

**ORDINANCE NO. 060231**  
**0-06-82**

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**An ordinance of the City of Gainesville, Florida, amending the Zoning Map Atlas and rezoning certain property within the City from “RH-2: 8-100 units/acre residential high density district” to “Urban Mixed-Use District (UMU-2)”;** consisting of approximately five acres, located in the vicinity of the University Heights neighborhood, generally bounded on the north by Southwest 3rd Avenue, on the west by Southwest 13th Street, on the east by SW 12th Terrace and on the south by Southwest 5th Avenue; providing a severability clause; providing a repealing clause; and providing an effective date.

**WHEREAS**, by initiation of a petition by the property owner, publication of notice of a public hearing was given that the Zoning Map Atlas be amended by rezoning certain property within the City from the zoning category of “RH-2: 8-100 units/acre residential high density district" to “Urban Mixed-Use District (UMU-2)”; and

**WHEREAS**, notice was given and publication made as required by law and a public hearing was held by the City Plan Board on July 20, 2006; and

**WHEREAS**, the City Commission finds that the rezoning of the property described herein will be consistent with the City of Gainesville 2000-2010 Comprehensive Plan; and

**WHEREAS**, at least ten (10) days notice has been given of the public hearings once by publication in a newspaper of general circulation notifying the public of this proposed ordinance and of a Public Hearing in the City Commission meeting room, First Floor, City Hall, in the City of Gainesville; and

**WHEREAS**, pursuant to law, notice has also been given by mail to the owner whose property will be regulated by the adoption of this Ordinance, at least thirty days prior to the

1. adoption of this ordinance; and

2           **WHEREAS**, the public hearing was held pursuant to the published and mailed notice  
3 described above at which hearing the parties in interest and all others had an opportunity to be  
4 and were, in fact, heard.

5           **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE**  
6 **CITY OF GAINESVILLE, FLORIDA:**

7           **Section 1.** The Zoning Map Atlas of the City of Gainesville is amended by rezoning the  
8 following described property from the zoning category of "RH-2: 8-100 units/acre residential  
9 high density district" to "Urban Mixed-Use District (UMU-2)":

10           See Legal Description attached hereto as Exhibit "A", and made a part  
11 hereof as if set forth in full.

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13           **Section 2.** The City Manager is authorized and directed to make the necessary changes in  
14 the Zoning Map to comply with this Ordinance.

15           **Section 3.** If any section, sentence, clause or phrase of this ordinance is held to be invalid  
16 or unconstitutional by any court of competent jurisdiction, then said holding shall in no way  
17 affect the validity of the remaining portions of this ordinance.

18           **Section 4.** All ordinances, or parts of ordinances, in conflict herewith are to the extent of  
19 such conflict hereby repealed

20           **Section 5.** This ordinance shall become effective immediately upon final adoption;  
21 however, the rezoning shall not become effective until the amendment to the City of Gainesville  
22 2000-2010 Comprehensive Plan adopted by Ordinance No. 060229 becomes effective as  
23 provided therein..

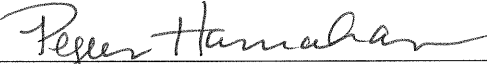
1 **PASSED AND ADOPTED** this 9th day of October, 2006.

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PEGEEN HANRAHAN, MAYOR

6 ATTEST

Approved as to form and legality:

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KURT M. LANNON  
CLERK OF THE COMMISSION

  
MARION J. RADSON, CITY ATTORNEY

OCT 10 2006

12 This Ordinance passed on this 9<sup>th</sup> day of October, 2006.

LEGAL DESCRPTION FOR PETITION # 91LUC-06 PB

Lots 1-19 of Block 4, AND: Lots 1-19 of Block 9 of University Heights, according to the map or plat thereof, all as recorded in Mortgage Book 104 Page 10, of the Public Records of Alachua County, Florida.

EXHIBIT "A"