

ORDINANCE NO. 2024 - 06

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA, PROVIDING FOR A SMALL SCALE LAND USE MAP AMENDMENT, WHICH WILL AMEND THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN IN RESPONSE TO A REQUEST BY CAMARO FARMS INC, TO CHANGE THE DESIGNATION OF A PROPERTY GENERALLY LOCATED AT BACOM POINT ROAD (PCN 48-36-42-24-01-000-0770), CONTAINING APPROXIMATELY 2.28 ACRES, FROM "RESIDENTIAL-LOW" TO "COMMERCIAL" AND LEGALLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO; PROVIDING FOR CITY MANAGER AUTHORITY; AND PROVIDING FOR CONFLICTS AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 14-28, "Land Development Code," of the City Code of Ordinances of the City of Pahokee, Florida (the City Code), the applicant, Camaro Farms Inc., for the property generally located at Bacom Point Road, and legally described in Exhibit "A" hereto (the "Property"), has made an application for a "Small-Scale Amendment" to the City of Pahokee Future Land Use Plan Map, amending the map to designate the Property from "Residential-Low" to "Commercial"; and

WHEREAS, the Florida Legislature adopted the Local Government Comprehensive Planning and Land Development Regulation Act, as set forth in Florida Statutes Sections 163.3161 through 163.3215; and

WHEREAS, the proposed small scale amendment to the Comprehensive plan meets the criteria for a small-scale amendment as set forth in Section 14-28 of the City Code and Section 163.3187, Florida Statutes; and

WHEREAS, the small scale amendment to the Comprehensive Plan involves a use of Fifty (50) acres or less and the small scale amendment does not change any goals, policies or objectives of the Pahokee Comprehensive Plan; and

WHEREAS, the City of Pahokee Zoning, Adjustment and Planning Board, held a duly noticed public hearing on July 1, 2024, and recommended approval of the Small -Scale Future Land Use Map Amendment request described above; and

WHEREAS the City Commission of the City of Pahokee, Florida conducted duly noticed public hearings as required by law; and

WHEREAS, the land use designation requested by the applicant will allow for the future development of the subject property for commercial use, promote economic development, and improve the City's tax base; and

WHEREAS, the proposed Small Scale Future Land Use Map Amendment is consistent with the City of Pahokee's Comprehensive Plan; and

WHEREAS, the City Commission of the City of Pahokee, Florida has determined that the proposed Small Scale Future Land Use Map Amendment is in the best interests of the City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF PAHOKEE, FLORIDA:

Section 1. Small-Scale Future Land Use Map Amendment of Subject Property.

That the Future Land Use Map is amended as described below:

THE FUTURE LAND USE PLAN MAP OF THE CITY OF PAHOKEE'S COMPREHENSIVE PLAN IS HEREBY AMENDED TO CHANGE THE DESIGNATION OF THE PROPERTY GENERALLY LOCATED AT BACOM POINT ROAD, CONTAINING APPROXIMATELY 2.28 ACRES AND LEGALLY DESCRIBED IN EXHIBIT "A" TO THIS ORDINANCE FROM "RESIDENTIAL-LOW" TO "COMMERCIAL".

Section 2. Authority of City Manager. The City Manager is hereby authorized to do all things necessary to effectuate the subject Small-Scale Future Land Use Map Amendment as required by Florida law. The City shall transmit an executed copy of this ordinance to the State Land Planning Agency in accordance to the Guidelines contained on the Florida Commerce Department's website.

Section 3. Conflict

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Severability.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

Section 5. Effective Date. This ordinance shall take effect on the date of the final order is issued by the Florida Commerce Department finding the amendment in compliance with the City of Pahokee’s Comprehensive Plan, or thirty-one (31) days after adoption, whichever is later, as provided for in Florida Statutes, Section 163.3187(5)(c).

PASSED on first reading this 23rd day of July 2024.

PASSED AND ADOPTED on second reading this 13th day of August 2024.

Keith W. Babb, Jr., Mayor

ATTEST:

Nylene Clarke, CMC, City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _____

Seconded by: _____

VOTE:

Commissioner Boldin	_____ (Yes)	_____ (No)
Commissioner Cowan-Williams	_____ (Yes)	_____ (No)
Commissioner McPherson	_____ (Yes)	_____ (No)
Vice-Mayor Murvin	_____ (Yes)	_____ (No)
Mayor Babb	_____ (Yes)	_____ (No)

Exhibit "A"

SUBJECT PROPERTY LEGAL DESCRIPTION

Lots 24 and 24A, TRUSTEES INTERNAL FUND OF THE STATE OF FLORIDA, PLAT OF FRAC. SEC. 23 AND STATE LANDS OF FRAC SEC. 24, TOWNSHIP 425, RANGE 36 EAST

Subject Property Location Map
Bacom Point Rd./PCN 48-36-42-24-01-000-0770

