

MASTER

ORDINANCE 2009-02

AN ORDINANCE OF THE CITY OF DUNNELLON, FLORIDA, AMENDING THE COMPREHENSIVE PLAN TO ADOPT THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; AND PROVIDING 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 Council of the City of Dunnellon has amended the Comprehensive Plan from time to time; and

WHEREAS, the City Council of the City of Dunnellon desires to amend the Comprehensive Plan to adopt a Capital Improvement Element.

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

Section 1. The Capital Improvement Element is hereby adopted as a component of the Dunnellon Comprehensive Plan as set forth in Exhibit "A".

Section 2. Severability. If any portion of this Ordinance shall be declared unconstitutional or if the applicability of this Ordinance or any portion thereof, to any person or circumstance shall be held invalid, the validity of the remainder of this Ordinance and the applicability of this Ordinance, or any portion thereof, to other persons or circumstances, shall not be affected thereby. It is the specific intent of the City Council of the City of Dunnellon that the Severability as set forth above shall apply to this Ordinance.

Section 3. Repeal of Inconsistent Ordinances. Any Ordinance in conflict with this Ordinance is hereby repealed.

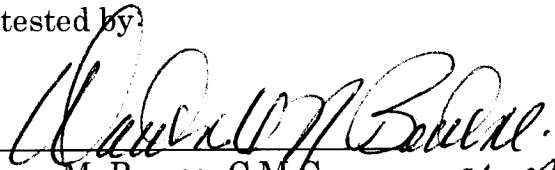
Section 4. Effective Date. The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), *Florida Statutes*, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of non-compliance is issued by the Administration Commission, this

amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Community Affairs, Division of Resource and Planning Management, Plan Processing Team.


Upon motion duly made and carried, the foregoing Ordinance was approved upon the first reading on the 12th day of January, 2009.

Upon motion duly made and carried, the foregoing Ordinance was approved and passed upon the second and final reading on the 26th day of January, 2009.

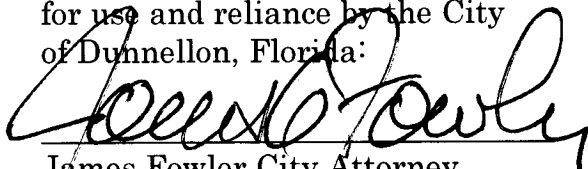
Attested by:


Dawn M. Bowne, C.M.C. 1-26-09
City Clerk

CITY OF DUNNELLON

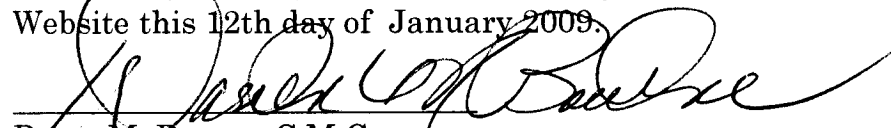

Fred R. Ward, Mayor 1-26-09

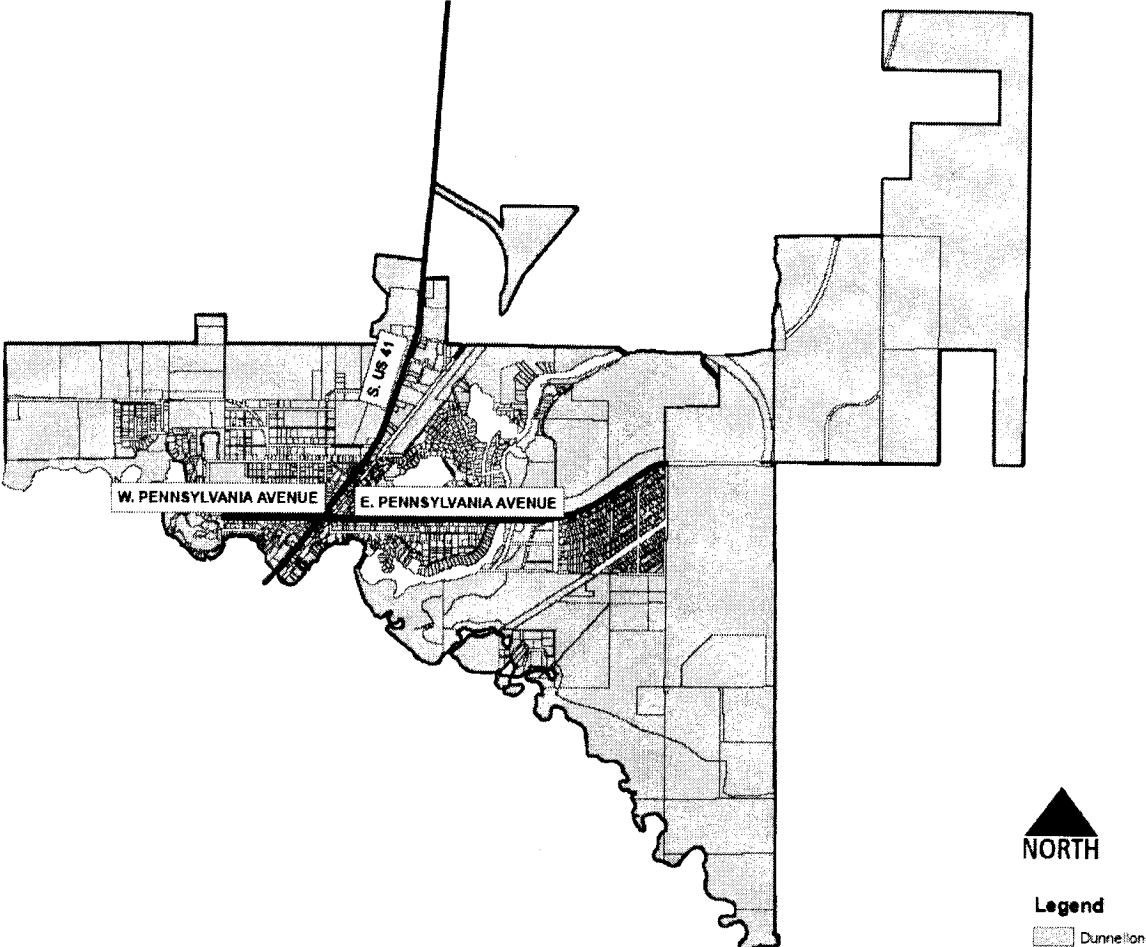
Approved as to Form and Legality
for use and reliance by the City
of Dunnellon, Florida:


James Fowler City Attorney
Fowler & O'Quinn, P.A.
Empire Building
28 W. Central Blvd. 4th Floor
Orlando, Florida 32801
(407) 425-2684

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, and on the 13th day of January 2009 and on the City's Official Website this 12th day of January 2009.


Dawn M. Bowne, C.M.C.
City Clerk



**“EXHIBIT A”
CITY OF DUNNELLON
CAPITAL IMPROVEMENTS ELEMENT**

DATA AND ANALYSIS

The city of Dunnellon has identified four capital improvement projects. The Potable Water Element includes the purchase of new equipment, including a new 250k water tower, wells, pumps, water mains and hydrants. The Sanitary Sewer Element requires a waste water plant upgrade and improvement of aeration system through implementation of new pump systems, water mains, clarifier and chlorine contact basins. The Transportation Element requires construction of new streets and stormwater improvements.

There are currently several public education facilities, including an elementary, middle and high school. There are no pending plans for school improvement or expansion within the next five years. There are presently no public health facilities within Dunnellon. Therefore, there is no associated service area or location information. In addition, Dunnellon acquired land for a new park in 2008 which will be developed in cooperation with Marion County over the next five years. All other facilities, aside from those specified below in this schedule, maintain the LOS standards described in the Dunnellon Comprehensive Plan. See, Fla. Stat. § 163.3180(1)(a) and Fla. Stat. § 163.3177(3)(a)5.

The following facilities have been identified:

Table 1: Summary of Capital Improvement Needs

Category	Facility Needed
Potable Water	<ul style="list-style-type: none"> • Purchase of equipment to increase and approve water supply.
Sanitary Sewer	<ul style="list-style-type: none"> • Improvement of wastewater treatment plant.
Transportation	<ul style="list-style-type: none"> • Construction of additional city streets and stormwater improvements.

Source: City of Dunnellon, 2008

The following revenue sources are available to fund the projects described above. Water improvement equipment will be funded by city of Dunnellon reserves. The waste water treatment plant upgrade will be mostly funded by a Florida Department of Environmental Protection (FDEP) grant. The project cost is estimated at \$8,029,000 with 85% (\$6,824,230) funded by FDEP Grant #SG51170 with the remaining 15% (\$1,204,770) of costs funded by City user fees. The areas

where road construction/resurfacing will be required as a result of the sewer system expansion include Dunnellon Heights, Hillsdale/Powell Road and Chatmire. The solid waste improvements will be funded through city reserves. Transportation improvements consist of new public street construction on Third Avenue, Elm Street, Short Tower Way, First Avenue, San Mateo Boulevard, San Miguel Boulevard, N. San Angelo Parkway, S. San Angelo Parkway, San Pedro Boulevard and St. Patrick Street will be funded by gasoline tax revenue currently held on reserve. The transportation improvements will commence in 2009 and will be completed by 2011.

Table 2: Schedule of Capital Improvements for Fiscal Years 2008-2009 Through 2012-13

(costs in thousands)

Potable Water Improvements	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
Tower		350.0 (R)	300.0(R)		
Wells and Pumps	100.0(R)	150.0(R)			
Mains and Hydrants				200.0(R)	250.0(R)
Totals	100.0	500.0	300.0	200.0	250.0

* R: Reserves

Sanitary Sewer Improvements	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
Collection System	300.0(G/U)	77.0(G/U)			
Site Work/General	900.0(G/U)	235.0(G/U)			
Structural	925.0(G/U)	234.0(G/U)			
Mechanical	900.0(G/U)	231.0(G/U)			
Electrical & Instrumentation	700.0(G/U)	187.0(G/U)			
Mains/General			1,800.0(G/U)	1,540.0(G/U)	
Totals	3,725.0	964.0	1,800.0	1,540.0	

*G: FDEP Grant #SG51170

U: User Fees

Solid Waste Improvements	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
Site Work: Piping, Structural			100.0(R)	200.0(R)	400.0(R)
Mechanical Engineering	529.0(R)	529.0(R)	529.0(R)	850.0(R)	1500.0(R)
Electrical, Instrumentation				200.0(R)	240.0(R)
Totals	529.0	529.0	629.0	1,250.0	2,140.0

* R: Reserves

Transportation Improvements	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
New Streets		300.0 (GT)	300.0 (GT)		
Totals		300.0	300.0		

*GT: Gasoline Tax Revenue
Source: City of Dunnellon, 2008

**Table 3: Fiscal Assessment
In Thousands**

	2008-2009	2009-2010	2010-2011	2011-2012	2012-2013
Potable Water Improvements \$1,350.0	Impact Fee Reserve \$100.0	Impact Fee Reserve \$300.0 Equipment Replacement Reserve \$200.0	Equipment Replacement Reserve \$300.0	User Fees \$200.0	User Fees \$250.0
Sanitary Sewer Improvements \$8,029.0	Grant \$3,166.0 User Fees \$559.0	Grant \$819.0 User Fees \$145.0	Grant \$1,530.0 User Fees \$270.0	Grant \$1,309.0 User Fees \$231.0	
Solid Waste Improvements \$5,078.0	Equipment Replacement Reserve \$529.0	Impact Fee Reserve \$300.0 User Fees \$229.0	Impact Fee Reserve \$45.0 Equipment Replacement Reserve	Impact Fee Reserve \$500.0 User Fees	Equipment Replacement Reserve \$1,900.0 User Fees \$240.0

			\$60.0 User Fees \$525.0	\$750.0	
Transportation Improvements \$600.0		Gasoline Tax Revenue \$300.0	Gasoline Tax Revenue \$300.0		

MONITORING AND EVALUATION

Capital Improvements planning in Dunnellon is a continuous process, with on-going involvement by citizens, staff, and elected officials. Some of the factors considered are fluctuating revenue streams, changing facilities needs, financial markets, interest rates and public perceptions of taxation and expenditures. The Capital Improvements Element should be reviewed on an annual basis.

Dunnellon’s Capital Improvements planning process is organized to establish a sound basis in planning. Annual review of the Capital Improvements Element is coupled with annual adoption of the municipal budget.

The annual review will be the responsibility of the Community Development Department, with the involvement of the City Manager, Finance Officer and department heads. The Community Development Department will present the entire package to the Mayor and City Council for review and adoption.

The review process will include an analysis of the following factors:

- 1) Updates, corrections, and revisions to costs, revenues, target dates, and locations.
- 2) Consistency with the other elements of the Comprehensive Plan.
- 3) Actions of other agencies such as the Florida Department of Environmental Protection.
- 4) The continued validity of priority assignments.
- 5) Projects completed or progress toward completion.
- 6) The level of service being achieved.
- 7) The debt capacity of the City.
- 8) Grants or private donations received or being considered.
- 9) Public perceptions of the process, the necessity of projects in the 5-year program, and willingness to support Capital Improvements at the level planned.

GOALS, OBJECTIVES, AND POLICIES

GOAL

Public facility and public service needs of Dunnellon citizens shall be met in a timely and efficient manner, while maintaining the financial health of the community and promoting orderly compact growth.

OBJECTIVE 1:

The Capital Improvement Element will be utilized throughout the planning period by the City as the formal guide to the construction of new capital facilities, which are necessary to correct existing deficiencies, identified in the Dunnellon Comprehensive Plan. This element shall also guide decisions on facilities to accommodate desired future growth through public or private investment, and/or to replace obsolete or worn out facilities.

POLICY 1-1: Individual capital improvement projects will be budgeted and programmed annually following an evaluation process. Projects will be evaluated based on the following criteria:

1-1a: Priority based on other projects which are required to meet adopted levels of service, as specified by the individual elements of the Comprehensive Plan, and considering the;

1-1b: Necessity created by public hazards or potential public hazards;

1-1c: The urgency to eliminate existing capacity deficits;

1-1d: The total impact on the City's budget;

1-1e: The financial feasibility of the project; and

1-1f: The plans of other agencies, such as the Southwest Water Management District (SWFWMD) and the Florida Department of Transportation (FDOT) to provide public facilities within the City of Dunnellon.

1-1g: In providing capital improvements, the City shall limit the maximum of outstanding indebtedness to no greater than 10% of the property tax base.

POLICY 1-2: Beginning with the first full fiscal year following the adoption of the Dunnellon Comprehensive Plan, the annual budget process shall have a capital budget component, including adequate provisions for renewal and replacement of capital facilities under the control of the City.

POLICY 1-3: The provision of facilities identified in the schedule of capital improvements shall be sufficient to meet the needs of development approved prior to the adoption of the Dunnellon Comprehensive Plan.

Note: 9J-5.016 (3) (b) 2 is not applicable due to the fact that the City is located inland.

OBJECTIVE 2:

The Capital Improvement Element will be utilized throughout the planning period to coordinate land use decisions and available or projected fiscal resources with a schedule of capital improvement. The schedule of capital improvements will include new or expanded facilities and services needed to maintain adopted level of service standards.

POLICY 2-1: In order to ensure that capital expenditures further the objectives of the Dunnellon Comprehensive Plan each proposed project will be considered in light of the City's policies, which are included in each element of the plan.

POLICY 2-2: The City will utilize the Capital Improvement Element to guide development in accord with the plan for future land use. Individual land use decisions will be based on the ability of the City, or the developer, to provide the necessary facilities.

OBJECTIVE 3:

It is the intent of the City of Dunnellon that all future development or expanded development will bear a proportionate cost of facility improvements necessitated by the development in order to maintain adopted level of service standards. The provision to ensure assignment of proportionate cost shall be included in the land development regulations to be adopted one year after plan submission for State review.

POLICY 3-1: The adopted levels of service for public facilities will be the same level of service standards adopted in the other elements of the Dunnellon Comprehensive Plan. They are listed as follows:

3-1a: Potable Water Facilities – 125 gallons per capita per day.

3-1b: Sanitary Sewer Facilities – ~~62~~ 87 gpd per capita.

3-1c: Solid Waste Facilities – 5.3 pounds per capita per day.

3-1d: Neighborhood Parks – 2 acres per 1,000 population.

3-1e: Community Parks – 2 acres per 1,000 population

3-1f: Traffic – US 41 from Powell Road to North City Limits – Maintain and Improve (Backlogged) (other principal arterials and collector roads) – LOS C

Amended Ord. 96-15

Policy 3.1.F: Traffic- The following peak hour level of service standards are adopted to ensure adequate traffic flow in Dunnellon:

1. US 41 from Powell Rd. to North City Limits Maintain & Improve (Backlogged)
LOS C
2. US 41 from Powell Rd. to South City Limits LOS C
3. CR 484 from US 41 to East City Limits LOS E
4. CR 40 from US 41 to West City Limits LOS E

Other principal arterials and collector roads LOS C

The adopted level of service standards are compatible with the level of service standards adopted by FDOT and Marion County for these roadways.

Backlogged facilities shall maintain operating condition, which is considered by FDOT to be peak hour increase in traffic of five percent or a decrease in average speed of one MPH. (amended per ord. 96-15)

~~The adopted level of service standards are compatible with the level of service standards adopted by FDOT and Marion County for these roadways. Backlogged facilities shall maintain operating condition, which is considered by FDOT to be “peak hour increase in traffic of five percent or a decrease in average speed of one MPH.~~

3.1g: Drainage facilities:

~~a. Interim level of service for existing facilities, including those operated by the city:~~

~~Conveyance Systems—All drainage swales and ditches shall be designed to convey the runoff generated from a 10-year, 24-hour storm event.~~

~~On arterials, culvers and cross-drains shall convey the runoff from the 100-year, 24-hour storm.~~

~~On collector roads, culverts and cross-drains shall convey the runoff from a 10-year, 24-hour storm.~~

~~On local roads and internal subdivision roads, culverts and cross-drains shall be designed to convey the runoff from a 10-year, 24-hour storm.~~

~~b. Improvement to existing facilities, including those operated by the City, as outlined in the Capital Improvements Element, and all new development and redevelopment shall be subject to the following level of service standards:~~

Water Quantity:

~~Conveyance Systems All drainage swales and ditches shall be designed to convey the runoff generated from a 25-year, 24-hour storm event.~~

~~On collector roads, culverts and cross-drains shall convey the runoff from a 10-year, 24-hour storm.~~

~~On local roads and internal subdivision roads, culverts and cross-drains shall be designed to convey the runoff from a 10-year, 24-hour storm.~~

The City hereby establishes the following water quantity and quality level of service standards for drainage facilities:

LEVEL OF SERVICE STANDARD

The City shall enforce a 25-year frequency, 24-hour duration, design storm level of service for open basins and a 100-year 24 hour duration level of service for closed basins as the basis for stormwater management system design for proposed new development and redevelopment projects, and for determining availability of facility capacity. Stormwater collection systems (including designs for minimum impacts to the natural water flow), transport systems, and allowable peak density rates shall meet requirements and specifications as defined in the City of Dunnellon Land Development Code. Developers will also be required to analyze the ultimate effects of stormwater disposal for all storm events, up to and including the 100-year, 24-hour duration, and storm event. In addition, developers will comply where applicable with the SWFWMD flood control criteria for stormwater quantity and quality [Chapters 40D-4, 40D-40, and 40C-400, F.A.C.].

The demand for stormwater facility capacity by new development shall be determined based on the difference between the pre-development and post-development stormwater runoff characteristics (including rates and volumes) of the development site using the design storm level of service standard stated above and facility design procedures consistent with accepted engineering practice.

The City shall ameliorate the future discharge of inadequately treated stormwater runoff into waters and wetlands of the state by requiring that the first one-inch of runoff be retained on-site, or in the case of runoff entering any body of water designated an Outstanding Florida Water (OFW), the first one and a half inches shall conform to the standards used by SWFWMD and DEP.

Water Quality:

Stormwater Management Systems – Stormwater management systems shall be designed to either retain on-site the runoff generated by a 25-year, 24-hour storm or detain and discharge the runoff from a 25-year, 24-hour storm at peak discharge rates which do not exceed pre-development rates.

Water quality treatment, shall be provided for a volume equivalent to $\frac{3}{4}$ inch of depth over the entire site or the runoff from the first $1\frac{1}{2}$ inches of rainfall on the entire site, consistent with Chapter 17-25.025(9), FAC, design criteria for Outstanding Florida Waters. All stormwater discharge facilities shall be designed so as to not degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designed use of its classification as established in Chapter 17-302, F.A.C.

Site-specific conditions may require other design criteria to be satisfied in order to obtain Water Management district construction permits and shall meet the requirements of Chapter 40-D-4, as well as the requirements of FDER Chapter 17-40,420, F.A.C. State Water Policy. To ensure compliance with those requirements, a copy of a valid Water Management District permit or exemption letter shall be presented before building permits or development approvals are granted.

*Single family, duplex, triplex and quaruplex residential development not located directly on the water shall be exempt from this requirement, so long as stormwater runoff is accommodated by the City's facilities, in accordance with the level or service standards listed

in b., above. However, all waterfront development must meet the above standards.

3.1h: Public Schools

See the attached Second Amended and Restated Interlocal Agreement for Public School Facility Planning between the Marion County School Board and City of Dunnellon adopted November 10, 2008, by the City of Dunnellon.

POLICY 3-2: The City shall include in the land development regulations to be adjusted in May 1992 the use of impact fees and/or developers agreements as mechanisms to assess new development a rational and equitable share of the costs of public facilities necessitated by the development.

~~POLICY 3-3: The City, by December 1994, shall explore the feasibility of establishing a tax increment financing district for portions of the downtown area to provide funding for capital improvements in that area.~~

OBJECTIVE 4:

The annual update of the Capital Improvement Element will be utilized as a guide to monitor capital improvements. It will demonstrate how the City will provide or require the provision of improvements that are identified by the other elements of the Dunnellon Comprehensive Plan.

POLICY 4-1: In addition to sources of revenue, which were available in the previous fiscal year, additional sources will be investigated by City staff on an annual basis. The Revenue sources section of the Capital Improvement Element will be updated to reflect current revenue conditions and these sources will be utilized to project revenues in the fiscal analysis.

POLICY 4-2: The City will continually explore alternative funding sources for Capital Projects. When examining the fiscal feasibility of a project the City will consider all available methods of financing and will proceed with a necessary project through the mechanism most beneficial to the city.

OBJECTIVE 5:

The Capital Improvement Element will balance available revenues and borrowing capacity with needed improvement in order to maintain the level of capital debt at a manageable level.

POLICY 5-1: A Capital Improvement project will be included in the Capital Improvement Element only after an adequate source of funding, or sources of funding, is/have been identified which will allow a level of flexibility consistent with the potential fiscal demands of the particular project.

POLICY 5-2: Capital improvement projects, or individual project phases, will be prioritized in order to allow for project scheduling in accordance with available funding.

POLICY 5-3: The City will maintain a contingency fund and/or line of credit, which is sufficient to meet unplanned cost overruns in capital projects.

OBJECTIVE 6:

Decisions regarding the issuance of development orders and permits will be based upon coordination of the development requirements included in this plan, the land development regulations, and the availability of necessary public facilities needed to support such development at the adopted level of service standards.

*POLICY 6-1: The City shall use the LOS standards adopted in Policy 3.1 of this Capital Improvements Element for water, sewer, solid waste, parks, traffic, and drainage when reviewing the impacts of new development and redevelopment upon public facilities.

POLICY 6-2: The City shall adopt within the land development regulations adopted by May 1, 1992, a concurrency management procedure to ensure that at the time of development permit is issued, adequate facility capacity is available or will be available when needed to serve the development. Such concurrency management procedures shall be consistent with the provision of 9J-5.0055, FAC.

POLICY 6-3: Proposed plan amendments and requests for new development or redevelopment shall be evaluated according to the following guidelines as to whether the proposed action would:

- a. contributes to a condition of public hazard as described in the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element, and Recreation and Open Space Element.
- b. Exacerbate any existing condition of public facility capacity deficits, as described in the Traffic Circulation, Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element, and Recreation and Open Space Element.

- c. Generate public facility demands that may be accommodated by capacity increases planned in the 5-year schedule of improvements.
- d. Conform with future land uses as shown on the future land use map of the Future Land Use Element, and service areas as described in the Sanitary Sewer, solid waste, drainage and natural aquifer groundwater recharge elements;
- e. If public facilities are developer-provided, accommodate public facility demands based upon adopted LOS standards:
- f. If public facilities are provided, in part or whole, by the city, demonstrate financial feasibility, subject to this element; and
- g. Affect state agencies and water management districts facilities plans.

POLICY 6-4: In order to ensure that the FDOT standards for the backloged facility are met, the City's concurrency management system shall be designed to ensure that development permits issued upon the adoption of this plan maintain operating conditions. Maintaining operating conditions shall be defined as: a peak hour increase in traffic of 5 percent or a decrease in average speed of 1 mph.