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**ORDINANCE
NUMBER 2021-02**

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**AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA; AMENDING THE
CITY OF LABELLE LAND DEVELOPMENT CODE, CHAPTER 4, ZONING;
AMENDING ARTICLE IV, DISTRICT REGULATIONS, SECTION 4-70,
BUSINESS AND INDUSTRIAL ZONES; PROVIDING FOR CODIFICATION;
PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE
DATE.**

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RECITALS

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WHEREAS, the City of LaBelle, Florida has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida; Chapters 163 and 166; and Section 381.986 Florida Statutes; and

WHEREAS, the City Commission recognizes the need for defining certain terms in order to implement the Land Development Code; and

WHEREAS, the City of LaBelle desires to maintain minimum regulations to ensure the protection of public health, safety and welfare; and

WHEREAS, the City of LaBelle desires to allow for a flexible mix of uses in their Business and Industrial zoning districts to support economic development, employment opportunities and provide for a sustainable and compatible mix of local goods and services for the residents of LaBelle; and

WHEREAS, the proposed ordinance was properly advertised and has received public hearings before the Local Planning Agency on January 14, 2021 and the City Commission on February 11, 2021 and March 11, 2021; and

WHEREAS, the City finds that this Ordinance is in the interests of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of LaBelle, Florida:

Section 1. Recitals. The forgoing recitals are hereby ratified and confirmed as being true and correct and hereby made a part of this Ordinance and adopted as legislative findings.

Section 2. Amendment to the City Code. Appendix B, Land Development Code, Chapter 2, Language and Definitions, Section 4-70, Business and Industrial Zones, of the City of LaBelle Land Development Code are hereby amended with the following provisions:

46 LAND DEVELOPMENT CODE

47 CHAPTER 4 – ZONING

48 ARTICLE IV. DISTRICT REGULATIONS

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52 Sec. 4-70. - Business and industrial zones.

Purpose and intent. [NO CHANGE]

53 the safe and efficient movement of people, products and services.

54 4-70.1. *Definitions.* [NO CHANGE]

55 4-70.2. *Business professional (B-1) zone.* [NO CHANGE]

56 4-70.3. *Business general (B-2) zone.* [NO CHANGE]

57 4-70.4. *Business heavy (B-3) zone.* [NO CHANGE]

58 4-70.5. *Light industrial (I-1 and I-1A) zones.* [NO CHANGE]

59 4-70.6. *Heavy industrial (I-2) zone.*

60 *Purpose and intent.*

61 The purpose and intent of the heavy industrial (I-2) zone is to provide lands for manufacturing,
62 processing, storage and warehousing, wholesaling, and distribution. Commercial uses that are
63 supportive to the allowable uses of this district are also permitted, in addition to employment
generating uses, such as offices, health care facilities, and laboratories.

64 Outdoor sales and storage are allowed in the I-2 zone. With the exception of the display for
65 rent or sale of merchandise, all products, merchandise, equipment or any other material stored
66 outside of the buildings, whether new or used, shall be hidden from view on all sides, except for
67 necessary openings and gates, by a one hundred (100) percent opaque fence, wall or vegetative
68 hedge, not less than six (6) feet high and no greater than ten (10) feet high. Additional height may
69 be requested through the special exception process.

70 Quonset hut-type buildings, truck trailers, or similar box style storage shall not be permitted.

71 PODS or personal storage containers shall be allowed for temporary storage, not to exceed
72 thirty (30) consecutive days at a time.

73 Storage and/or sales areas must comply with Appendix B, sections 4-80 and 4-85, Parking
74 and landscape requirements.

75 A. *Permitted uses.* Refer to Appendix B, section 4-70.8.

76 B. *Development regulations.* Refer to Appendix B, section 4-76(b).

77 4-70.7. *Accessory maintenance storage building.* [NO CHANGE]

78 4-70.8. *Business and industrial use table.*

Category	Specific Use	Zoning Districts					Additional Regulations (apply in all districts unless otherwise stated)
Residential							
		B-1	B-2	B-3	I-1A/ I-1	I-2	
	Caretaker/Security Quarters	A	A	A	A	A	Accessory Use Only
	Multi-Family	P	NP	NP	NP	NP	As component of a multiuse development (Appendix B, Sec. 470.2.)
	RV Park	NP	SE	SE	NP	NP	
Institutional, Public, Quasi-Public							
		B-1	B-2	B-3	I-1A/ I-1	I-2	
	Accessory Use/Structure	P	P	P	P	P	See Definitions, § 4-1
	Airports and Landing Strips	NP	NP	SE	SE	SE	
	Clubs, Lodges	SE	SE	P	P	P	
	Cultural Institutions	P	P	P	P	NP	

Health Care	Hospital, Walk-in Clinics and Similar Uses	P	P	P	SE P	SE P	Excluding Home Health Care
Government Offices		P	P	P	P	P	
Institutional Housing	Community-based Residential Facility	P	SE	SE	NP	NP	See Definitions, Appendix B
	Community-Based Residential Facility						See Definitions, Appendix B, Sec. 2-4
	Emergency Shelter	P	P	P	P	P	
	Emergency Home Shelter	P	P	P	P	P	
	Family Care Home	P	P	P	SE	NP	
	Group Care Home	P	P	P	SE	NP	
Recovery Home/Residential Treatment Facility	NP	SE	SE	SE	NP		
Park and Recreation Facilities		SE	SE	SE	SE	SE	
Private/Quasi-Public Facilities		SE	SE	P	P	P	
Religious Assemblies/Church		SE	SE	SE	SE	SE	
Schools, Public or Private		SE	SE	SE	NP	NP	
City of LaBelle Utilities		P	P	P	P	P	
Institutional, Public, Quasi-Public							

	B-1	B-2	B-3	I-1A/ I-1	I-2		
Wireless Communication Facilities	Antennas	P	P	P	P	P	
	Towers	NP	NP	SE	SE	SE	
	Alternative Tower Structures	SE	SE	SE	SE	SE	
Commercial							
		B-1	B-2	B-3	I-1A/ I-1	I-2	
Accessory Use/Structure		P	P	P	P	P	See Definitions, § 4-1
Adult Business	Adult Entertainment, including Psychics, Etc.	NP	NP	NP	NP	SE	
Amusement Facilities	Indoor	SE	P	P	P	P	
	Outdoor	NP	SE	P	P	P	
Animal Sales and Services	Boarding Outdoors	NP	NP	SE	SE	P	See also Appendix B, Sec. 2-4, Pet Kennel and Veterinary Clinic
	Grooming	P	P	P	P	P	
	Animal Hospital/Clinic	SE	SE	P	P	P	
	Animal Shows/Exhibitions	NP	NP	SE	P	P	
	Retail Sales	P	P	P	P	NP	

Convenience Stores	With Gas Pumps	NP	P	P	P	P	See also Vehicle/Equipm ent Sales and Service
	Without Gas Pumps	SE	P	P	P	P	
Day Care		SE	SE	SE	SE	SE	See also Appendix B, Sec. 2-4, Child Care Center
Financial Institutions		P	P	P	P	P	
Food and Beverage Sales/Establishments	Accessory Alcoholic Beverage Sales, Off- Premise	P	P	P	P	P	See also Ch. 3, § 3-4
	Accessory Alcoholic Beverage Sales, On- Premise	SE	SE	SE	P	P	
	Alcoholic Beverage Establishment	SE	SE	P	P	P	
	Bars	NP	NP	SE	SE	NP	
	Liquor Stores	P	P	P	P	SE	
	Restaurants	P	P	P	P	P	
	Clubs/lodges	P	P	P	P	P	
	Wholesale bakeries	NP	P	P	P	P	
Funeral and Internment Services, including Crematorium		NP	SE	P	SE	SE	
Laboratories		NP	SE	SE	P	P	

Maintenance and Repair Services		P	P	P	P	P	See also Vehicle/Equipment Sales and Service
Manufacturing and Fabrication		NP	NP	NP	SE	P	
Marina/Boatyard		NP	NP	NP	NP	P	
Mining and Processing		NP	NP	NP	NP	P	Does not include excavation for water management
Offices		P	P	P	P	P	
Outdoor Sales Area		A	A	P	P	P	See Also Temporary Uses
Outdoor Storage Area ¹		NP	A ⁽¹⁾	A ⁽¹⁾	A ⁽²⁾	P ⁽²⁾	See also Vehicle/Equipment Sales and Service and Appendix B, Sec. 4-80, Landscape Requirements
Parking Lots	Stand Alone	NP	NP	p ⁽¹⁾	P	P	See also Appendix B, Sec. 4-80, Landscape Requirements
Pawnshops		NP	P	P	P	P	
Personal Services	General	P	P	P	P	P	

	Dry Cleaning Establishments	P	P	P	P	P	
Plant Nurseries (Horticulture Production)		NP	NP	NP	P	P	
Research and Development Services		NP	SE	SE	SE	P	
Retail Sales/Rental Establishments	General	P	P	P	P	P	See also Vehicle/Equipment Sales and Service
	Heavy Equipment, Lumberyards, Building Supplies	NP	P	P	P	P	
Salvage/Junkyards/Recycling		NP	NP	NP	NP	SE	See also Ch. 10, Art. II
Street Vending		SE	SE	SE	SE	SE	See Code of Ordinances Ch. 11, Art. V
Tattoo Establishments		SE	P	P	P	P	
Vehicle/Equipment Sales and Service	Car Wash, Detailing	NP	P	P	P	P	
	Commercial Parking Facility ²	SE	SE	P	P	P	
	Fuel Bulk Plant	NP	SE	P	P	P	
	Fleet Fueling Station	NP	SE	P	P	P	See ² below
	Service Stations	NP	SE	P	P	P	
	Repair	NP	SE	SE	P	P	
	New Vehicle Sales	NP	SE	P	P	P	See also Appendix B,

							Sec. 4-1, Filling Station
	Uses Vehicle Sales	NP	SE	P	P	P	
	Auctions, Rentals	NP	SE	SE	P	P	
	Storage ²	NP	A	A	P	P	
	Mobile Homes	NP	NP	P *	P *	P *	
Visitor Accommodations	Bed and Breakfast	P	SE	SE	NP	NP	See Appendix B, Sec. 4-75.5
	Hostels	SE	SE	P	NP	NP	
	Hotels/Motels	SE	P	P	NP	NP	
Warehousing	Mini-Warehouse	NP	A	P	P	P	
	Other	NP	NP	SE	P	P	
Temporary Uses							
Special Events	With Outdoor Sales Area	P	P	P	P	P	Requires Special Event Permit
Security Trailer		SE	SE	SE	SE	SE	Excluding Construction Related Security Trailers
Vehicle/Equipment Sales and Services	Temporary Sales, Auctions, Rentals	NP	SE	SE	SE	SE	Applies to Locations that are not Currently Permitted Vehicle/Equipment Sales and Services. Only

								Local Businesses may apply.
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82 ¹ Must be enclosed by a minimum six (6) foot high perimeter, one hundred (100) percent opaque
83 fence or wall and buffered as required by the landscape regulations.

84 ² Outside storage areas shall be placed or screened so that they cannot be viewed from a street.

85 P = Permitted

86 A = Accessory Use

87 SE = Special Exception

88 NP = Not permitted

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Section 3. Codification. This ordinance shall be incorporated into the City of LaBelle Land Development Code. The sections of this Ordinance can be renumbered or re-lettered to the appropriate word or phrase to accomplish codification. Omissions, grammatical, and typographical errors, as well as clarifications of ambiguous wording that do not affect the intent of this Ordinance, may be authorized by the Mayor without need for a public hearing.

Section 4. Severability. In the event that any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

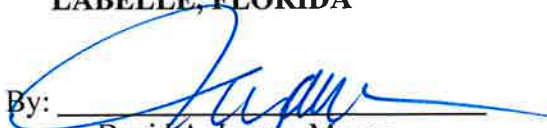
Section 5. Conflicts. The provisions of this article shall supersede any provisions of existing ordinances in conflict herewith to the extent of said conflict.

Section 6. Effective Date. This Ordinance shall take effect immediately upon its adoption by the City Commission.

111 PASSED AND DULY ADOPTED this 11th day of March, 2021.

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CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA

By: 
David A. Lyons, Mayor

ATTEST:

By: 
Thomas A. Smith, Clerk-Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

By: 
Derek Rooney, City Attorney

Vote:	AYE	NAY
Mayor Lyons	<u>✓</u>	—
Commissioner Smith	<u>✓</u>	—
Commissioner Wilkins	<u>✓</u>	—
Commissioner Akin	<u>✓</u>	—
Bobbie Pratt	<u>✓</u>	—