1	ORDINANCE #ORD2020-10
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3	AN ORDINANCE OF THE CITY OF DUNNELLON,
4	FLORIDA, AMENDING THE CODE OF ORDINANCES,
5	APPENDIX "A" OF THE LAND DEVELOPMENT
6	REGULATION, SECTION 7.1, "TABLE OF PERMITTED
7	USES" TO INCLUDE SOLAR FARMS IN SERVICE AND
8	PUBLIC USES; AMENDING SECTION 7.2, "DISTRICT USE
9	<b>DEFINITIONS" TO CREATE A DEFINITION FOR "SOLAR</b>
10	FARM"; AMENDING SECTION 8.16, "AGRICULTURAL
11	(A-1) TO INCLUDE SOLAR FARMS; AMENDING SECTION
12	8.17, "PUBLIC (P)" TO INCLUDE SOLAR FARM;
13	AMENDING SECTION 9.1, "SPECIAL EXCEPTIONS" TO
14	ADD CONDITION OF APPROVAL FOR SOLAR FARMS;
15	PROVIDING FOR SEVERABILITY, CODIFICATION,
16	CONFLICTS, AND AN EFFECTIVE DATE.
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18	WHEREAS, it is the goal of the City of Dunnellon to make provisions for appropriate land
19	uses, to promote, protect, and improve the public health, safety and welfare of Dunnellon's
20	residents, while maximizing economic benefits and minimizing threats to natural and man-made
21	resources;
22	WHEREAS, the City Council finds that there is a need to make provisions in the City of
23	Dunnellon's Land Development Regulations for solar farms as a land use permissible by special
24	exception in the Agriculture and Public land use categories; and
25	WHEREAS, the City Council finds that such provisions are consistent with the City of
26	Dunnellon's Comprehensive Plan; and
27	WHEREAS, accordingly, the City Council finds it is necessary and in the best interest of the
28	public health, safety and welfare to establish conditions upon which solar farms may be a permissible
29	land use in Agriculture and Public land use/zoning categories by special exception.
30	LEGISLATIVE UNDERSCORING: <u>Underlined words</u> constitute additions to the City of
31	Dunnellon City Code, strikethrough constitutes deletions from the original, and asterisks (***)
32	indicate an omission from the existing text which is intended to remain unchanged.
33	NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
34 35	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DUNNELLON, FLORIDA THAT:
36	of Domibbon, Florida Hai.
37	<b>SECTION 1</b> . The recitals set forth above are hereby adopted as legislative findings of the
38	City Council of the City of Dunnellon.
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**SECTION 2**. Appendix A, of the Land Development Regulations of the City of Dunnellon

is hereby amended as follows:

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# Section. 7.1 Table of permitted uses.

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

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					R-							B-	B-	B-			
Public uses	A-1	R-1	R1A	R1B	2	R-3	R-5	МН	NBR	RBO	B-2	3	4	5	B-6	P	PUD
* * * *																	
Public transportation termina													Х			х	
Solar farms	<u>SE</u>															<u>SE</u>	
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#### Section. 7.2 District use definitions.

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

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

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Sporting goods store means an establishment engaged in the sale of sporting goods, sporting equipment

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### Section 8.16 Agricultural (A-1).

The A-1 district applies to areas intended for agricultural use, including solar farms by special exception, and low density residential. The regulations of this district are intended to permit a reasonable use of property while preventing the creation of conditions which would blight or prevent the proper future use of nearby property. The allowable density shall be one unit per ten

- acres, except that a density of one dwelling unit per five gross acres shall be allowed for
- 67 Conservation Subdivision, approved with the requirements of Chapter 97.

# 68 **Section 8.17 Public (P).**

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

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#### Article IX. SUPPLEMENTARY DISTRICT REGULATIONS

### 85 Section 9.1 Special Exceptions.

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- 87 (12) Recreation facility, outdoor. This use will be permitted in all residential areas as identified 88 in the use chart and shall be approved as part of the site plan for a multifamily project or on a 89 specified lot or tract approved as part of a subdivision. A special exception shall be required if any 90 part of the use, including parking, is proposed with 100' of the property line that abuts a R-1, R-91 1A or R-1B lot. Criteria for the special exception will include:
  - a. The facility must meet all required site plan and building code requirements.
- b. The facility must be buffered against any lower intensive uses adjacent to the site.
- 94 c. The facility must be addressed as to its location to the residents and the potential 95 noise that may be generated by the use.
- 96 (13) Solar farms. Solar farms shall be permitted as a special exception in the Agriculture (A-1)
  97 and Public (P) zoning district if, in addition to the criteria set forth in Section 9.1(b), the following
  98 conditions are met:

99 Setbacks equal to those of the zoning district the solar farm abuts shall be applied, <u>a.</u> 100 except: When abutting a property with residential zoning, a 100-foot setback shall 101 102 be required. When abutting the Rainbow River or Withlacoochee River and their natural 103 or artificial coves, canals, lakes or other water bodies capable of maintaining 104 navigation in their current state, a 300-foot setback from the more 105 106 discernable of the shoreline/high water line shall be required. For purposes of this section, the word 'navigation' shall mean the ability to operate any 107 type of watercraft, barge, or airboat as a means of transportation on water. 108 Where the solar farm abuts a residentially zoned property or waters described in 109 (a)(2) above, a 25-foot landscape buffer meeting the buffer requirements of Section 74-108(4)(a)-110 (b) shall also be met. 111 When the solar farm abuts a residentially zoned property, all fencing abutting said 112 zoned property shall be required to be at least 80-percent opaque. Fabric or similar screening shall 113 be attached to chain link or other less-opaque fences to meet this standard. 114 If trees are to be removed for construction of the solar farm, the applicant shall 115 comply with the standards of Section 74-66(a)(-(i) and all applicable state statutes regarding tree 116 removal. 117 As a condition precedent for qualifying for a special exception for a solar farm, the 118 applicant must demonstrate compliance with all federal and state statutes or regulations governing 119 120 solar farms and the applicant shall obtain all applicable licenses and/or permits from such federal and state agencies. 121 \*\*\* 122 **SECTION 3. CODIFICATION.** It is the intent of the City Council of the City of 123 Dunnellon that the provisions of this Ordinance shall be codified. The codifier is granted broad 124 and liberal authority in codifying the provision of this Ordinance. 125 126 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word or portion of 127 this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall 128 not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, 129 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or 130

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

unconstitutional.

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Ordinance #ORD2020-10, Solar Farm Land Development Regulations Page 5 of 5

with the effective date of Companion Orc	ATE. This Ordinance shall become effective consistent dinance #ORD2020-11, CPA#2020-04.								
•									
-	the foregoing Ordinance was approved upon the first								
reading and public hearing on the 11th da	ay of January 2021.								
Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon									
the second and final reading and public h	earing on the 8th day of February 2021.								
	D 1 20 2020								
Ordinance Posted on the City's website of	on December 29, 2020.								
	1 1 1 20 2020 1 1 1 1 1 1								
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Riverland News and Ocala Star Banner o	n December 31, 2020.								
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Riverland News and Ocala Star Banner o	on January 28, 2021.								
ATTEST.	CITY OF DUNNELLON								
ATTEST.	CIT OF BUILDER								
Amanda L. Roberts, CMC	William P. White, Mayor								
Approved as to Form:									
Andrew J. Hand, City Attorney									
CERTI	FICATE OF POSTING								
I HERERY CERTIFY that copies of the fo	pregoing Ordinance were posted at City Hall, the Chamber of								
•	ity of Dunnellon, Florida, and on the City's Official Website								
Amanda I. Daharta CMC									
City Cicik									
	With the effective date of Companion Ord  Upon motion duly made and carried, reading and public hearing on the 11th date.  Upon motion duly made and carried, the second and final reading and public hearing and public hearing advertised on the City's website of Riverland News and Ocala Star Banner of Second Public hearing advertised on the Riverland News and Ocala Star Banner of ATTEST:  Amanda L. Roberts, CMC  City Clerk  Approved as to Form:  Andrew J. Hand, City Attorney  CERTIFY  I HEREBY CERTIFY that copies of the forms.								