

LEGISLATIVE #

170996A

24 **WHEREAS**, at least 10 days' notice has been given once by publication in a newspaper of
25 general circulation notifying the public of this proposed ordinance and of public hearings in the
26 City Hall Auditorium located on the first floor of City Hall in the City of Gainesville; and

27 **WHEREAS**, public hearings were held pursuant to the notice described above at which hearings
28 the parties in interest and all others had an opportunity to be and were, in fact, heard.

29 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GAINESVILLE,**
30 **FLORIDA:**

31 **SECTION 1.** Section 2 of Ordinance No. 070447 (as was subsequently amended by Ordinance
32 Nos. 100189, 110700, and 150540) is amended as follows:

33 Within the Plum Creek Planned Use District (PUD), the underlying land use category of
34 Agriculture as shown on the map described in Section 1 of Ordinance No. 070447 is neither
35 abandoned nor repealed. However, the underlying land use category of Agriculture is
36 inapplicable as long as the property is developed and used in accordance with the development
37 plan approved in the implementing Planned Development (PD) zoning ordinance.

38 An implementing PD zoning ordinance consistent with the PUD land use overlay must be
39 adopted by the City Commission on or before ~~July 26, 2018~~ July 26, 2019. The obligation to timely
40 apply for and obtain PD zoning shall be on the owner/developer. If the aforesaid zoning ordinance
41 is not adopted on or before ~~July 26, 2018~~ July 26, 2019, then the PUD land use overlay shall
42 automatically be null and void and of no further force and effect, and the PUD land use overlay
43 shall ministerially be removed from the Future Land Use Map and the applicable land use category
44 shall be Agriculture. An extension application by the owner/developer shall toll the expiration
45 date until final City Commission action on the extension application.

46 **SECTION 2.** Except as expressly modified, amended, or changed by this ordinance, Ordinance Nos.
47 070447, 100189, 110700, and 150540 shall remain in full force and effect.

48 **SECTION 3.** If any word, phrase, clause, paragraph, section, or provision of this ordinance or
49 the application hereof to any person or circumstance is held invalid or unconstitutional, such
50 finding shall not affect the other provisions or applications of this ordinance that can be given
51 effect without the invalid or unconstitutional provision or application, and to this end the
52 provisions of this ordinance are declared severable.

53 **SECTION 4.** All ordinances or parts of ordinances in conflict herewith are to the extent of such
54 conflict hereby repealed.

55 **SECTION 5.** This ordinance shall become effective immediately upon adoption.

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57 **PASSED AND ADOPTED** this ____ day of _____, 2018.

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73 This ordinance passed on first reading this ____ day of _____, 2018.

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75 This ordinance passed on second reading this ____ day of _____, 2018.

LAUREN POE
MAYOR

Attest:

Approved as to form and legality:

OMICHELE D. GAINEY
CLERK OF THE COMMISSION

NICOLLE M. SHALLEY
CITY ATTORNEY