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3 **CITY OF LABELLE**
4 **ORDINANCE 2019-23**
5 **LABELLE CHAPTER 144 DISABLED AMERICAN VETERANS**
6 **SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT**

7 **AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, PROVIDING FOR A**
8 **SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT TO THE FUTURE LAND**
9 **USE MAP FOR PROPERTIES GENERALLY LOCATED SOUTH OF MILLER**
10 **AVENUE AND EAST OF SELMA DANIELS AVENUE (AKA WITHLACOOCHIE**
11 **AVENUE), CITY OF LABELLE, FLORIDA; AMENDING THE CITY**
12 **COMPREHENSIVE PLAN DESIGNATION FOR THE PROPERTY FROM**
13 **“RESIDENTIAL” DESIGNATION TO “OUTLYING MIXED USE” DESIGNATION;**
14 **PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

15 **WHEREAS**, the City of LaBelle has considered an amendment to the Future Land Use
16 Map for real property located south of Miller Avenue and east of Selma Daniels Avenue, City of
17 LaBelle, Florida, further described in Exhibit “A”, attached hereto, and has considered public
18 comment on the same; and,
19

20 **WHEREAS**, in the exercise of its authority pursuant to Sections 163.3187 and 1643.3184,
21 Florida Statutes, the City has determined it necessary and desirable to amend the City
22 Comprehensive Plan Future Land Use Map so that the property for comprehensive planning
23 purposes is changed from the “Residential” future land use category to the “Outlying Mixed
24 Use” future land use category as shown on Exhibits “B” and “C” attached hereto; and
25

26 **WHEREAS**, amending the City Comprehensive Plan Future Land Use category from
27 “Residential” to “Outlying Mixed Use” is appropriate in consideration of the property’s
28 proximity to non-residential uses, including the Disabled American Veterans flea market, and SR
29 80, a state-maintained arterial roadway intended as a regional thoroughfare, and the amendments
30 will promote, protect, and improve the general health, safety, good order, appearance,
31 convenience, and general welfare of the public, and will help accomplish the goals of the
32 objectives of the City’s Comprehensive Plan.
33

34 **WHEREAS**, the proposed amendments to the Future Land Use Map and Future Land Use
35 Element as applied to the property will promote and protect public health safety and welfare and
36 will help accomplish the goals, objectives and policies of the City Comprehensive Plan.
37

38 **NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF**
39 **LABELLE, FLORIDA, that:**
40

- 41 1. After being read by title at a public hearing on December 12, 2019 and a duly advertised
42 public hearing on January 9, 2020, Ordinance 2019-23 is hereby adopted, amending the
43 City Comprehensive Plan Future Land Use Map so that the Comprehensive Plan
44 designation for the property is hereby changed from “Residential” to City Comprehensive
45 Plan designation “Outlying Mixed Use”.

- 46 2. The City has determined that the Comprehensive Plan designation of Outlying Mixed
 47 Use as shown in the proposed City Comprehensive Plan Future Land Use Map attached
 48 hereto as Exhibit "C", is the most appropriate comprehensive plan designation for the
 49 affected property and that such comprehensive plan designation will promote, protect,
 50 and improve the general health, safety, good order, appearance, convenience, and general
 51 welfare of the public and will help accomplish the goals and objectives of the City
 52 Comprehensive Plan.
 53
- 54 3. The small-scale comprehensive plan amendment shall apply to the real property
 55 described in Exhibit "A".
 56
- 57 4. If any Court of competent jurisdiction shall determine any portion or provision of this
 58 ordinance unconstitutional or invalid, that portion shall be severed and the remainder of
 59 the ordinance shall remain in full force and effect and given its ordinary meaning.
 60
- 61 5. This ordinance shall become effective in accordance with Florida Statutes.
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63 PASSED AND ADOPTED in open session this 9th day January 2020.

64 THE CITY OF LABELLE, FLORIDA
 65 ***SEE CLERK FOR SIGNED VERSION***
 66

67 By: _____
 68 ***SEE CLERK FOR SIGNED VERSION*** David A Lyons, Mayor
 69

70 Attest: _____
 71 Thomas A. Smith, Clerk-Commissioner
 72

73 APPROVED AS TO FORM AND
 74 LEGAL SUFFICIENCY:
 75 ***SEE CLERK FOR SIGNED VERSION***
 76

77 By: _____
 78 Derek Rooney, City Attorney
 79

80			
81	Vote:	AYE	NAY
82			
83	Mayor Lyons	<u> X </u>	_____
84	Commissioner Smith	<u> X </u>	_____
85	Commissioner Wilkins	<u> X </u>	_____
86	Commissioner Akin	<u> X </u>	_____
87	Commissioner Zimmerly	_____	_____
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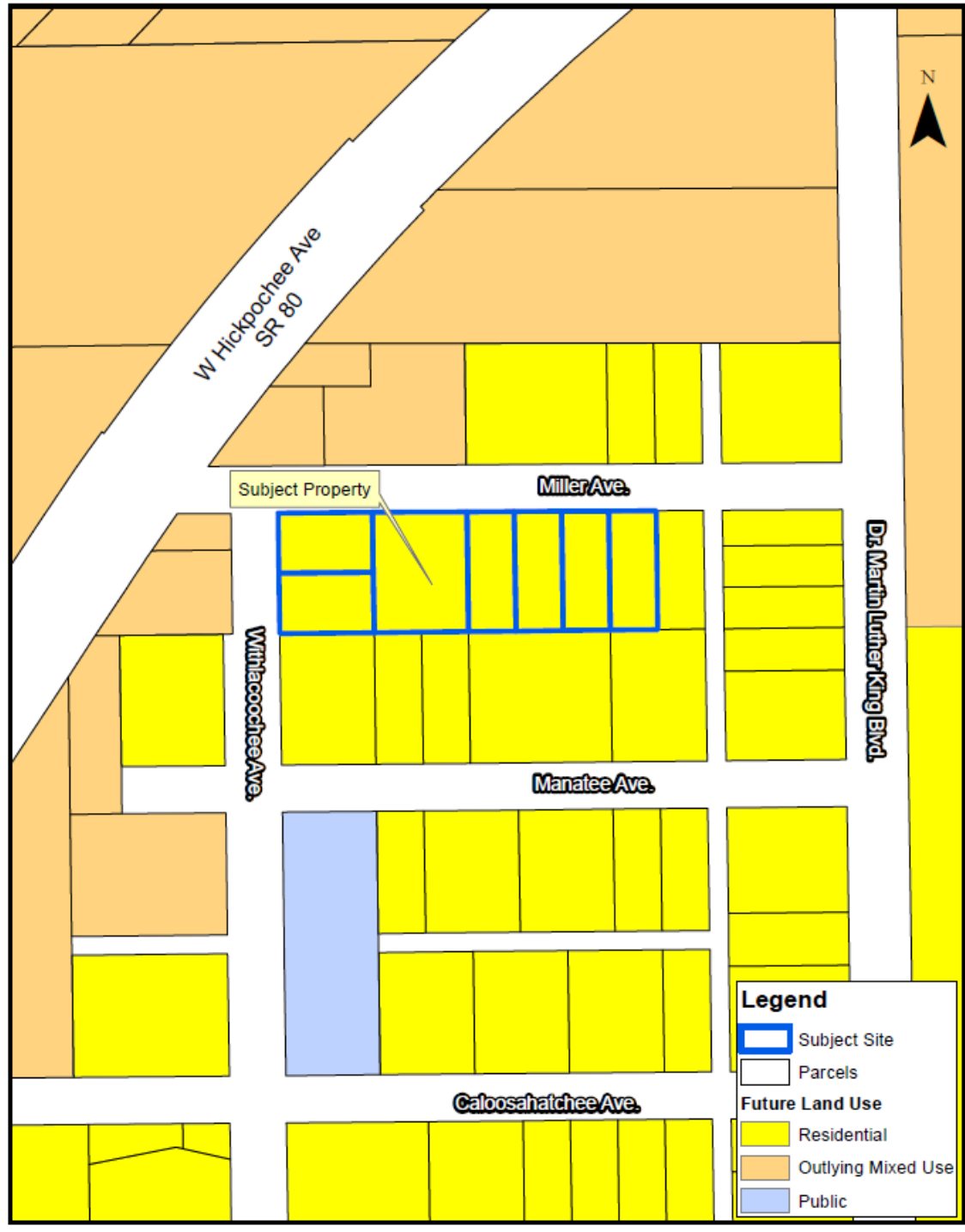
EXHIBIT A

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LOTS 9, 11, 13, 15, 17, 19, NORTH ½ OF LOTS 21 AND 23, AND SOUTH ½ OF LOTS 21 AND 23, MILLER'S SUBDIVISION, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 67 OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

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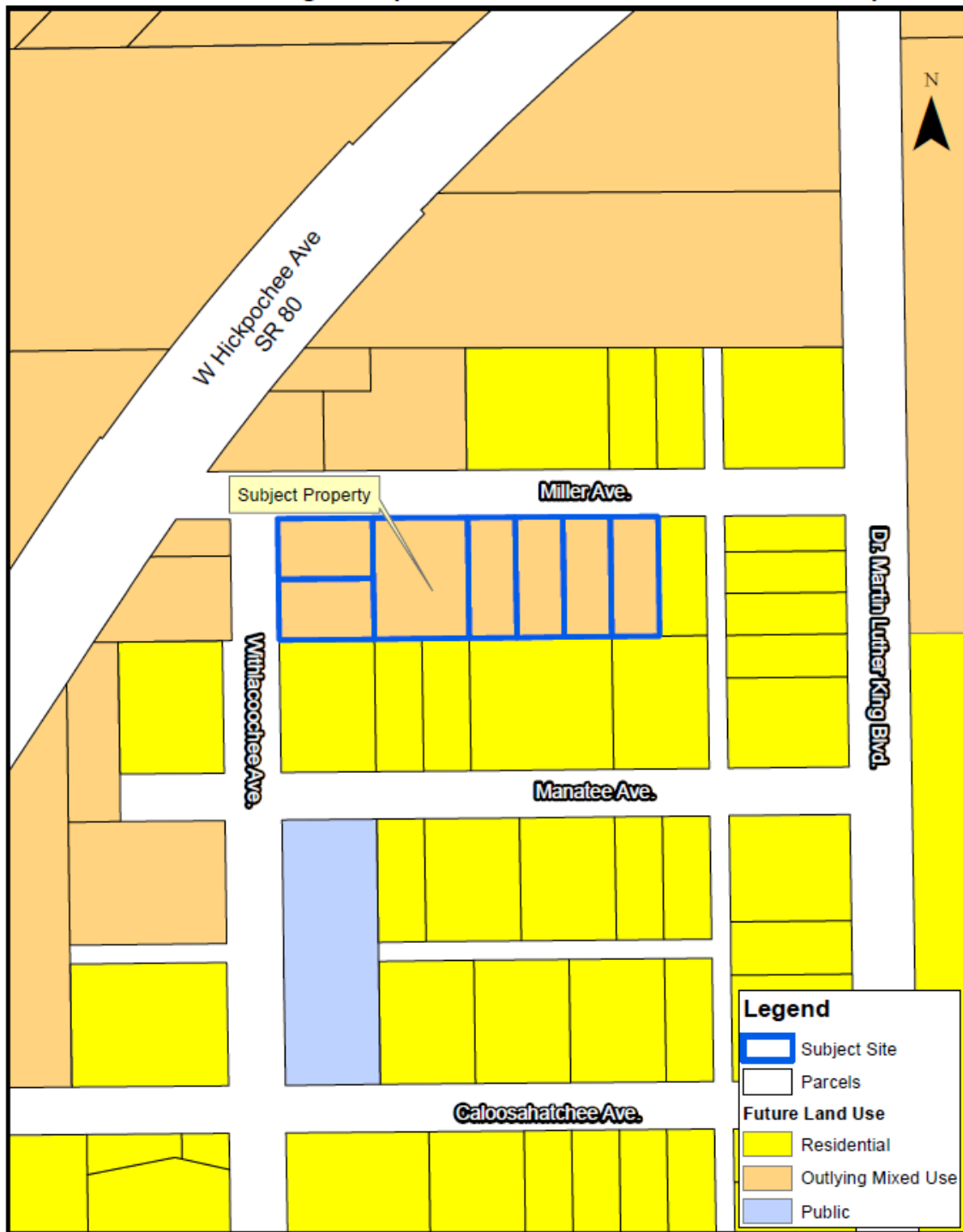
EXHIBIT B CURRENT FUTURE LAND USE MAP



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EXHIBIT C PROPOSED FUTURE LAND USE MAP



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