

#000234

Revised
by MVR Oct 9, 2000
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ORDINANCE NO. _____
0-00-116

An ordinance of the City of Gainesville, Florida, amending the City of Gainesville 1991-2001 Comprehensive Plan; amending policy 2.3.10(m) of the Future Land Use Element relating to the Gainesville North Community Activity Center, extending the period of time by which the zoning ordinance must be adopted to August 22, 2001; providing directions to the city manager; providing directions to the codifier; providing a severability clause; providing a repealing clause; and providing an effective date.

WHEREAS, the City Plan Board authorized the publication of notice of a Public Hearing that the text of the City of Gainesville 1991-2001 Comprehensive Plan be amended; and

WHEREAS, notice was given and publication made as required by law and a Public Hearing was then held by the City Plan Board on August 17, 2000; and

WHEREAS, notice was given and publication made of a Public Hearing which was then held by the City Commission on October 9, 2000; and

WHEREAS, pursuant to law, an advertisement no less than two columns wide by 10 inches long was placed in a newspaper of general circulation notifying the public of this proposed ordinance and of the Public Hearing to be held at the transmittal stage, in the City Commission Auditorium, City Hall, City of Gainesville, at least 7 days after the day the first advertisement was published; and

WHEREAS, pursuant to law, after the public hearing at the transmittal stage the City of Gainesville transmitted copies of this proposed change to the State Land Planning Agency; and

WHEREAS, a second advertisement no less than two columns wide by 10 inches

1 long was placed in the aforesaid newspaper notifying the public of the second Public
2 Hearing to be held at least 5 days after the day the second advertisement was published;
3 and

4 **WHEREAS**, the two Public Hearings were held pursuant to the published notices
5 described at which hearings the parties in interest and all others had an opportunity to be
6 and were, in fact, heard; and

7 **WHEREAS**, prior to adoption of this ordinance, the City Commission has
8 considered the comments, recommendation and objections, if any, of the State Land
9 Planning Agency;

10 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF**
11 **THE CITY OF GAINESVILLE, FLORIDA:**

12 **Section 2.** Policy 2.3.10(m) of the Future Land Use Element of the City of Gainesville
13 1991-2001 Comprehensive Plan is amended to read as follows:

14 2.3.10 The following standards shall be use to develop the Gainesville North Community
15 Activity Center:

16 m. The planned development zoning ordinance consistent with the PUD
17 overlay district must be adopted by the City Commission by August 22,
18 2001 ~~2000~~ or the overlay district shall be null and void, and the Future
19 Land Use Map shall be amended accordingly upon proper notice. The
20 underlying Future Land Use Map Category is "Single-Family," such
21 category is inapplicable as long as the property is developed and used in
22 accordance with the development plan approved in the ordinance rezoning

1 this property to Planned Development "PD." The City has twice
2 previously extended the deadline date for the adoption of the planned
3 development zoning ordinance, and the City will not entertain any further
4 extensions to this deadline date because, due to the passage of time, the
5 City believes that the appropriate land use and zoning on this property
6 should be revisited based upon the best available current data and analysis.

7 **Section 3.** The City Manager is authorized and directed to make the necessary changes in
8 maps and other data in the City of Gainesville 1991-2001 Comprehensive Plan, or
9 element, or portion thereof in order to fully implement this ordinance.

10 **Section 4.** If any section, sentence, clause or phrase of this ordinance is held to be invalid
11 or unconstitutional by any court of competent jurisdiction, then said holding shall in no
12 way affect the validity of the remaining portions of this ordinance.

13 **Section 5.** All ordinances or parts of ordinances in conflict herewith are to the extent of
14 such conflict hereby repealed.

15 **Section 6.** This ordinance shall become effective immediately upon final adoption;
16 however, the amendment to the City of Gainesville 1991-2001 Comprehensive Plan shall
17 not become effective until the state land planning agency issues a final order determining
18 the adopted amendment to be in compliance in accordance with section 163.3184(9), or
19 until the Administration Commission issues a final order determining the adopted
20 amendment to be in compliance in accordance with section 163.3184(10).

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23 **PASSED AND ADOPTED** this _____ day of _____, 2000.
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PAULA M. DeLANEY
MAYOR

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ATTEST:

Approved as to form and legality

KURT M. LANNON
CLERK OF THE COMMISSION

MARION J. RADSON
CITY ATTORNEY

This Ordinance passed on first reading this _____ day of _____, 2000.

This Ordinance passed on second reading this _____ day of _____, 2000.

carter:ordinances:120CPA-00PB