

**CITY OF LABELLE
ORDINANCE 2018-10
YEOMANS AVENUE PLANNED UNIT DEVELOPMENT**

AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR PROPERTY LOCATED AT 257, 277, 295, 351 EAST YEOMANS AVENUE, 51 NORTH RIVERVIEW STREET, AND 50 NORTH OAK STREET, CITY OF LABELLE, HENDRY COUNTY, FLORIDA; AMENDING THE ZONING DESIGNATION FROM GENERAL COMMERCIAL (B-2) TO PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of LaBelle has initiated a rezoning of real property, located along Yeomans Avenue, City of LaBelle, Florida “the property” as described and depicted in Exhibit “A” and Exhibit “B”, attached hereto; and,

WHEREAS, after duly advertised public hearings held on September 13, 2018, before the LaBelle Local Planning Agency “LPA”, and on October 11, 2018 before the City Commission; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the rezoning is in compliance with the land use designation of “Outlying Mixed Use” and approval of the rezoning application will further the goals and objectives of the City of LaBelle Comprehensive Plan; and,

WHEREAS, the City Commission for the City of LaBelle has determined the rezone of the property to Planned Unit Development, is the most appropriate use of the property and this use will promote, protect and improve the health, safety, comfort, good order, appearance, convenience and general welfare of the public with the following conditions:

1. The Rezone request applied to the property as described in Exhibit ‘A’.
2. The PUD is limited to a maximum floor area ratio (FAR) of 0.75, and a maximum residential density of 16 dwelling units per acre.
3. Architectural features must create an attractive façade and reduce building scale and mass to serve as a transition from nearby residential areas. Required landscape as per LDC Appendix B, Section 4-80, should be used to develop a street pattern and to soften the view of buildings as they relate to the street.
4. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit ‘C’.
5. Development Standards will conform for the Development Standards Table, attached as Exhibit ‘D’.
6. The PUD is not subject to a Master Concept Plan, and all development must conform with the development standards contained in Exhibit C and the requirements of the Land Development Code.

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

1. The City Commission, after a first reading by title on September 13, 2018 and duly advertised public hearings of the Local Planning Agency on September 13, 2018 and City Commission on October 11, 2018, hereby rezones the property from zoning designation B-2, General Commercial to Planned Unit Development, PUD.
2. If any Court of competent jurisdiction shall determine any portion or provision of this ordinance unconstitutional or invalid, that portion shall be severed and the remainder of the ordinance shall remain in full force and effect and given its ordinary meaning.
3. This ordinance shall be codified within The City of LaBelle Code and City of LaBelle Land Development Code.
4. This ordinance shall become effective upon the date of passage.
5. Any language within the City of LaBelle Code and/or City of LaBelle Land Development Code in conflict with the language or provisions contained herein is hereby declared null and void.
6. The City Commission hereby directs the Deputy Clerk to forward certified copies of this adopted ordinance within seven (7) days of the effective date hereof, to the Clerk of Circuit Court of Hendry County and the County Administrator for Hendry County.
7. In addition to the above notice, and as a public service, the City Commission hereby directs the Deputy Clerk to fax, email or hand deliver notification to the Hendry County Property Appraiser's Office, Hendry County Tax Collector's Office, Postmaster, Hendry County Sheriff's Office, E911 Office, Hendry County Supervisor of Elections and Hendry County Planning Office.

PASSED AND ADOPTED in open session this 11th day October, 2018.

THE CITY OF LABELLE, FLORIDA

By: _____
David A Lyons, Mayor

Attest:

Thomas A. Smith, Clerk-Commissioner

EXHIBIT A

AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR PROPERTY LOCATED AT 257, 277, 295, 351 EAST YEOMANS AVENUE, 51 NORTH RIVERVIEW STREET, AND 50 NORTH OAK STREET, CITY OF LABELLE, HENDRY COUNTY, FLORIDA; AMENDING THE ZONING DESIGNATION FROM GENERAL COMMERCIAL (B-2) TO PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

EXHIBIT B

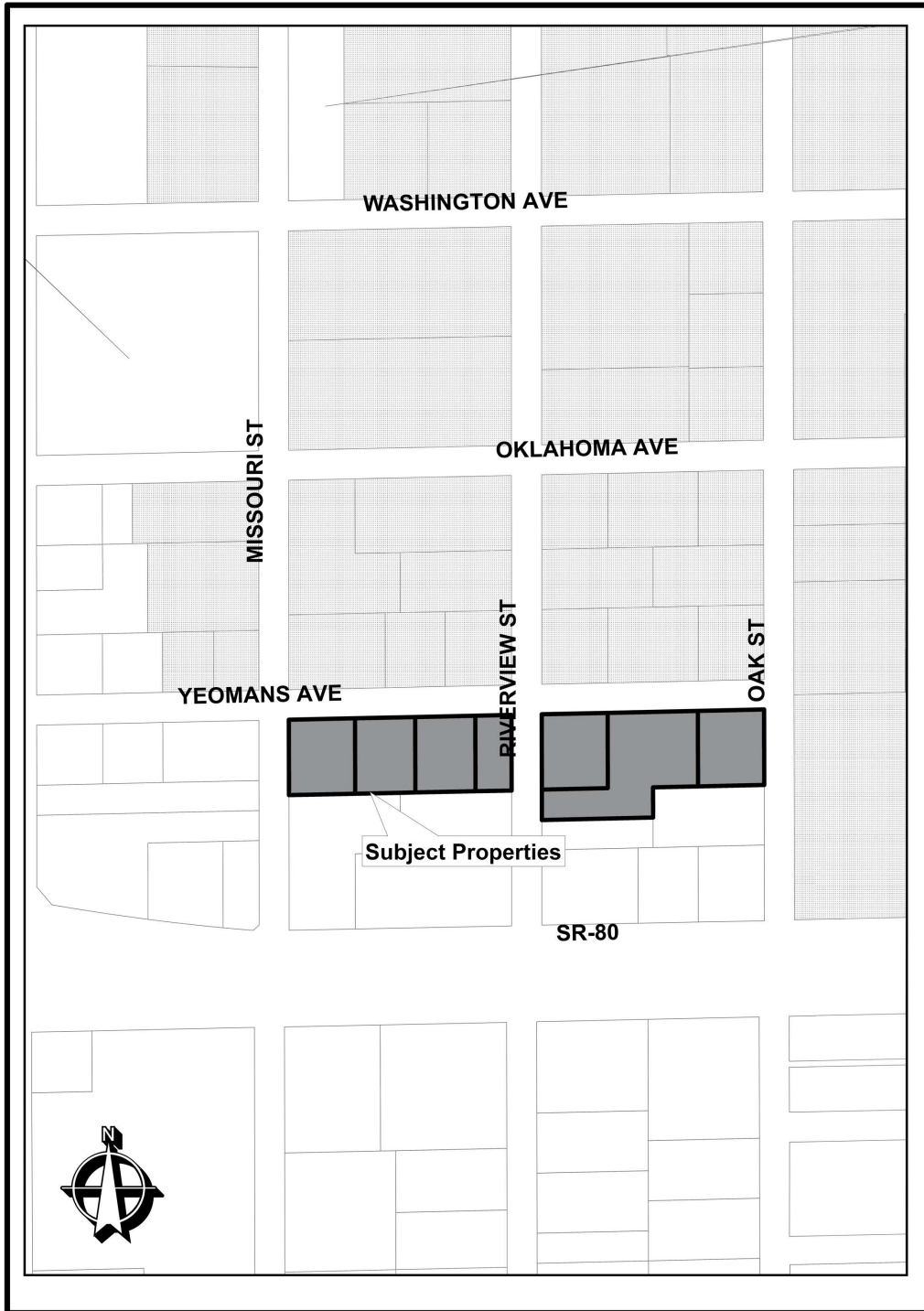


EXHIBIT C

SCHEDULE OF USES

Accessory Use/Structure
Amusement Facilities, Indoor⁽¹⁾
Animal Sales & Services
 Grooming
 Retail Sales
City of LaBelle Utilities
Convenience Stores, without gas pumps
Cultural Institutions
Financial Institutions
Food and Beverage Sales/Establishments
 Accessory Alcoholic Beverage Sales, Off-premise
 Liquor Stores⁽¹⁾
 Restaurants
 Clubs/Lodges
 Wholesale Bakeries⁽¹⁾
Government Offices
Health Care
Institutional Housing, not including Recovery Home/Residential Treatment Facility
Maintenance and Repair Services
Multi-Family
Offices
Pawnshops⁽¹⁾
Personal Services
 General
 Dry Cleaning Establishments
Retail Sales/Rental Establishments
 General
Tattoo Establishments⁽¹⁾
Vehicle/Equipment Sales and Service⁽¹⁾
 Car Wash, Detailing⁽¹⁾
Visitor Accommodations,
 Bed and Breakfast
 Hotels/Motels⁽¹⁾
Wireless Communication Facilities, not including Towers or Alternative Tower Structures

(1) Uses are limited to those parcels within the PUD that have direct access to North Riverview Street or Missouri Street, and must be oriented away from Yeoman's Avenue. Buildings containing these uses must be setback a minimum of fifty feet (50) from Yeomans Avenue.

EXHIBIT D

SITE DEVELOPMENT REGULATIONS

Minimum Parcel Size	5,000 sq. ft.
Min. Lot Width	50 ft.
Minimum Yards/Setbacks	
Right-of-Way and/or Front	10 ft.
Side	5 ft.
Rear	10 ft.
Maximum Height	40 ft.
Open Space	15%

