hand, City Attorney

RESOLUTION #RES2020-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUNNELLON, FLORIDA, MAKING RECOMMENDATION TO THE CITY COUNCIL ON PROPOSED ORDINANCE 2020-06, SAID ORDINANCE BEING ATTACHED TO THIS RESOLUTION AS EXHIBIT A; FINDING THAT THE PROPOSED ORDINANCE IS INTERNALLY CONSISTENT WITH THE CITY'S LAND DEVELOPMENT REGULATIONS AND IS CONSISTENT WITH THE COMPREHEHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Dunnellon Planning Commission held a public meeting to consider amending Section 98 of the City of Dunnellon, Code of Ordinances; and

WHEREAS, the Planning Commission reviewed proposed Ordinance 2020-06; and

WHEREAS, the Planning Commission has determined that Ordinance 2020-06 attached to this Resolution is consistent with Dunnellon's Land Development Code; and

WHEREAS, the Planning Commission, sitting as the local planning agency, finds that Ordinance 2020-06 is consistent with the City's Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED by the City of Dunnellon Planning Commission that:

A recommendation of approval of Ordinance 2020-06 will be forwarded to the City Council for their consideration.

BE IT, FURTHER, RESOLVED that this Resolution shall be effective immediately upon adoption.

Upon motion duly made and carried, the foregoing Resolution was approved this ___th day of _____, 2020 by the Planning Commission upon a motion by Commissioner ___ and seconded by Commissioner ___ and upon being put to a vote, the result was as follows;

Chairwoman Brenda D'Arville	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote
Vice-Chairwoman Louise Kenny	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote
Commissioner Lisa Sheffield	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote
Commissioner Mary Ann Hilton	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote
Commissioner John Pierpont	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote
Commissioner Jay Dugan, 1 st Alt	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote
Commissioner David Lancaster, 2 nd Alt	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Did Not Vote

Attested by:
PLANNING COMMISSION

BY: _____
Brenda D'Arville, Chairwoman
Planning Commission, City of Dunnellon

Approved as to Legal Form and Legality
For use and reliance by the City of Dunnellon,
Florida

BY: _____
Patrick J. Brackins
Assistant City Attorney

This ___ day of _____, 2020.

This ___ day of _____, 2020.

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‘EXHIBIT A’
ORDINANCE #ORD2020-07

AN ORDINANCE OF THE CITY OF DUNNELLON, FLORIDA AMENDING APPENDIX ‘A’ ZONING OF THE DUNNELLON CODE OF ORDINANCES, SECTION 6.3, ENTITLED “ZONING MAPS” BY REZONING 1.03+/- ACRES OF REAL PROPERTY LEGALLY DESCRIBED ON THE MARION COUNTY TAX ROLLS AS PARCEL NUMBER 3380-1359-00, MORE SPECIFICALLY SEC 35 TWP 16 RGE 18, PLAT BOOK A, PAGE 174, DUNNELLON, LOTS 1359, 1360, 1361, 1362, 1363, AND 1364, FROM RESIDENTIAL BUSINESS OFFICE (RBO) TO PUBLIC (P); PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Dunnellon has adopted a Comprehensive Plan which contains a Future Land Use Map and its corresponding Future Land Use Categories; and

WHEREAS, the City Council of the City of Dunnellon has created zoning districts that are compatible with the Future Land Use Map categories and an Official Zoning District Map which depicts the zoning districts assigned to parcels of real property within the City; and

WHEREAS, Section 13.11 of the City of Dunnellon Zoning Regulations provides for amendments to the Official Zoning District Map; and

WHEREAS, the City of Dunnellon desires to amend the Official Zoning District Map by changing the zoning of the property legally described on the Marion County Tax Rolls as parcel number 3380-1359-00, and as more particularly described herein, from Residential Business Office (RBO) to Public (P); and

WHEREAS, the City of Dunnellon Planning Commission, sitting as the Local Planning Agency, recommended approval of a change in the zoning classification of the Property and found that the rezoning is consistent with the City’s Comprehensive Plan; and

WHEREAS, the City of Dunnellon has followed all statutory and Code requirements for noticing and advertising this rezoning Ordinance and public hearings associated with the rezoning; and

WHEREAS, the City Council has received public input on the rezoning and a recommendation from staff; and

WHEREAS, the City Council of the City of Dunnellon finds that the rezoning meets the criteria for rezoning under Section 13.11, Appendix “A” of the Code and that rezoning will not adversely affect the public interest.

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

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Section 1. The official Zoning District Map for the City of Dunnellon is hereby amended to reflect the changes set forth in Exhibit ‘A’ attached hereto. Accordingly, the 1.03+/- acres of real property legally described on the Marion County Tax Rolls as parcel number Parcel Number 3380-1359-00 (more specifically Sec 35 Twp 16 Rge 18, Plat Book A Page 174, Dunnellon, Lots 1359, 1360, 1361, 1362, 1363, and 1364) and located at 11808 N Ohio Street is hereby rezoned from Residential Business Office (RBO) to Public (P).

Section 2. Severability. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

Section 3. Conflicts. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. Effective Date: This Ordinance shall be effective immediately upon adoption at the second reading/public hearing.

Upon motion duly made and carried, the foregoing Ordinance was approved upon the first reading on the ___th day of ____ 2020.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the second and final reading and public hearing on the 11th day of May 2020.

Ordinance Posted on the City’s website on _____, 2020. Public hearing advertised on the City’s website on _____, 2020, and advertised in the Riverland News on _____, 2020.

ATTEST:

CITY OF DUNNELLO

Amanda L. Roberts, CMC
City Clerk

C. Dale Burns, Jr., Mayor

Approved as to Form:

Andrew J. Hand, City Attorney

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CERTIFICATE OF POSTING

I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and the Dunnellon Library, in the City of Dunnellon, Florida, this __th day of _____ 2020 and on the City’s Official Website the __th day of _____ 2020.

Amanda L. Roberts, CMC
City Clerk

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Exhibit 'A'

The insert for this item does not meet ADA accessibility requirements for websites and is available by contacting the City Clerk at 352-465-8500.

RESOLUTION RES#2020-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUNNELLON, FLORIDA, RECOMMENDING THAT THE CITY COUNCIL APPROVE A REQUEST TO AMEND APPENDIX ‘A’ ZONING OF THE DUNNELLON CODE OF ORDINANCES, SECTION 6.3, ENTITLED “ZONING MAPS” BY REZONING 1.03+/- ACRES OF REAL PROPERTY LEGALLY DESCRIBED ON THE MARION COUNTY TAX ROLLS AS PARCEL NUMBER 3380-1359-00, MORE SPECIFICALLY SEC 35 TWP 16 RGE 18, PLAT BOOK A, PAGE 174, DUNNELLON, LOTS 1359, 1360, 1361, 1362, 1363, AND 1364, FROM RESIDENTIAL BUSINESS OFFICE (RBO) TO PUBLIC (P) WITHIN THE CORPORATE LIMITS OF THE CITY OF DUNNELLON, FLORIDA.

WHEREAS, the City of Dunnellon Planning Commission held a Public Hearing to consider a request for a rezoning from Residential Business Office (RBO) to Public (P) for parcel 3380-1359-00, Lots 1359, 1360, 1361, 1362, 1363 and 1364, according to the map or plat of the Town of Dunnellon, recorded in Plat Book A, Page 174 of the Public Records of Marion County, Florida and located at 11808 N. Ohio Street.

WHEREAS, the City of Dunnellon Planning Commission has determined that a recommendation of approval is consistent with Dunnellon’s Land Development Code and its Comprehensive Plan.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF DUNNELLON PLANNING COMMISSION THAT:

A recommendation of approval with regard to the requested rezoning as set forth in Exhibit ‘A’ attached hereto, will be forwarded to the City Council for their consideration.

BE IT, FURTHER, RESOLVED that this Resolution shall be effective immediately upon adoption.

Upon motion duly made and carried, the foregoing Resolution was approved this ___ day of _____, 20___ by the Planning Commission upon a motion by Commissioner _____ and seconded by Commissioner _____ and upon being put to a vote, the result was as follows;

Chairwoman Brenda D’Arville	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Vice-Chairwoman Louise Kenny	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Commissioner Lisa Sheffield	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Commissioner Mary Ann Hilton	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Commissioner John Pierpont	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Commissioner Jay Dugan, 1 st Alt	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote
Commissioner David Lancaster, 2 nd Alt	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Did Not Vote

[signature page follows]

Attested by:
PLANNING COMMISSION

Approved as to Legal Form and Legality
For use and reliance by the City of
Dunnellon, Florida

BY: _____
Brenda D'Arville Chairwoman
Planning Commission, City of Dunnellon

BY: _____
Patrick Brackins
Assistant City Attorney

This ___ day of _____, 2020.

This ___ day of _____, 2020.

Exhibit 'A'

[insert map here]