

1 **ORDINANCE #ORD2020-02**

2
3 **AN ORDINANCE OF THE CITY OF DUNNELLON,**
4 **FLORIDA, AMENDING THE CODE OF ORDINANCES, BY**
5 **AMENDING APPENDIX “A” – “ZONING” TO INCLUDE**
6 **AMENDMENTS TO THE TABLE OF PERMITTED USES,**
7 **DEFINITIONS, THE FEE SCHEDULE FOR HOME**
8 **OCCUPATIONS, THE LANDSCAPE BUFFERING AND**
9 **DECORATIVE FENCING REQUIREMENTS, THE**
10 **COMPATIBILITY BUFFER AND FRONTAGE BUFFER**
11 **CHARTS, AND THE NOTICE REQUIREMENTS FOR**
12 **QUASI-JUDICIAL HEARINGS; PROVIDING FOR**
13 **SEVERABILITY, CODIFICATION, CONFLICTS, AND AN**
14 **EFFECTIVE DATE.**

15
16 **WHEREAS,** the use and development of parcels of land within the City of Dunnellon is
17 regulated by the City’s Land Development Code; and

18
19 **WHEREAS,** in Ordinance 2019-18, the City Council passed comprehensive amendments
20 to Appendix A, “Zoning,” of the City of Dunnellon Code of Ordinances, which establish the
21 development guidelines, standards, and regulations within the City’s Land Development Code;
22 and

23
24 **WHEREAS,** the City Council finds that additional amendments to Appendix A, “Zoning”
25 as contained within the provisions of this ordinance are necessary and in the best interest of the
26 health, safety, and welfare of the citizens of Dunnellon; and

27
28 **WHEREAS,** the City Council finds that the Table of Permitted Uses in Section 7.1 should
29 be amended as to form for ease of reading; and

30 **WHEREAS,** the City Council finds that the Table of Permitted Uses in Section 7.1 should
31 be amended to include Check cashing – Cash advance business and Pawn Shop as permitted uses
32 within the B-4 zoning district; and

33 **WHEREAS,** the City Council finds that the Table of Permitted Uses in Section 7.1 should
34 be amended to include the following uses within the B-2 zoning district: Drugstore; Electronics
35 Store; Hardware Store; Satellite antenna; Swimming pool, spa and hot tub sales; Carpet and
36 upholstery cleaning; General business Service; Laundry and dry cleaning pickup;
37 Maintenance/cleaning service; Minor household repair establishment; Prepackaged software
38 service; and Photography shop or studio; and

39 **WHEREAS,** the City Council finds that the Table of Permitted Uses in Section 7.1 should
40 be amended to include Public Parking as a permitted use or by special exception; and

41 **WHEREAS**, the City Council finds that Section 7.2 District Uses definitions should be
42 amended to include new definitions for the following uses: Check cashing – Cash advance
43 business; Pawnshop; and Public Parking; and

44 **WHEREAS**, the City Council finds that Section 8.11 - Neighborhood Business (B-2)
45 should be amended to reflect that development within B-2 should be of a small scale and within
46 the Traditional Neighborhood or Commercial land use categories; and

47 **WHEREAS**, the City Council finds that Section 9.2(r)(11), governing Home occupations,
48 should be amended to reflect that administrative costs will be set forth by a separate Resolution or
49 Ordinance of the City of Dunnellon; and

50 **WHEREAS**, the City Council finds that Section 10.8.2, governing landscape buffering
51 classifications, should be amended as to form and content to clarify landscape buffering
52 requirements in the City of Dunnellon; and

53 **WHEREAS**, the City Council finds that the chart provided in Section 10.8.4, reflecting
54 buffering compatibility, should be amended to accurately reflect buffering compatibility
55 requirements in the City of Dunnellon; and

56 **WHEREAS**, the City Council finds that the chart provided in Section 10.8.7, reflecting
57 the standards and requirements for frontage buffers and non-frontage perimeter buffers should be
58 amended to accurately reflect the requirements of the City of Dunnellon; and

59 **WHEREAS**, the City Council finds that the basic notice provisions for quasi-judicial
60 proceedings before the Planning Commission under Section 94-37(17) of the City of Dunnellon
61 Code of Ordinances should be expanded in Appendix A, “Zoning” to provide for additional notice
62 to affected parties, interested person and the general public; and

63 **WHEREAS**, the City Council finds Sections 16.15 and 17.5 of Appendix A, “Zoning”
64 should be amended for development applications or petitions directed to a specific piece of
65 property by requiring applicants to place one public notice of hearing per road facing posted
66 conspicuously on the affected property at least fifteen (15) days prior to the date of the scheduled
67 hearing; and

68 **WHEREAS**, the City Council finds and determines that this ordinance will enhance the
69 attractiveness and economic well-being of the City as a place to live, visit, and conduct business;
70 and

71 **WHEREAS**, the City Council desires to delete sections, subsections, paragraphs,
72 subparagraphs, divisions, subdivisions, clauses, sentences, phrases, words, and provisions of the
73 existing ordinance which are obsolete, and/or which have not been enforced, and/or which are not
74 enforceable, and/or which are superfluous to the policies, objectives and goals of the City’s
75 Comprehensive Plan, and/or which would be severable by a court of competent jurisdiction; and

76 **WHEREAS**, the Planning Commission, sitting as the local planning agency, has found
77 this ordinance to be consistent with the City’s Comprehensive Development Plan and
78 recommended approval; and

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80
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82 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY**
 83 **OF DUNNELLON, FLORIDA THAT:**

84
 85 (Note: ~~struckthrough~~ text indicates deletions, underlined text indicates additions, ellipses (***)
 86 identify text that remains unchanged and that is not reprinted herein)

87
 88 **SECTION 1.** The recitals set forth above are hereby adopted as legislative findings of the
 89 City Council of the City of Dunnellon.

90
 91 **SECTION 2.** Appendix A, "Zoning," of the City of Dunnellon Code of Ordinances is
 92 hereby amended as follows:

93
 94 ***
 95 Section 7.1 Table of permitted uses.

96
 97 ***

	A1	R1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
<u>RESIDENTIAL</u>																	
Bed and Breakfast							X		X	X	X						X
Home Occupation	X1	X1	X1	X1	X1	X1	X1	X1	X	X1							
Community Residential Home	X3S	X3S	X3S		X3S			X3S		X3S							X
Congregate Care Facility						X			X	X	SE						
Residence-Office				X10	X10	X10	X10	X10	X								
Residence-Gallery	X8	X8	X8						X	X8	X						
Single-family Residence	X	X	X	X	X	X	X	X	X	X	X						X
Two-family dwelling					X	X			X		X						X
Multi-family dwelling						X			X		X						X
Mobile Home								X									
Personal Vehicle Storage Area	SE	SE	SE	SE	SE	SE		SE									
RETAIL USES																	
	A1	R1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD

Ordinance #ORD2020-02 Amending Appendix “A” Zoning

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	A1	R1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Auto Supply Store												X	X				
Auto rental sales												X	X				
Auto sales - new or used												X	X				
Bakery store									X		X	X	X				X
Boat Sales												X	X				
Building materials sales												X	X				
<u>Check cashing – Cash advance business</u>													X				
Construction/farm equipment sales													X				
Commercial Watercraft Rental												X			X		
Department Store												X	X				X
Drugstore									X		x	X	X				X
Electronics Store											x	X	X				X
Farmers' Market											X	X	X				
Flea Market													X		X		
Furniture Store											X	X	X				X
Garden and nursery sales											X	X	X		X		
Grocery Store									X			X	X				X
Hardware Store											x	X	X				
Home decorating store									X		X	X	X				X
Liquor Store, pkg.												X	X				
Manufactured/mobile home sales													X				

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	A1	R1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Model manufactured home centers													X5				
<u>Pawn Shop</u>													X				
Pharmacy									X		X	X	X				X
Playground equipment sales, outdoor												X	X				
Recreational vehicle sales													X				
Roadside fruit and vegetable sales												X6	X6				
Satellite antennas sales											x	X	X				
SPECIALTY RETAIL STORE	A1	R1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Apparel and accessory									X	x	X	X	X		X		X
Book									X	x	X	X	X		X		X
Camera and photographic supplies										x							
Florist									X	x	X	X	X		X		X
Food Store							SE		X		X	X	X		X		X
Gift, novelty and souvenir shop							SE		X		X	X	X		X		X
Hobby Shop									X		X	X	X				X
Jewelry									X		X	X	X		X		X
Miscellaneous retail							SE		X		X	X	X		X		X
Music									X		X	X	X		X		X
Shoe									X	x	X	X	X		X		X
Sporting goods									X		X	X	X				X
Stationary									X		X	X	X		X		X

Ordinance #ORD2020-02 Amending Appendix “A” Zoning

	A1	R1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Swimming pool, spa and hot tub sales (enclosed)											X	X	X				X
Swimming pool, spa and hot tub sales (outdoor sales)													X				X
Used merchandise/antique store (enclosed)										X	X	X	X				X
Videotape store												X	X				X
SERVICE USES	A-1	R-1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Alcoholic beverage establishment (off premises consumption)									X			X	X				X
Alcoholic beverages establishment (on- premises consumption)							SE		X		X	X	X				X
Assembly of electronic components															X		
Automobile cleaning/detailing service												X	X				
Automobile wrecking yard																	
Carpet and upholstery cleaning											X	X	X				
Coin-operated laundry-Stand Alone								X				X	X				
Coin-operated laundry-accessory use						X						X	X				
Commercial photography, art and graphic										X	X	X	X				X
Computer maintenance and repair											X	X	X				
Conference Center													X				
Construction service establishment												X	X	X			
Drive-in or drive- through restaurant												X	X				X
Drive-through facility (non-restaurant)												X	X				X
Equipment rental and leasing													X				
Farm	X																

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	A1	R1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Horse farm	X																
Fast food restaurant												X	X				X
Financial institution												X	X				X
Financial institution, branch									X			X	X				X
Full-service station												X	X				
Funeral home/crematory												X	X				
General business service									X		<u>X</u>	X	X				X
Auto repair, minor												X	X				
Beauty/Barber Shop									X	X	X	X	X				X
Horse racing facility (including tack operations)													X				
Hotel/convention center													X				X
Kennel												X	X				
Laundry and dry-cleaning service												X	X				X
Laundry and dry-cleaning pickup											<u>X</u>	X	X				X
Maintenance/cleaning service											<u>X</u>	X	X				
Major household repair establishment												X	X				
Mini warehouse												X	X				
Minor household repair establishment											<u>X</u>	X	X				
Motel											X	X	X				X
Newspaper printing facility												X	X				
Nursery farm	X																

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	A1	R1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Packing and crating														X			
Parking garage													X				
Commercial Parking Lot	SE3	SE3	SE3	SE3	SE3	SE3	SE3				X	X	X	X	X		X
Surplus Parking Lot	SE	SE	SE	SE	SE	SE	SE				X	X	X	X	X		X
Pest control service												X	X				
Photocopying and duplicating service											X	X	X				
Photo finishing laboratory												X	X				
Prepackaged software service											<u>X</u>	X	X				
Photography shop or studio										X	<u>X</u>						
Print shop												X	X				
Professional and business office									X	X	X	X	X				X
Radio/TV broadcasting facility												X	X				
Recycling collection point													X	X			
Repair garage												X	X				
Restaurant							SE		X		X	X	X		X		X
Restaurant (drive through window)												X	X				X
Security systems service											X	X	X				
Self service station-convenience store												X	X				
Stable	X																
Tattoo or body piercing establishment												X	X				
Telephone exchange												X	X				

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	A1	R1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Temporary Commercial amusement													X				
Truck/freight terminal													X	X			
Truck rental and sales													X				
Tourist camp/park							X										X
EDUCATION- RECREATION- SOCIAL USES	A-1	R-1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Adult entertainment establishment																	
Antique gallery/art gallery/museum											X	X	X				X
Bowling center													X				
Church/house of worship		SE	SE	SE	SE	SE	SE	SE	X	X		SE	SE			X	X
College/University																X	X
Community education center																X	X
Commercial outdoor baseball batting facility													X				
Commercial recreation, indoor													X				
Commercial recreation, indoor, and bingo hall												X	X				
Commercial recreation, outdoor													X9				
Dance/art/music studio									X		X	X	X				X
Day care facility			SE2	SE2	SE2	SE2	SE2	SE2	X	SE2	SE2	X	X			SE2	X
Drive-in theater													X				
Driving range													X				
Establishments with simulated gambling devices																	
Golf course		SE	SE	SE	SE	SE							X				

Ordinance #ORD2020-02 Amending Appendix “A” Zoning

	A1	R1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Library									X		X	X	X			X	X
Miniature golf													X				
Motion picture theaters, except drive-in													X				
Multipurpose facility													X				X
Physical fitness center									X		X	X	X				X
Shooting range, indoor													SE X7				
Pitch and putt													X				
Private club									X			X	X				X
Recreation facility, indoor		SE	SE	SE		SE		SE	X				X				
Recreation facility, outdoor		SE	SE	SE		SE			X							X	X
School, private elementary and secondary									X							X	X
School, public elementary and secondary									X							X	X
Speech and language center/school									X							X	X
Tubes, Kayaks, Canoes,															X	X	
Video Arcade													X				
Vocational/ professional school																X	X
PUBLIC USES	A-1	R-1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Airport																X	
Cemetery																X	
Cell Tower																X11	X
Government Facilities									X							X	X

	A1	R1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Park/Open space area									X							X	X
Post office									X			X	X			X	X
<u>Public Parking</u>		<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>X</u>	<u>X</u>		<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Public transportation terminal													X			X	
HEALTH CARE FACILITIES	A-1	R-1	R1A	R1B	R-2	R-3	R-5	MH	NBR	RBO	B2	B3	B4	B5	B6	P	PUD
Assisted Living facility												SE	SE				X
Hospital													X			X	X
Medical and dental laboratory												X	X				X
Medical and dental office									X	SE	SE	X	X				X
Nursing Home										SE	SE	X	X				X
Transitional recovery facilities												X4	X4				X
Veterinarian Office	X								X			X	X				X

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Section 7.2 District uses definitions.

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Check cashing/cash advance business means a business within a building, room, space, establishment or portion thereof where checks are cashed in exchange for a percentage fee, or where short-term cash advances are provided, with interest charged, including those against future paychecks. This does not include state or federally chartered banks, savings associations, credit unions, industrial loan companies, or businesses providing loans in exchange for vehicle titles as collateral.

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Pawn Shop means a shop where a pawnbroker conducts business. Such a business involves providing loans to people with personal items as collateral; engaging in the business of purchasing goods for consignment or trade; and may have a public display containing the term “pawn”, “pawnbroker”, “pawnshop”, or a sign historically identified with pawns.

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117 Public Parking means a parking area for public use on city or county-owned properties
118 within a lot or garage/deck either free of charge or paid by a rate established by owner. Public
119 parking shall meet the design requirements of Code of Ordinances (Code) Appendix A Zoning,
120 Section 5.2 and the landscaping requirements of Code Sections 74-108 and 74-109. Parking
121 garages/decks shall be prohibited in single-family residential districts.

122
123 ***

124 Section 8.11 Neighborhood Business (B-2).

125
126 This district is intended to serve the local shopping needs of neighborhoods and is
127 permitted only in the Traditional Neighborhood (8DUA and 12DUA) and Commercial land use
128 categories ~~Commercial land use category~~. The B-2 district is intended to occur near the periphery
129 of neighborhoods rather than in the interior and at a small scale that is compatible with single
130 family neighborhoods. The following standards shall apply to uses in the Neighborhood Business
131 District:

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133 ***

134
135 Section 9.2 Supplemental Review Criteria.

136
137 ***

138 (r) *Home occupations.* Home occupations may be conducted in all residential districts
139 under the following provisions:

140
141 ***

142 (11) The Community Development Manager shall then issue a permit for such
143 home occupation. A fee of ~~\$2.00~~ to cover administrative costs shall be collected before the permit
144 is issued as set forth by Resolution or Ordinance of the City of Dunnellon.

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146 ***

147 Section 10.8.2 Buffer Classifications.

148 (a) Applicability. The buffer classifications shall apply to each of the Buffer Types set forth in
149 Section 8.10. as further specified in Sections 10.8.4 through 10.8.7.

150 (b) Buffer specifications. The specifications for each buffer classification are set forth below.
151 The design professional shall use these requirements to provide well designed buffers,
152 accounting for the topography of the site, adjacent uses and other design considerations.
153 Visual screening shall be achieved through the use of proper plant material, arrangement,
154 and layering. Where buffers are required, the length shall be measured along each property
155 line, and shall exclude driveways and sight triangles (see Section 3.11) required for
156 driveways and intersections. In cases where more than one buffer requirement applies
157 along a property line, the buffer with the highest buffering specifications shall be required.
158 For this determination Class A is considered the highest and each succeeding Class is
159 considered as lower buffering requirements. For example, Class D is considered as a lower
160 buffer requirement than Class C.

161 (1) A Class-A buffer shall consist of a ~~30~~25-foot wide landscape strip without a buffer
162 wall. The buffer shall contain at least three canopy trees and five understory trees
163 for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers,
164 excluding turfgrass, shall comprise at least 50 percent of the required buffer area.
165 Shrubs shall be planted at a minimum of ~~two~~three feet in height and shall be of a
166 species capable of reaching a maturing ~~with a minimum~~ height of ~~three~~five feet.
167 Shrubs and groundcovers shall form a layered landscape screen.

168 (2) A Class-B buffer shall consist of a ~~20~~12-foot wide landscape strip with a buffer
169 wall. Chain link fences with screening material shall not be utilized. The buffer
170 shall contain at least two ~~shade~~canopy trees and three ~~accent/ornamental~~ understory
171 trees for every 100 lineal feet or fractional part thereof. Shrubs and groundcovers,
172 excluding turfgrass, shall comprise at least ~~50~~60 percent of the required buffer.

173 (3) A Class-C buffer shall consist of a ~~15~~12-foot wide landscape strip without a buffer
174 wall ~~or buffer~~. The buffer shall contain at least two ~~shade~~canopy trees and three
175 ~~accent/ornamental~~ understory trees for every 100 lineal feet or fractional part
176 thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least ~~25~~35
177 percent of the required buffer. Shrubs shall be a minimum of two feet in height and
178 shall be of a species capable of maturing with a minimum height of three feet.
179 Shrubs and groundcovers shall form a layered landscape screen.

180 (4) A Class-D buffer shall consist of an ~~15~~8-foot wide landscape strip without a buffer
181 wall. The buffer shall contain at least two ~~shade~~canopy trees and three
182 ~~accent/ornamental~~ understory trees for every 100 lineal feet or fractional part
183 thereof. Shrubs and groundcovers, excluding turfgrass, shall comprise at least ~~35~~50
184 percent of the required buffer area. Shrubs shall be a minimum of two feet in height
185 and shall be of a species capable of maturing with a minimum height of three feet.
186 Shrubs and groundcovers shall form a layered landscape screen.

187 (5) A Class-E buffer shall consist of a ~~five~~5-foot wide landscape strip without a buffer
188 wall ~~or buffer fence~~. The buffer shall contain at least four ~~shade~~understory trees
189 for every 100 lineal feet or fractional part thereof. Shrubs shall be planted at a
190 minimum of two feet in height in a ~~double staggered row~~ and be capable of reaching
191 a maintained height of four ~~five~~-feet at maturity. Groundcovers and/or turfgrass
192 shall not be used in this buffer.

193 (c) Buffer walls, buffer fences, and berms.

194 (1) Where buffer walls are required by this article, a combination of buffer walls/fences
195 and berms may be used to meet the intent of buffering. Note that should a
196 fence/wall or berm meeting the requirements of this Section exist on the adjoining
197 property where such a fence/wall or berm would ordinarily be required by this
198 Section, the adjoining structures shall be considered as meeting this requirement,
199 and additional fences/wall or berms shall not be required for this area of the subject
200 property. Additionally, in the event that two adjoining properties both requiring a
201 fence/wall or berm along a common property line are being developed

202 concurrently, the property which first applied for development approval shall be
203 responsible for constructing the fence/wall or berm. All buffer walls and fences
204 shall comply with the following requirements:

205 a. Not be constructed or installed in a manner which creates a threat to public
206 safety or interferes with vehicular circulation;

207 b. Be designed to be compatible with existing and proposed site architecture
208 and the character of the surrounding and adjacent settings including the style
209 and selection of materials;

210 c. Be situated so that the wall or fence components are within the buffer limits
211 and any required buffer landscaping shall be installed on the public view side
212 of the wall;-

213 ed. Shall remain in good appearance/repair, and be cleaned, repainted, and/or
214 repaired by the property owner as required to maintain such condition;

215 de. Not be constructed of chain link or include barbed wire.

216 ef. Ensure that historic and/or proposed water flow patterns are accommodated;

217 fg. Not interfere with or obstruct any stormwater facilities; ~~and~~

218 h. Provide sufficient ingress/egress for bicycle traffic and pedestrians access
219 with proper arrangement to limit visibility into the proposed development;
220 and-

221 i. Where fences are required by Article 10 or otherwise proposed on
222 multifamily or non-residential properties, decorative fence types shall be
223 utilized in accordance with the following requirements:

224 1. Chainlink, chicken-wire type and similar fences are prohibited.
225 Metal, woods and synthetic materials may be utilized, subject to the
226 design criteria below.

227 2. For opaque fences, the bottom of the fence shall be slightly above
228 grade to avoid blocking stormwater runoff.

229 3. Opaque fences shall be designed so that the top of the fence creates
230 an interesting, visual pattern. Stockade fences with a uniform height
231 across the fence would not meet this intent. Rather, this intent shall
232 be achieved by utilizing posts that rise above the plane of the top of
233 the fence at regular intervals of no more than 8' apart, using lattice
234 within one foot of the top of the fence, using curvilinear design such
235 that the height of fence varies in a regular pattern or other similar
236 designs.

237 4. Fences that are not opaque shall achieve the same intent as specified
 238 for opaque fences with an exception allowed for picket type fences
 239 and decorative metal fences, which may have a uniform height.

240 ***
 241 (3) Walls and fences utilized for frontage buffers shall not exceed four feet in height
 242 from grade, and shall be located along the edge of the buffer adjacent to the
 243 proposed development. Fences shall not be opaque within frontage buffers. Walls
 244 and fences shall not be utilized where the required buffer is less than 125’ in width.
 245 Walls and fences utilized in conjunction with buffer reductions permitted by
 246 Section 10.8.3 shall not be placed underneath the canopy of a preserved tree, except
 247 where it can be demonstrated to the Community Development Manager that the
 248 preserved tree will not be negatively impacted.

249 ***

250 **Figure 10.8.1 Graphic Illustration of Buffer Averaging Methodology**

251 Section 10.8.4 Compatibility Buffers.

252 Table 10.8 shall apply for the purpose of determining the buffer classification required for
 253 the compatibility buffer in accordance with Section 10.8.2. Compatibility buffers are not
 254 required where a “-” is indicated. The symbol “-” indicates a property under development
 255 sharing the same zoning as the adjoining property, requiring reference to the Perimeter
 256 requirements of the table in Section 10.8.7. Compatibility buffers do not apply to street
 257 frontages. See the table in Section 10.8.7 for street frontage requirements.

Proposed Use	Permitted or Existing Use							
	AG	R-1, R-1A, R-1B, R-2, MH	R-3 and R-5	RHO, B-2, B-3, B-6, NBR	B-4 and B-5	P	PK and PKO	PUD
AG	-	-	-	-	-	-	-	-
R-1, R-1A, R-1B, R-2, MH	C or D	-	D	D	D	D	-	Varies
R-3 and R-5	C or D	B or C	-	C or D	B or C	C or D	-	Varies
RHO, B-2, B-3, B-6 NBR	-	B	C	-	C or D	D	D	Varies
B-4 and B-5	-	B	B	B	-	D	B	Varies
P	-	A or B	C or D	C or D	C or D	-	C or D	Varies

	PK and PKO	-	-	-	-	-	-	-	-
	PUD	Varies	Varies	Varies	Varies	Varies	Varies	Varies	Varies

258

Proposed Use		Permitted or Existing Use								
		AG	R-1, R-1A, R-1B, R-2	MH	R-3, R-5	RBO, B-2, B-6, NBR	B-3, B-4, B-5	P	PK, PKO	PUD
	AG	-	-	-	-	-	-	-	-	-
	R-1, R-1A, R-1B, R-2	-	-	-	-	-	-	-	-	-
	MH	C	B	-	B	C	B	B	B	C
	R-3	C	B	C	-	D	D	D	D	D
	R-5	B	B	B	-	D	D	D	B	D
	RBO	-	C	C	C	-	C	D	C	C
	B-2	-	B	B	C	-	C	D	B	C
	B-6	-	B	B	B	-	D	D	B	D
	NBR	-	B	B	B	-	D	C	B	D
	B-3, B-4, B-5	B	B	B	B	B	-	B	B	B
	P	-	B	B	C	C	C	-	B	C
	PK, PKO	-	-	-	-	-	-	-	-	-
	PUD	varies	varies	varies	varies	varies	varies	varies	varies	varies

259

260

261 ***

262 Section 10.8.7 Frontage Buffers and Non-Frontage Perimeter Buffers.

263 The following buffers are required for frontage buffers (along all streets) and non-frontage
 264 perimeter buffer (along all property lines except street frontages).

	Frontage	Perimeter
AG	-	-
R-1, R1-A, R-1B, R-2	N/A	N/A
MH	DA	C
R-3	DC	C or D
R-5	B or C	BD
RHBO, B-2, NBR, B-6	C or D	C or D

B-3	ED	E
B-4 and B-5	A or B	BD
P	<u>Dsame as adjoining</u>	<u>Bsame as adjoining</u>
PK and PKO	-	-
PUD	Varies	<u>N/AVaries</u>

265
 266 PUD perimeter buffer shall not apply. PUD perimeters shall be addressed as a compatibility buffer
 267 only. PUD buffer requirements will vary depending on the types of land uses proposed in the PUD
 268 and their location and scale in relation to the street frontage. In general, PUD buffers shall achieve
 269 comparable buffering for the frontage as indicated in the chart for other zoning relationships. For
 270 example, if a PUD proposes uses at a scale and intensity comparable to a B- 4 Zoning District,
 271 then the frontage buffer would require a Class A buffer.

272 ***
 273 Section 16.15 Action by City Council on quasi-judicial land development and rezoning cases.

274 ***
 275 (c) If the application involves a specific piece of property, one public notice per road facing
 276 shall be posted conspicuously on the property affected and in two (2) public places, as well as the
 277 city web site, at least fifteen (15) calendar days prior to the date of the scheduled hearing. The
 278 cost of printing and posting the notice will be charged to the petitioners as per the city fee
 279 schedule.

- 280
 281 All notices referenced in the above paragraph shall include:
 282 (a) A statement describing what action has been requested;
 283 ~~(b) A general location map;~~
 284 (b) The name of the owner(s) of the property subject to the application or petition;
 285 (c) That a public hearing will be held by the Planning and Zoning Commission;
 286 (d) The date, time, and location of the hearing;
 287 (e) That the public is invited to attend the hearing and make comment orally or in writing;
 288 and
 289 (f) The location and times during which an interested party may inspect the application or
 290 petition.

291 ***
 292 Section 17.5 Notice and hearing.
 293 No variance shall be granted until after the board of adjustment shall hold a public hearing.
 294 Notice of said public hearing shall be placed in a newspaper of general circulation at least 15 days
 295 prior to the date of public hearing. In addition, notice in writing shall be given to the persons
 296 owning property, as listed in the tax rolls, within 300 feet of the property in question.

297
 298 If the application involves a specific piece of property, one public notice per road facing shall be
 299 posted conspicuously on the property affected and in two (2) public places, as well as the city
 300

301 web site, at least fifteen (15) calendar days prior to the date of the scheduled hearing. The cost of
302 printing and posting the notice will be charged to the petitioners as per the city fee schedule.

303

304 All notices referenced in the above paragraph shall include:

305 (a) A statement describing what action has been requested;

306 (b) A general location map;

307 (b) The name of the owner(s) of the property subject to the application or petition;

308 (c) That a public hearing will be held by the Planning and Zoning Commission;

309 (d) The date, time, and location of the hearing;

310 (e) That the public is invited to attend the hearing and make comment orally or in writing;
311 and

312 (f) The location and times during which an interested party may inspect the application or
313 petition.

314

315 ***

316

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

320

321 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word or portion of
322 this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall
323 not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
324 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
325 unconstitutional.

326

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

331

332 **SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective immediately
333 upon its passage and adoption.

334

335 **Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon
336 the first reading and public hearing on the 13th day of January, 2020.

337 **Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon
338 the second reading public hearing on the 10th day of February 2020.

339 First public hearing advertised on the City's website on December 30, 2019 and advertised in the
340 Riverland News on Thursday, January 2, 2020.

341

342

343 ATTEST:

CITY OF DUNNELLON

344

345 _____

346 Amanda L. Roberts, CMC

_____ Dale Burns, Mayor

347 City Clerk

348

349

350 Approved as to Form:

351

352 _____

353 Andrew J. Hand, City Attorney

354

355

356

CERTIFICATE OF POSTING

357 **I HEREBY CERTIFY** that copies of the foregoing Ordinance were posted at City Hall, the
358 Chamber of Commerce, and Dunnellon Library, in the City of Dunnellon, Florida, this 9th day of
359 January 2020 and on the City's Official Website on the 30th day of December 2019.

360