1	ORDINANCE NO. 110372	
2 3 4 5 6 7 8 9	An ordinance of the City of Gainesville amending Section 4 of Ordinance No. 090537 related to Butler Plaza Planned Use District (PUD); by providing a time extension to obtain Planned Development (PD) zoning; providing directions to the codifier; providing a severability clause; providing a repealing clause; and, providing an immediate effective date.	
10	WHEREAS, on August 10, 2011, Butler Enterprises, applied for an extension of time to	
11	obtain Planned Development (PD) rezoning as permitted by Section 4 of Ordinance No. 090537 on	
12	certain property described in the ordinance and commonly referred to as "Butler Plaza Planned Univ	
13	District"; and	
14	WHEREAS, on November 3, 2011, the City Commission, authorized the City Attorney to	
15	draft an ordinance extending the date for Butler Enterprises to obtain PD zoning to on or before	
16	January 19, 2012; and	
17	WHEREAS, at least ten (10) days notice has been given once by publication in a	
18	newspaper of general circulation prior to the adoption public hearing notifying the public of this	
19	proposed ordinance and of a Public Hearing in the City Commission Meeting Room, First Floor,	
20	City Hall, in the City of Gainesville; and	
21	WHEREAS, Public Hearings were held pursuant to the published notices described at	
22	which hearings the parties in interest and all others had an opportunity to be and were, in fact,	
23	heard.	
24	NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE	
25	CITY OF GAINESVILLE, FLORIDA:	

Section 1. Section 4 of Ordinance No. 090537 is amended as follows:

The underlying City of Gainesville land use categories of Commercial (C), Office (O), Mixed-Use Medium (MU-M) and Residential Medium Density (RM) on the property as described in Section 1 of this ordinance are neither abandoned nor repealed; such categories are inapplicable as long as the property is rezoned to "Planned Development" (PD) zoning district, within 12 months of the effective date of this Comprehensive Plan Amendment on or before January 19, 2012. In the event, however, the property described in Section 1 of this Ordinance is not rezoned by ordinance to "Planned Development" (PD) within that timeframe, then the overlay Planned Use District Category and its policies as imposed by Sections 2 and 3 of this Ordinance shall automatically be null and void and of no further force and effect and the overlay land use category shall be ministerally removed from the Future Land Use Map, leaving the underlying land use categories specified in Section 1 in place. The timely filing of an extension application by the owner to extend the aforesaid 12 month period—timeframe shall toll the expiration date until final City Commission action on the extension application.

Section 2. Except as expressly amended by this ordinance, the remaining provisions of Ordinance No. 090537 shall remain in full force and effect.

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

1	Section 4. All ordinances, or	parts of ordinances, in conflict herewith are to the extent of	
2	such conflict hereby repealed.		
3	Section 5. This ordinance shall become effective immediately upon final adoption.		
4	PASSED AND ADOPTED this 1st day of December, 2011.		
5			
6			
7		Craig Lowe	
8		Craig Lowe	
9		Mayor	
10			
11	ATTEST:	APPROVED AS TO FORM AND LEGALITY:	
12	1/11		
13			
14		Par 1/1/(enalty 3	
15		Lond (embs)	
16	Kurt Laphon	Marion J. Radson	
17	Clerk of the Commission	City Attorney / DEC - 1 2011	
18			
19	This and are first reading this 17th day of November 2011		
20	This ordinance passed on first reading this 17 th day of November, 2011.		
21	This ardinance negged on secon	d reading this 1st day of December 2011	
22	This ordinance passed on second reading this 1st day of December, 2011.		