



Legislation Details (With Text)

File #: 170996. **Version:** 1 **Name:**
Type: Ordinance **Status:** Adopted
File created: 4/11/2018 **In control:** City Attorney
On agenda: 6/7/2018 **Final action:** 6/7/2018
Title: Request to Extend Deadline By Which Land Owner/Developer Shall Obtain Planned Development (PD) Zoning That Implements the Plum Creek Planned Use District (PUD) As Provided in Comprehensive Plan (B)

Ordinance No. 170996

An ordinance of the City of Gainesville, Florida, amending Ordinance No. 070447 (as was subsequently amended by Ordinance Nos. 100189, 110700, and 150540) to extend the deadline for the property owner/developer to have a Planned Development (PD) zoning ordinance adopted that implements the adopted Plum Creek Planned Use District (PUD) land use overlay; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 170996A_draft ordinance_20180517.pdf, 2. 170966B_Staff PPT_20180517.pdf, 3. 170996_Ordinance_20180607

Date	Ver.	Action By	Action	Result
6/7/2018	1	City Commission	Adopted on Final Reading (Ordinance)	Pass
5/17/2018	1	City Commission	Adopted on First Reading (Ordinance)	Pass

Request to Extend Deadline By Which Land Owner/Developer Shall Obtain Planned Development (PD) Zoning That Implements the Plum Creek Planned Use District (PUD) As Provided in Comprehensive Plan (B)

Ordinance No. 170996

An ordinance of the City of Gainesville, Florida, amending Ordinance No. 070447 (as was subsequently amended by Ordinance Nos. 100189, 110700, and 150540) to extend the deadline for the property owner/developer to have a Planned Development (PD) zoning ordinance adopted that implements the adopted Plum Creek Planned Use District (PUD) land use overlay; providing a severability clause; providing a repealing clause; and providing an immediate effective date.

The City Commission adopt the proposed ordinance.

STAFF REPORT

This ordinance will extend the deadline for the property owner/developer to have a Planned Development (PD) zoning ordinance adopted that implements the Planned Use District (PUD) land use portion of an approximately 1778-acre development called "Plum Creek" in the City's Comprehensive Plan, which is generally located north of US 441 and along the east and west sides of SR 121 (NW 22nd Street). This is the owner/developer's fourth requested extension of that deadline.

On January 26, 2009, the City Commission adopted Ordinance No. 070447 and assigned the following four land use categories to the 1778-acre Plum Creek: 1) Conservation; 2) Single-Family; 3) Residential Low-Density; and 4) Planned Use District (PUD) overlay with an underlying land use category of Agriculture. Ordinance No. 070447 specified that Planned Development (PD) zoning must implement the Plum Creek areas with a land use designation of Single-Family, Residential Low-Density, and PUD (all of Plum Creek except those areas with a Conservation land use designation). Although Ordinance No. 070447 stated that the rezoning to PD for the portions designated Single-Family and Residential Low-Density could occur incrementally over time upon request of the owner/developer, the ordinance gave a time limit to the owner/developer of 18 months to have a PD rezoning ordinance adopted for the PUD portion of Plum Creek. If this time limit was not met, the consequence was that the PUD land use overlay would be automatically removed and thereby leave that portion of Plum Creek with a land use category of Agriculture.

On October 21, 2010, the City Commission adopted Ordinance No. 100189 and extended the subject PD rezoning deadline until July 26, 2012. On May 3, 2012, the City Commission adopted Ordinance No. 110700 and extended the deadline until July 26, 2016. On March 3, 2016, the City Commission adopted Ordinance No. 150540 and extended the deadline until July 26, 2018.

On June 15, 2017, the owner/developer submitted an application to have a PD rezoning ordinance adopted for the PUD portion of Plum Creek, and on October 26, 2017, the City Plan Board held a hearing on the application. The owner/developer now is asking for a fourth extension of the deadline to adopt a PD rezoning ordinance, to July 26, 2019.

None.

CITY ATTORNEY MEMORANDUM

This ordinance requires two hearings and will become effective immediately upon adoption.