

City of Dunnellon

STAFF REPORT TO COUNCIL

AMENDMENTS TO LAND DEVELOPMENT REGULATIONS

To: Dunnellon City Council
From: Community Development
Date: February 4, 2021
Subject: Request to City Council for approval of proposed text amendments to the Land Development Regulations, Ordinance #ORD2020-10.

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 found Ordinance ORD2020-10 consistent with the comprehensive plan and that it meets city code criteria. The Planning Commission recommended City Council approval. The City Council subsequently approved at First Reading on January 11, 2021. The ordinance is presented to the City Council for second reading and consideration of approval.