

ORDINANCE NO. 2015-05

AN ORDINANCE AMENDING THE CITY OF LABELLE, FLORIDA ZONING MAP; AMENDING THE ZONING DESIGNATION OF APPROXIMATELY 28.8 ACRES FROM BUSINESS HEAVY (B-3) TO PLANNED UNIT DEVELOPMENT (PUD); FOR PROPERTY LOCATED IN SECTION 18, TOWNSHIP 43 SOUTH, RANGE 29 EAST, CITY OF LABELLE AND FURTHER DESCRIBE IN EXHIBIT 'A'; IDENTIFIED ON THE PROPOSED ZONING MAP, EXHIBIT 'B'; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

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

1. After public hearing held on March 12, 2015 Ordinance No. 2015-01 is hereby adopted, amending the City of LaBelle Official Zoning Map as follows:
 - a. District boundary change from Business Heavy (B-3) to Planned Unit Development (PUD) for the following described real property:

A Parcel of Land Comprised Of Approximately 28.8 Acres In Section 18, Township 43 South, Range 29 East, City Of Labelle, Hendry County, Florida;
2. The City Commission for the City of LaBelle has determined that the requested zone change is in compliance with the land use designation of Employment Village and approval of the application with conditions, will help accomplish the goals and objectives of the City of LaBelle Comprehensive Plan.

Conditions of Approval:

1. The rezoning request applies to property as described in Exhibit 'A';
2. The PUD site plan shall be consistent with the Master Concept Plan attached hereto as Exhibit 'B' and dated March 12, 2015;
3. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit 'C';
4. Development shall conform to the Development Standards, attached as Exhibit 'D';
5. Ingress/egress to outparcels will be limited to internal roadways/drive aisles only;
6. Prior to any site plan/development approval, a subdivision plat shall be created and approved by the City Commission and the City will be provided a copy of all covenants and maintenance agreements applicable to the subdivision;
7. Deviation to LDC Section 4-80.12.2.C shall be granted, allowing for placement of a maximum of nine light poles in parking islands as reflects on the Master Concept Plan.
8. Deviation to LDC Section 4-85.10.2(9) shall be granted, allowing for on-site parking calculations to be based on a ratio of one space per 250 square feet of retail use;
9. A separate sign permit will be required;
10. Agricultural uses may continue on each parcel until such time that the applicable parcel is issued a development permit.
11. All easements, dedications or other instruments shall be granted to the City of LaBelle as necessary to insure continued operation and maintenance of all service utilities.
12. The Master Concept Plans dated March 12, 2015 will remain valid for no more than five (5) years from the date of City Commission approval. A site development permit must be obtained within five years or the Master Concept Plans will be vacated. The applicant can request one, 6-month extension, however the extension request must be submitted to

the City prior to the end of the five-year period. If the Master Concept Plan is vacated, re-application through the Planned Unit Development process will be required.

3. Specific authority is hereby given to codify this Ordinance after adoption.
4. If any provision of the Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.
5. This Ordinance shall become effective upon date of passage.

PASSED AND ADOPTED in open session this ^{12th}~~9th~~ day of March, 2015.

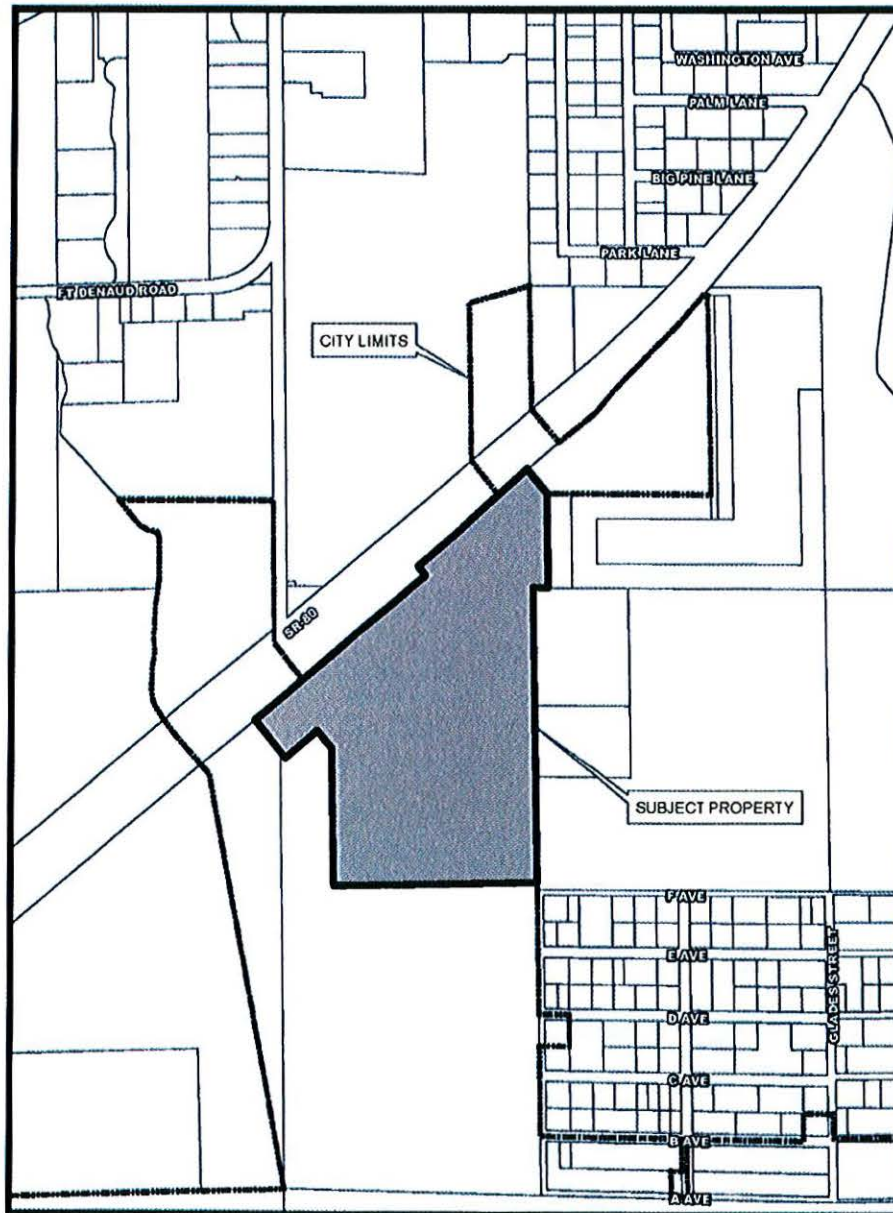
THE CITY OF LABELLE, FLORIDA

By: 
David A. Lyons, Mayor

Attest:


Thomas A. Smith, Clerk Commissioner

LOCATION MAP



PROPOSED ZONING MAP

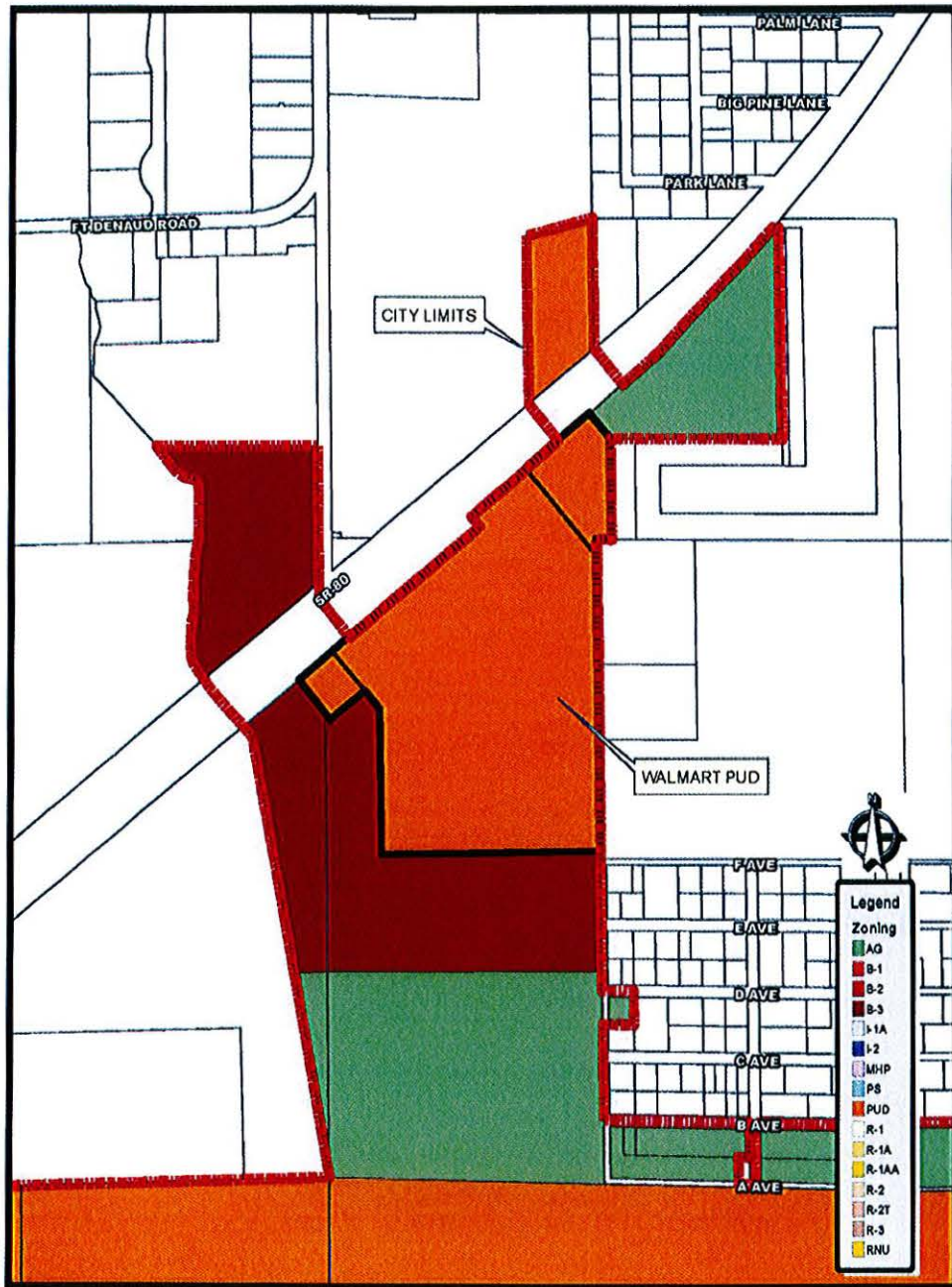


EXHIBIT 'A'
Legal Description

DESCRIPTION: A parcel of land lying in Section 18, Township 43 South, Range 29 East, Hendry County, Florida, and being more particularly described as follows:

COMMENCE at the West 1/4 corner of said Section 18, run thence along the West boundary of said Section 18, S.00°35'25"E., a distance of 499.44 feet to the Southerly right of way line of State Road 80 (Right of way width varies, per Florida Department of Transportation Right of Way Map Section 07010-2527), said point also being the **POINT OF BEGINNING**; thence along said Southerly right of way line, the following five (5) courses: 1) N.50°19'13"E., a distance of 854.07 feet; 2) N.39°40'47"W., a distance of 54.00 feet; 3) N.50°19'13"E., a distance of 253.66 feet; 4) N.47°27'28"E., a distance of 100.12 feet; 5) N.49°24'22"E., a distance of 307.46 feet; thence S.39°43'31"E., a distance of 136.86 feet to the Northwest corner of the Parcel described in Official Records Book 16, Page 503, of the Public Records of Hendry County, Florida; thence along West boundary of said Parcel described in Official Records Book 16, Page 503, of the Public Records of Hendry County, Florida, S.00°57'54"E., a distance of 418.04 feet to a point on the South boundary of the Northwest 1/4 of aforesaid Section 18; thence along the said South boundary of the Northwest 1/4 of Section 18, N.89°43'00"W., a distance of 66.69 feet to a point on the East boundary of the West 1/2 of the Southwest 1/4 of said Section 18; thence along said East boundary of the West 1/2 of the Southwest 1/4 of Section 18, S.00°54'22"E., a distance of 1305.00 feet; thence S.89°05'38"W., a distance of 930.00 feet; thence N.00°54'22"W., a distance of 607.90 feet; thence N.39°40'47"W., a distance of 100.37 feet; thence S.50°19'13"W., a distance of 190.00 feet; thence N.39°40'47"W., a distance of 217.00 feet to a point on the aforesaid Southerly right of way line of State Road 80; thence along said Southerly right of way line, N.50°19'13"E., a distance of 148.93 feet to the **POINT OF BEGINNING**.

Containing 33.087 acres (1,441,268 square feet), more or less.



Exhibit "B"

Exhibit "C"

Schedule of Uses Walmart Planned Unit Development

PRIMARY PARCEL (WALMART)

Accessory Uses, including

- Animal Sales and Services (internal to store only)
- Accessory Alcoholic Beverage Sales
- Bakeries
- Christmas Tree Sales
- Liquor Stores
- Merchandise Sidewalk Sales
- Restaurants, including Fast Food
- Vehicle / Equipment Sales and Service, Repair and Service only
- Outdoor Sales Area
- Outdoor Storage Area (screened in accordance with B-3 zoning screening requirements)

Agriculture

Car Wash / Detailing

Convenience Store with Gas Pumps

Financial Institutions

Government Offices

Healthcare, limited to physician offices, walk-in clinics and similar uses

Offices

Personal Services

Plant/Nursery Retail Store

Quasi-public Facilities

Retail Establishment, General

Utilities / Essential Services

OUTPARCELS #1 AND #2

Accessory Uses/Structures

Agriculture

Animal Sales and Services, no outdoor boarding

Clubs, Lodges

Convenience Stores with Gas Pumps

Cultural Institutions

Day Care

Financial Institutions

Food and Beverage Establishments, including fast food restaurants with drive-thru

Health Care, limited to physician offices, walk-in clinics and similar uses

Hotel / Motel

Government Offices

Maintenance and Repair Services

Offices

Outdoor Sales Area

Outdoor Storage Area (screened in accordance with B-3 zoning screening requirements)

Personal Services, including dry cleaning establishments

Plant/Nursery Retail Store

Private / Quasi-Public Facilities

Retail Sales / Rental Establishments, General

Schools, Public or Private

Utilities / Essential Services

Vehicle / Equipment Sales and Service, limited to car wash / detailing, service stations, repair

EXHIBIT 'D'
Development Standards

PRIMARY PARCEL (WALMART)

Land Area:	±29.42 Ac.
Building Area:	160,000 s.f.
Fuel Station:	1,485 s.f. / 8 Pumps
Proposed Front Yard:	20 Ft.
Proposed Side Yard:	5 Ft. Interior / 20 Ft. Street Side
Proposed Rear Yard:	15 Ft.
Proposed Building Height:	Max. 40 Ft.
Proposed Building Coverage (%):	Max. 40%
Open Space Proposed (%):	Min. 20%

OUTPARCEL #1

Land Area:	±0.95 Ac.
Max Building Area:	5,000 s.f.
Proposed Front Yard:	20 Ft.
Proposed Side Yard:	5 Ft. Interior / 20 Ft. Street Side
Proposed Rear Yard:	15 Ft.
Proposed Building Height:	Max. 30 Ft.
Proposed Building Coverage (%):	Max. 40%
Open Space Proposed (%):	Min. 20%

OUTPARCEL #2

Land Area:	±2.72 Ac.
Building Area:	23,000 s.f.
Proposed Front Yard:	20 Ft.
Proposed Side Yard:	5 Ft. Interior / 20 Ft. Street Side
Proposed Rear Yard:	15 Ft.
Proposed Building Height:	Max. 30 Ft.
Proposed Building Coverage (%):	Max. 40%
Open Space Proposed (%):	Min. 20%