

ORDINANCE NO. 2015-03

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE COMPREHENSIVE PLAN BY AMENDING POLICY 1.3.9.1 AND 1.3.9.3 OF THE FUTURE LAND USE ELEMENT AND AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP FROM SOUTH LABELLE COMMUNITY URBAN RESIDENTIAL AND TOWN CENTER TO WORKPLACE FOR PROPERTY IDENTIFIED ON THE PROPOSED FUTURE LAND USE MAP, EXHIBIT 'A', PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission of the City of LaBelle, Hendry County, Florida has long recognized the need for positive growth through developments that enhance the quality of life of its citizens and all services related thereto, in the incorporated area of the City of LaBelle; and

**WHEREAS**, the City intends to amend the City of LaBelle Comprehensive Plan, "the Comprehensive Plan," Policy 1.3.9.1 and 1.3.9.3 of the Future Land Use Element incorporated herein by reference with additions shown as underlined and deletions shown as ~~struckthrough~~, and amend the Future Land Use Map as set forth in Exhibits "A" and "B" attached hereto and;

**WHEREAS**, the City of LaBelle Local Planning Agency "LPA," held a duly advertised public hearing on February 12, 2015 at which the LPA considered the amendment to the Comprehensive Plan contemplated herein and based on such consideration has submitted its recommendations to the City Commission; and,

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA, that:

1. The City finds it to be a valid governmental purpose, to allow enhancement of the tax base, employment, housing and educational opportunities for its citizens and all the benefits related to carefully planned community development.
2. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.
3. This Ordinance shall become effective upon adoption.

PASSED AND ADOPTED in open session this 9<sup>th</sup> day of April, 2015.

THE CITY OF LABELLE, FLORIDA

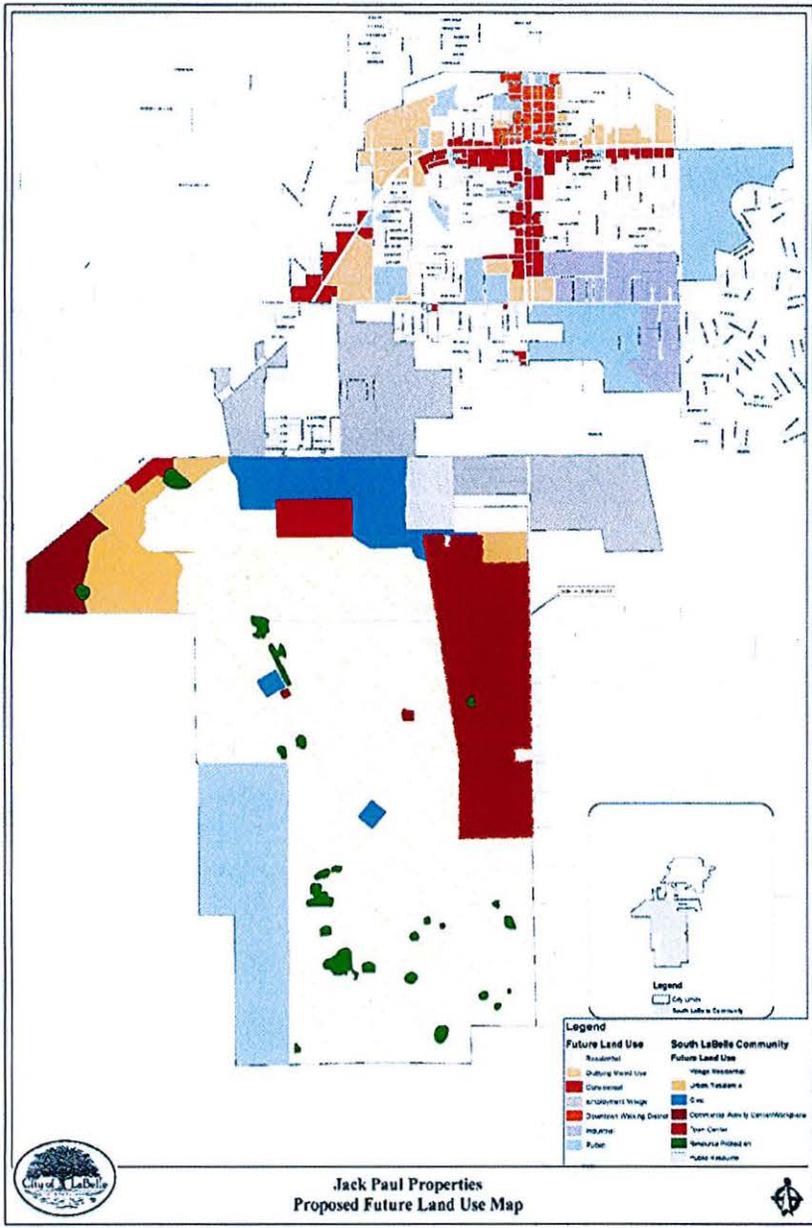
By: \_\_\_\_\_

David A. Lyons, Mayor

Attest:

  
Thomas A. Smith, Clerk-Commissioner

**"EXHIBIT A"  
FUTURE LAND USE MAP AMENDMENT**



**Jack Paul Properties  
Proposed Future Land Use Map**



**EXHIBIT 'B'**  
**TEXT AMENDMENT**

**Policy 1.3.9.1**

The South LaBelle Community Land Use Category envisions the establishment of a variety of areas that encourage a wide array of uses. These areas or sub-areas include public facilities, Town Center, Activity Centers, as well as various residential areas, including Village Residential and Urban Residential. The Town Center area is suitable for higher density residential and commercial mixed-use areas that include a residential component.

- a. The overall size of the South LaBelle Community Land Use Category (Exhibit A) is approximately 5,280 acres, and will accommodate a full range of uses including residential, commercial, office, industrial, recreational and public facilities. The public facilities are intended to allow a full range of public and quasi-public uses including, but not limited to educational facilities (public and private), utilities, libraries, fire/EMS and police substations, and quasi-public uses like Good Wheels, Goodwill, churches and youth support facilities like the YMCA. Development of the 5,280 acre shall be limited as specified in Table 1-1 below:

Table 1-1: South LaBelle Community Development Summary	
Use	Minimum Development
Residential	5,280 du
Retail	500,000 square feet
Office (general and medical)	250,000 square feet
Light Industrial	N/A
Institutional	100 acres

- b. Land Use Overlay – In order to provide guidance on the appropriate mix and location of uses, and to update the City of LaBelle Comprehensive Plan Traffic Circulation Map, a generalized Land Use Overlay is established as Figure 1.1. The designations contained in this overlay are defined below. The depiction of lake and open space areas are for illustrative purposes only and do not represent actual land use categories. Development rights are in accordance with the adjacent or underlying land use category.

1. Village Residential - will define areas that are primarily for residential uses. Village Residential uses may be developed at a density no greater than 2.5 dwelling units per gross acre. Clustering will be achieved as a result of a requirement for a minimum of 30% open space. Uses in the Village Residential category include both single and multi-family units, as well as town house, duplex and any other similar unit types, as well as public or private recreational facilities, and civic uses like schools, libraries, etc.

Commercial uses up to a FAR of .25 are permitted to meet the needs of the adjacent neighborhoods. Adequate buffering and access must be provided, and the commercial uses must comply with the locational standards of Objective 2 c.

In order to ensure a mix of uses, an area equal to 5% of the net residential acreage within the Village, Residential category must be used for multi-family, commercial, civic or recreational facilities, and shall

will be interconnected with the remainder of the community via pedestrian connections.

2. Urban Residential – will define areas that are primarily for higher density residential uses, which are typically within approximately ½ mile of a Commercial Activity Center, Town Center, or community school. Urban Residential areas may be developed at a gross density no greater than 10 dwelling units per gross acre, but not less than 3 dwelling units per gross acre. In order to encourage clustering, a minimum of 25% open space must be provided within this area. Uses include both single and multi-family units, as well as town house, duplex and any other similar unit type. In order to ensure a variety of lifestyle choices and price ranges, a minimum of 30% of the total units within the Urban Village shall be multi-family product.

Recreational uses, public or private, as well as local commercial nodes intended to provide for the needs of the adjacent neighborhoods are allowed, provided commercial uses do not exceed the overall maximum permitted square footage established in Policy 1, and are in compliance with the locational standards of Objective 2 Policy C. Further, commercial uses must be developed at a Floor Area Ratio between .20 and .50.

In order to ensure a mix of uses, an area equal to 5% of the net residential acreage of the Urban Village category must be used for commercial, civic or recreational facilities, and will be interconnected with the remainder of the community via pedestrian connections. Urban Residential areas are anticipated to be located around or near the arterial and collector roads, commercial/industrial nodes, the town center, the Educational Village, and where, through the evaluation of a planned unit development (PUD), the construction of Urban residential development is deemed appropriate.

3. Town Center – are areas of mixed residential and commercial uses, where highest intensity of development is appropriate due to the mix of uses and the interconnectivity of uses. Town Center areas will be designed as more urban in nature and located at or near a major intersection of two roads designed to meet either arterial or collector standards. Residential densities in activity centers are allowed at densities between 5 and 15 dwelling units per gross acre, and commercial intensities are allowed at a floor area ratio between .20 and 1.25.

Within the Town Center(s), a minimum of at least 50% of the developable area (excluding open space and common areas) must be designated for commercial or civic uses. The Town Center(s) must have a minimum of 10% open space, and the Town Center(s) must be designed to provide convenient pedestrian access and interconnections with adjacent residential and open space areas. While it is intended for the Town Center(s) to meet the needs of the regional residents, heavy design emphasis on the pedestrian environment shall be encouraged.

In order to ensure a variety of lifestyle choices and price ranges, a minimum of 50% of the total units within the Town Center must be multi-family.

4. Commercial Activity Center - defines areas that are intended to meet the shopping, business and entertainment demands of the local and regional population. Commercial Uses must meet the locational standards of Objective 2.c., and shall be further categorized as regional nodes and local nodes.

Regional nodes are required to have direct access to an arterial or major collector road, and local nodes may be integrated within residential uses, but may not exceed 30,000 square feet. In either case, the intensity of development shall be limited to a minimum floor area ratio of .20 and a maximum floor area ratio of .50, and must provide a minimum of 20% open space.

5. Workplace - defines areas that are intended for light industrial uses, warehousing and distribution centers, flex space, and office space. Retail uses that are intended to service the industrial/commerce activities may also be allowed. Industrial areas shall be located with access along State Road 80, State Road 29, or within the Educational Village adjacent to Helms Road, and are limited to a floor area ratio of .25. A minimum of 20% open space must be provided.

~~In order to accommodate economic development, areas designated Village Residential, which are adjacent to arterial roads, may be converted to Industrial without a comprehensive plan amendment, provided the overall industrial square footage is not increased, and that adequate buffering and access are assured through the review and approval of a PUD.~~

Industrial sites will be master-planned through the provision of integrated landscape, roadway, and infrastructure planning. Parcel interconnections and master stormwater management systems are strongly encouraged.

6. Resource Protection – defines areas that contain jurisdictional wetlands, or indigenous areas required for preservation of protected species, or other areas that have been set aside for the protection of natural resources. These areas will most likely include those areas that are required for preservation under permits from the South Florida Water Management District, and/or US Army Corps of Engineers, and are intended to be preserved and/or incorporated into an open space or water management system. Subject to approval by the appropriate regulatory agency, passive recreational uses compatible with the overall preservation objectives may be permitted. Where possible, pedestrian connections shall be encouraged between the Resource Protection Areas and the remainder of the SLCLUC.

7. Public Resource – defines areas that are publicly owned, and are designated for preservation, water management, or public water supply. These areas do not have residential entitlements, but may incorporate recreational uses.

8. Civic Uses - will define areas that are intended for public or quasi public facilities including schools, fire, EMS substations, city or county office buildings, recreational facilities, clubs, residential, office and retail that support these civic uses (not to exceed 40% of the total land area) and similar uses. These land uses will by necessity be developed based on ultimate demand for the services, and otherwise have no limit. However, these uses may not have a floor area ratio in excess of .33, and must provide a minimum of 25% open space. Where possible, pedestrian connection will be encouraged between the Civic Uses and the remainder of the SLCLUC.

- c. Churches, institutional uses and recreational uses may be permitted in any land use category, except Public Resource and Resource Protection.
- d. In addition to the intensities and uses outlined above for each land use category, the following table shall be used to provide guidance on the minimum and maximum acreage for each category. Modifications to this table may be achieved through a plan amendment or through EAR

modifications.

**Table 1-2:  
South LaBelle  
Community  
Minimum and  
Maximum  
Acreage Per  
Land Use  
Category**

Land Use Category	Permitted Uses	Minimum Acreage	Maximum Acreage	Density Range	FAR	Req. Multi-Family
<b>Village Residential</b>	Full Range of Residential Uses, and Convenience Commercial	1,500	<del>3,000</del> <u>2,765</u>	Up to 2.5 du/ gross acre	0 - .25	Up to 5% of net residential acres
<b>Urban Residential</b>	Full Range of Residential Uses, Office and Convenience Commercial	250	<del>1,250</del> <u>920</u>	3 - 10 du/ gross acre	.20 - .50	30% of total units in Urban Residential
<b>Town Center</b>	Broad Mix of Residential, Office and Commercial Uses.	40	<del>150</del> <u>115</u>	5 - 15 du/ gross acre	.20 - 1.25	50% of total units in Town Center
<b>Commercial Activity Center</b>	Primary Retail and Office Uses	75	250	N/A	.20 - .50	N/A
<b>Workplace</b>	Full Range of employment uses, including light industrial, commercial, office, distribution centers, and other similar uses.	20	<del>300</del> <u>950</u>	N/A	0 - .25	N/A
<b>Civic Uses</b>	Full range of public and quasi public services.	150	<del>750</del> <u>700</u>	N/A	0 - .33	N/A
<b>Resource Protection</b>	Preservation, passive recreational uses, water management	75	N/A	N/A	N/A	N/A

- e. While there are specifically delineated areas for development shown on Exhibit I-1 of the Future Land Use Map series, further environmental, traffic, survey, engineering and market studies may dictate a need to adjust those lines, move the locations of development areas, or modify the area dedicated to that land use (in accordance with the table in Policy k). Therefore the lines for an individual category shown on the future land use map may be adjusted

administratively, as long as the general relationships, land use percentages and intensity of each type of development specified for the

South LaBelle Community does not change without the need for a comprehensive plan amendment. Unless an amendment to the map and or text, the minimum and maximum levels of development for each type of use, and any performance and locational criteria shall continue to apply even after an administrative change.

- f. To prevent the unnecessary or premature conversion of agricultural uses to urban uses, agricultural will be a permitted use in any land use category in the South LaBelle Community. Further, the conversion to new agricultural uses including silviculture, tree farms, sod farms and ornamental plant groves will be permitted at any time, provided it is not specifically precluded by an approved PUD.
- g. To help ensure that infrastructure is provided and extended in a meaningful and cost effective manner, the SLCLUC has generally been divided into four “villages”, as reflected on Exhibit A1. These “village” designations are intended to provide some guidance regarding the phasing of development, with Village 1 and the Educational Village targeted as the early development areas. Village 2 is intended to start development next, with Village 3 planned as the final phase of development.

#### **Policy 1.3.9.3 Planned Unit Development**

Require all development, except for educational, industrial and civic uses, within the South LaBelle Community to occur within a Planned Unit Development zoning designation. Such designation will include the approval of a Master Concept Plan, showing the general location and intensity of uses, open space and preserve areas. The Master Concept Plans may be submitted in any logical size and phasing, as determined by the developer. Educational or civic uses may be approved under existing zoning regulations in order to facilitate the timely delivery of these important uses.

- Action 1:** Commercial development in the South LaBelle Community shall be reviewed and evaluated to assure well integrated and planned development that allows for the City of LaBelle to grow as the regional commercial location providing services to the growing populations of Hendry, Glades and eastern Lee County.
- Action 2:** Free standing commercial uses (shopping centers, personal services, office) intended for the use of the general public must be located on a publicly accessible road.
- Action 3:** All commercial development and redevelopment shall provide for public facilities and services such as water, sewer, internal circulation needed to service the development, and all facilities shall be evaluated for compliance with concurrency standards as set forth in the City of LaBelle Concurrency Management System. Water, sewer and other essential services are provided by a public or private central system. Domestic septic tanks, or wells for potable use are prohibited within the SLCLUC.
- Action 4:** Neighborhood commercial uses are permitted within the Village Residential and Urban Residential areas, provided that the commercial use is located on a local road, with public access, meets the Floor Area Ratios established for each area, and does

not exceed 30,000 sf, per node. Further, the permitted uses must be uses intended to meet the convenience needs of the adjacent residential areas.

*Hendry-Glades*  
**SUNDAY NEWS**

Published weekly in LaBelle, Florida

**AFFIDAVIT OF PUBLICATION**  
 County of Hendry • County of Glades  
 State of Florida

Before the undersigned authority, personally appeared Raoul Bataller, who on oath says he is the publisher of the *Hendry-Glades Sunday News*, a weekly newspaper published at LaBelle in Hendry County, Florida, that the attached copy of advertisement, being a

Notice of Proposed Enactment  
 in the matter of City of LaBelle  
Ordinance 2015-03  
 in the \_\_\_\_\_ Court, was published in said newspaper in the issues of

2-1-2015

Affiant further says that the said *Hendry-Glades Sunday News* is a newspaper published in LaBelle, in said Hendry County, Florida, and that the said newspaper has theretofore been continuously published in said Hendry and Glades Counties, Florida, each week and has been entered as periodicals matter at the post office in LaBelle, Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication of the attached copy of said advertisement, and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Said advertisement was subscribed for me this 2nd day of February, 2015, by

*[Signature]*

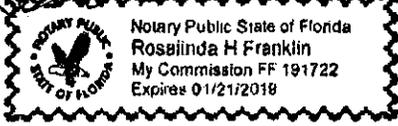
Raoul Bataller

Printed Name

Who is personally known to me or has produced \_\_\_\_\_ as identification

Signature of Notary Public

*[Signature]*



CITY OF LABELLE

**Notice of Proposed Enactment**

The Local Planning Agency and the City Commission of the City of LaBelle propose to recommend and adopt an ordinance amending existing City of LaBelle Land Development Code and having the following title:

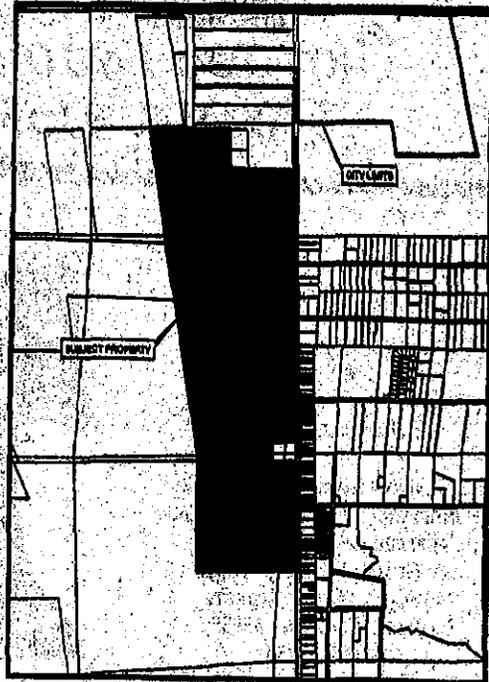
CITY OF LABELLE  
 ORDINANCE  
 2015-03

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE COMPREHENSIVE PLAN BY AMENDING POLICY 13.9.1 AND 13.9.3 OF THE FUTURE LAND USE ELEMENT AND AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP FROM SOUTH LABELLE COMMUNITY URBAN RESIDENTIAL AND TOWN CENTER TO WORKPLACE FOR PROPERTY IDENTIFIED ON THE PROPOSED FUTURE LAND USE MAP, EXHIBIT 'A', PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.**

The Public Hearing on the ordinance will be held on Thursday, February 12, 2015 at 6:00 p.m. at City Hall on 481 West Hickpochee Avenue, LaBelle, Florida. Ordinance is available for review at City Hall. All interested persons are invited to attend and be heard with respect to the proposed ordinances. Interested persons may appear on their own behalf or by agent or attorney. If anyone decides to appeal a decision made by the Local Planning Agency and/or Commission with respect to any matter considered at the meetings or hearings, a record of the proceeding will be needed for the appeal and for that purpose(s), may need to insure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

**SPECIAL REQUIREMENTS: IF YOU REQUIRE SPECIAL AID OR SERVICES AS ADDRESSED IN THE AMERICAN DISABILITIES ACT, PLEASE CONTACT THE CITY CLERK'S OFFICE AT 863-675-2872, NO LESS THAN FIVE (5) DAYS PRIOR TO THE ABOVE STATED HEARING DATE.**

City of LaBelle City Commission  
 David A. Lyons, Mayor



Henry Glades  
**SUNDAY NEWS**

Published weekly in LaBelle, Florida  
**AFFIDAVIT OF PUBLICATION**  
County of Hendry • County of Glades  
State of Florida

I, the undersigned authority, personally appeared Raoul Batalier, who on oath says he is the publisher of the *Henry-Glades Sunday News*, a weekly newspaper published at LaBelle in the County of Florida, that the attached copy of advertisement, being a

*City of LaBelle Notice of Proposed Enactment*  
in the matter of Ord. 2015-03 Ord. 2015-01  
amending Land Development Code April 9, 2015  
6:00pm City Hall published in said newspaper in the issues of  
3-29-2015

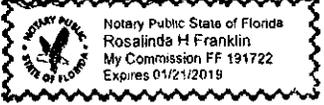
Affiant further says that the said *Henry-Glades Sunday News* is a newspaper published in LaBelle, in said Hendry County, Florida, and that the said newspaper has theretofore been continuously published in said Hendry and Glades Counties, Florida, each week and has been entered as periodic matter at the post office in LaBelle/Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

Said to and subscribed before me this 30th day of March, 2015 by:

  
\_\_\_\_\_  
Raoul Batalier

Printed Name

who is personally known to me or has produced \_\_\_\_\_ as identification

Signature of Notary Public  
  


**Notice of Proposed Enactment**

The City Commission of the City of LaBelle, Florida, do hereby recommend and approve the following Ordinance of the City of LaBelle, Florida, to amend the City of LaBelle Land Development Code, as follows:

CITY OF LABELLE  
ORDINANCE 2015-03

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE COMPREHENSIVE PLAN BY AMENDING PORTS 13.91 AND 13.93 OF THE FUTURE LAND USE ELEMENT AND AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP FROM SOUTH LABELLE COMMUNITY URBAN RESIDENTIAL AND TOWN CENTER TO WORKSPACE FOR PROPERTIES IDENTIFIED ON THE PROPOSED FUTURE LAND USE MAP EXHIBIT A, PROVIDING FOR AMENDMENT, PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION, PROVIDING FOR AN EFFECTIVE DATE.**

CITY OF LABELLE  
ORDINANCE 2015-03

**AN ORDINANCE AMENDING THE CITY OF LABELLE, FLORIDA ZONING MAP BY APPROXIMATELY 45 ACRES, WITHIN THE LABELLE COMMUNITY URBAN RESIDENTIAL TOWNSHIP SOUTH RANGE 29 EAST, CITY OF LABELLE, AMENDING THE ZONING DESIGNATION FROM AGRICULTURE TO COMMUNITY URBAN RESIDENTIAL AND TO BE KNOWN AS THE AGRICULTURE PROPERTIES AND IDENTIFIED ON EXHIBIT A, PROVIDING FOR AMENDMENT, PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION, PROVIDING FOR AN EFFECTIVE DATE.**

This Ordinance shall be published in the *Henry-Glades Sunday News*, a newspaper published in LaBelle, Florida, in said Hendry County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement and affiant further says that he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

