

LAND USE AND ZONING COMMITTEE AMENDMENT

The Land Use and Zoning Committee offers the following first amendment to File No. 2020-98:

- (1) On **page 1, line 5**, after "ORDINANCE" insert "DENYING"; and
- (2) On **page 1, lines 16-18**, strike "PROVIDING A DISCLAIMER THAT THE REZONING GRANTED HEREIN SHALL NOT BE CONSTRUED AS AN EXEMPTION FROM ANY OTHER APPLICABLE LAWS;"; and
- (3) On **page 2, line 4**, strike "is: (1) consistent" and insert ": (1) is not consistent"; and
- (4) On **page 2, line 5**, strike "furthers" and insert "does not further"; and
- (5) On **page 2, lines 6-7**, strike "is not in conflict with any portion of" and insert "is in conflict with"; and
- (6) On **page 2, line 7**, strike "and" and insert "now, therefore"; and
- (7) On **page 2, strike lines 8-15** in their entirety; and
- (8) On **page 2, lines 17-27**, strike Section 1 in its entirety and insert a new Section 1 to read as follows:

"Section 1. Rezoning Denied. Based on the competent substantial evidence in the record, including the findings and conclusions of the Land Use and Zoning Committee, the Council hereby finds:

(1) This Ordinance shall serve as written notice to the property owners, the Crawford L. Johnston Trust, et al.

(2) The Council adopts the findings and conclusions in the record of the Land Use and Zoning Committee meeting held on September 15, 2020.

(3) The application for rezoning and reclassification of the Subject Property from Residential Rural-Acre (RR-Acre) District to Planned Unit Development (PUD) District (24.22 acres)

and Conservation (CSV) District (16.42 acres) does not meet the criteria for rezoning in Section 656.125, *Ordinance Code*, and Section 656.341, *Ordinance Code*, and maintaining the current zoning district accomplishes a legitimate public purpose, as defined in Section 656.125, *Ordinance Code*.

Therefore, the application to rezone and reclassify the Subject Property from Residential Rural-Acre (RR-Acre) District to Planned Unit Development (PUD) District (24.22 acres) and Conservation (CSV) District (16.42 acres) is hereby **denied.**"; and

- (9) On **page 3, lines 2-13, strike** Section 3 in its entirety and insert a new Section 3 to read as follows:

"Section 3. Notice. Legislative Services is hereby directed to mail a certified copy of this Ordinance, as enacted, to the owners listed in the rezoning application in the Legislative Services file, and any other person who testified before the City Council or the Land Use and Zoning Committee."; and

- (10) On **page 1, line 1**, amend the introductory sentence to add that the bill was amended as reflected herein.

Form Approved:

 /s/ Shannon K. Eller

Office of General Counsel

Legislation Prepared By: Shannon K. Eller

GC-#1391272-v1-2020-98_LUZ_Amd