

**CITY OF LABELLE
ORDINANCE 2019-02
CITY-INITIATED
FUTURE LAND USE ELEMENT COMPREHENSIVE PLAN AMENDMENT**

AN ORDINANCE AMENDING THE CITY OF LABELLE COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT; PROVIDING TEXT AMENDMENTS TO THE OUTLYING MIXED USE LAND USE CATEGORY, POLICY 1.3.2, AND THE COMMERCIAL LAND USE CATEGORY, POLICY 1.3.4; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of LaBelle has considered an amendment to the Future Land Use Element policies relating to the Outlying Mixed Use and Commercial future land use categories; and

WHEREAS, in the exercise of its authority pursuant to Sections 163.3187 and 1643.3184, Florida Statutes, the City has determined it necessary and desirable to amend the Comprehensive Plan Future Land Use Element, Outlying Mixed Use future land use category, to clarify the requirement for Planned Unit Development rezoning for projects within this category; and

WHEREAS, the City has determined it necessary and desirable to amend the Comprehensive Plan Future Land Use Element, Commercial future land use category to allow for higher density residential uses in the form of mixed-use developments in this category to encourage compact and efficient land use patterns; and

WHEREAS, the proposed amendments to the Future Land Use Element, attached hereto as Exhibit "A" will promote and protect public health safety and welfare and will help accomplish the goals, objectives and policies of the City Comprehensive Plan.

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 January 10, 2019 and duly advertised public hearings of the Local Planning Agency on January 10, 2019, Ordinance 2019-02 is hereby adopted, providing for transmittal to the Department of Economic Opportunity and the review agencies of the proposed amendment to the Future Land Use Element.
2. This ordinance shall become effective upon the date of passage.
3. 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.

4. 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.

PASSED AND ADOPTED in open session this 10th day January, 2019.

THE CITY OF LABELLE, FLORIDA

By: _____
David A Lyons, Mayor

Attest:

Thomas A. Smith, Clerk-Commissioner

EXHIBIT A

Policy 1.3.2 Outlying Mixed Use Land Use Category

The Outlying Mixed Use Category is established to provide for integrated planned developments where a mixture of land uses are permitted and encouraged. The most appropriate land uses for this area will continue to be residential with neighborhood and general commercial uses permitted at locations that meet the sub-category standards as described herein. No more than 30% of the total area of the Category will be used for single use commercial development, and no more than 70% will be used for single use residential development.

This classification is intended to ensure development of distinctive centers or “main streets” that provide a focus to surrounding neighborhoods. It encourages the development of commercial and employment related uses and a variety of housing types in locations appropriate to serve as a buffer or transition to lower density residential areas. All developments located within this land use designation are encouraged to embrace the mixed-use concept, integrating some, if not all of the residential, office, hotel, institutional and recreational elements.

A key economic development strategy is the encouragement of services within the Outlying Mixed Use Category that complement those services offered within the Downtown District. An important goal of this land use category is to spur growth in the City of LaBelle while contributing to the revitalization of the City’s historic core.

- Allowable uses in this land use category include residential, office, commercial, artist studios, personal services, transient accommodations, institutional, and recreation and parks. Uses will be integral to, oriented within and function as part of a mixed-use project. Free-standing, unrelated out-parcel type uses or strip commercial development is strongly discouraged.
- Project design should include uninterrupted pedestrian connections, internal roadway systems to reduce impacts to offsite areas, open space and recreation facilities, public/common spaces in relationship to key project uses, bicycle facilities, and an overall pedestrian friendly environment. Vehicular, pedestrian, park and open space connectivity within and with adjacent developments is considered essential in the effort of avoiding development of isolated areas of the City. Such integration will be designed so as to increase the interaction between uses, to reduce the need for automobile use within the development, as well as the reduction of off-site automobile trips attributable to the development, and to encourage the provision of shared infrastructure. Parking areas should be located internal to the development, rather than along the street frontages. Site design will discourage increased traffic through established residential neighborhoods.
- A minimum of 15% of the project acreage will remain as natural preserve, open space, lakes, park area or public space such as plazas or courtyards.

- Maximum residential densities and commercial/industrial intensities will be determined based on criteria established in the following sub-categories. For purposes of determining the applicable sub-category, parcel size at the time of adoption of this land use amendment will apply.

Neighborhood Center: Parcels Up to 8 Acres

Neighborhood Centers will be limited to residential development and uses that provide the immediate population with retail and personal services. This category will include neighborhood commercial and professional services and offices, including medical offices, small to mid-size grocery stores, clinics, pharmacies, bed and breakfasts and convenience stores with gasoline services. Industrial uses are not permitted. This sub-category is comprised of smaller parcels typically found in near proximity to the downtown or in future nodal areas of LaBelle. The residential density reflects the need to encourage substantial population growth near Downtown LaBelle in order to support the growth and redevelopment of the core of the City. Therefore, higher density residential development is strongly encouraged. Commercial development will have a floor area ratio (FAR) of .75. Residential development will have maximum allowable density of 16 dwelling units per acre. Neighborhood Centers are limited to locations with direct access from a local street, or with frontage along both a local and a collector or arterial street.

Town Center: Parcels Equal to or Greater than 8 Acres But Less Than 16 Acres

Town Centers provide for higher intensity retail, office, and service uses. The Town Center sub-category continues to encourage a higher residential density than the Regional Center, focusing populations close to the center of town. The Town Center sub-category provides proper location for larger establishments that will generally service most if not all of the community of Labelle. Allowable uses in this sub-category include residential, commercial, retail, personal services, offices, hotels/motels, institutional, public/semi-public and recreation and parks. Industrial uses are not permitted. Town Centers are comprised of slightly larger parcels that typically exist on the edges of the core of LaBelle. Commercial development will not exceed a floor area ratio (FAR) of 0.75. Residential density will not exceed 14 units per acre. Non-residential uses will be concentrated along major street frontages, and will have direct access to a collector or arterial street with interconnection between developments strongly encouraged. Access to a local street is strongly discouraged.

Regional Center: Parcels Greater Than or Equal to 16 Acres

The Regional Center sub-category provides proper location for larger, more intense development that will service the City of LaBelle as well as surrounding areas, including portions of Hendry, Glades, Collier and Lee Counties. The Regional Center sub-category focuses intense development at significant intersections within the City. It is designed to encourage commercial nodes of development in locations where the associated traffic and activity of these types of development will be separated from the low density, residential areas of the City. This designation allows for a full range of development, including residential, commercial, retail, personal services, offices, hotels/motels, light industrial, institutional, public/semipublic and recreation and parks and provides for a maximum Floor Area Ratio (FAR) of 0.5. A maximum

residential density of 6 units per acre is permitted. The mixed use concept and connectivity within and with adjacent developments is especially emphasized in this sub-category, to ensure efficient use of infrastructure and to encourage community-wide linkages. Non-residential uses will be concentrated at the center or along major street frontages, and will be located at an arterial/collector or arterial/arterial intersection. Vehicular and pedestrian interconnections between properties and/or developments in this category is expected.

Planned Unit Development (PUD) Application – Required

Projects in the Outlying Mixed Use Category that require rezoning approval, must be rezoned ~~will require approval~~ through the Planned Unit Development (PUD) process. The PUD application and associated master development plan will stipulate the type and scale of uses, permitted densities and intensities, and relationships among plan components. Such plan will distinguish the development from any unplanned placement of uses on a site.

The master development plan (not a bubble plan) will include:

- The arrangement and area in acres of the land uses, parking areas, green spaces, and vehicular and pedestrian networks;
- Sufficient information to demonstrate that the residential component(s) are integrated with the other uses in the development;
- Sufficient information to demonstrate the relationship between, and compatibility of, the commercial and residential uses within and adjacent to the development;
- Demonstration of vehicular and pedestrian connectivity to adjacent properties/developments as well as public rights-of-way, and
- An architectural concept that suggests proposed building style.

A narrative will be included that provides discussion of:

- The functional relationship between the residential component and anticipated demand for this housing;
- Phasing or sequencing of the development to coordinate residential construction with the anticipated demand for and timing of the non-residential portion of the development;
- Adequacy of infrastructure in relation to the phasing and scale of the development, and
- Proposed separation treatments in and between the residential component of the development and adjoining non-residential plan categories or non-residential land uses.

~~The PUD and all amendments to the PUD will require review and recommendation by the City of LaBelle Code Review Board.~~

Policy 1.3.4 Commercial Land Use Category

The Commercial Land Use Category applies predominantly to lands located along the street frontages of

State Roads 80 and 29 South. This land use category accommodates commercial, retail and office uses that are more auto oriented due to scale and typology, while respecting the pedestrian and alternative transportation modes through land development code design standards.

The Commercial Land Use Category will have a maximum Floor Area Ratio (FAR) of 1.0, to encourage a greater use of the site within an urban setting.

Residential development is only allowed within a mixed-use project in the Business Professional (B-1) zoning district as described in the Land Development Code, or through the PUD rezoning process. Density will not exceed 26 dwelling units per acre ~~and~~. ~~New~~ development of single-family detached units is not permitted in this category.

For the purposes of this category, residential density will be calculated based on the total project acreage.

Development will provide access management plans that utilize frontage roads, alleyways, shared ingress and egress and parking.