

CITY OF LABELLE
ORDINANCE NO. 2016-04
GUTIERREZ SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND USE MAP FOR PROPERTY LOCATED IN BOOTH SUBDIVISION, LOTS 1 TO 10 AND 23-26, AS RECORDED IN OFFICIAL RECORDS BOOK 520, PAGE 529; OF THE OFFICIAL RECORDS OF HENDRY COUNTY, FLORIDA, AMENDING THE CITY COMPREHENSIVE PLAN DESIGNATION FOR THE PROPERTY FROM HENDRY COUNTY RESIDENTIAL/HIGH DENSITY TO CITY COMPREHENSIVE PLAN DESIGNATION COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, upon request of the owner, the City has voluntarily annexed the following described real property located at 409 W. Cowboy Way, LaBelle, Florida, “the property,” and redefined the boundary lines of the City to include the property pursuant to Section 171.044, Florida Statutes, as amended:

LOTS 1-10, INCLUSIVE, AND LOTS 23-26, INCLUSIVE, BOOTH’S
SUBDIVISION, PLAT BOOK 1, PAGE 21, HENDRY COUNTY,
FLORIDA; LESS AND EXCEPT THE NORTH 10.00 FEET OF LOTS 1-6,
BOOTH’S SUBDIVISION, PLAT BOOK 1, PAGE 21, HENDRY
COUNTY, FLORIDA.

WHEREAS, in the exercise of its authority pursuant to Sections 163.3187 and 1643.3184, Florida Statutes, the City has determined it necessary and desirable to amend the City Comprehensive Plan Future Land Use Map so that the property for comprehensive planning and zoning purposes is changed from Hendry County comprehensive plan designation “Residential/High Density” to City comprehensive plan designation “Commercial”; and,

WHEREAS, amending the City Comprehensive Plan Future Land Use Map designation from Hendry County comprehensive plan designation of “Residential/High Density” to City comprehensive plan designation of “Commercial,” as applied to the property, will promote, protect and improve the general health, safety, comfort good order, appearance, convenience, morals and general welfare of the public and will help accomplish the goals and objectives of the City Comprehensive Plan.

NOW THEREFORE be it enacted by the City Commission of the City of LaBelle, Florida, that:

1. After being read by title at a public meeting on March 10, 2016, and after a duly advertised public hearing on May 12, 2016, Ordinance No. 2016-04 is hereby adopted, amending the City Comprehensive Plan Future Land Use Map so that the City Comprehensive Plan designation for the property is hereby changed from Hendry County, Florida comprehensive plan designation of “Residential/High Density” to City comprehensive plan designation “Commercial” property.
2. The City Commission has determined that the comprehensive plan designation of “Commercial” as shown in the proposed amended City Comprehensive Plan Future

Land Use Map attached hereto as Exhibit "A," is the most appropriate comprehensive plan designation for the affected property and that that such comprehensive plan designation will promote, protect and improve the general health, safety, comfort, good order, appearance, convenience, morals and general welfare of the public and will help accomplish the goals and objectives of the City Comprehensive Plan.

3. The small scale comprehensive plan amendment shall apply to the real property as described in the legal description provided by the applicant in the comprehensive plan amendment application and herein.

4. If any Court of competent jurisdiction shall determine any portion or provision of this ordinance unconstitutional or invalid, that portion shall be severed and the remainder of the ordinance shall remain in full force and effect and given its ordinary meaning.

- 4. This Ordinance shall be codified within The City of LaBelle Code.
- 5. This Ordinance shall become effective upon the date of passage.
- 6. Any language within the City of LaBelle Code in conflict with the language or provisions contained herein is hereby declared null and void.

PASSED AND ADOPTED in open session this 12th day of May, 2016.

THE CITY OF LABELLE, FLORIDA

By: _____
David A. Lyons, Mayor

Attest:

Thomas A. Smith, Clerk-Commissioner