

**CITY OF LABELLE
ORDINANCE NO. 2017-02
LOG CABIN BARBEQUE OF LABELLE, INC.
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 AT 68 HARDEE STREET, LABELLE, HENDRY COUNTY, FLORIDA, AMENDING THE CITY COMPREHENSIVE PLAN DESIGNATION FOR THE PROPERTY FROM RESIDENTIAL TO COMMERCIAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has considered the owner's application for small scale comprehensive plan amendment and heard staff reports and considered public comment on the same; and,

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 City comprehensive plan designation "Residential" to City comprehensive plan designation "Commercial"; and,

WHEREAS, amending the City Comprehensive Plan Future Land Use Map designation from "Residential" to "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 December 8, 2016, and after a duly advertised public hearing on February 9, 2017, Ordinance No. 2017-02 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 "Residential" 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 following described real property located in the City of LaBelle, Hendry County, Florida:

The South 40 feet of Lot 18 and all of Lot 19, Block 5 of LaBelle Park according to the Plat thereof recorded in Plat book 1, page 25 public record of Hendry County, Florida.
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.
5. This Ordinance shall be codified within The City of LaBelle Code.
6. This Ordinance shall become effective upon the date of passage.
7. 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 9th day of February, 2017.

THE CITY OF LABELLE, FLORIDA

By: 
David A. Lyons, Mayor

Attest: 
Thomas A. Smith, Clerk-Commissioner