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**CITY OF LABELLE  
ORDINANCE 2019-11  
FUTURE LAND USE ELEMENT  
COMPREHENSIVE PLAN AMENDMENT**

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**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; AND CREATING COMPATIBILITY  
OBJECTIVE 1.6 AND POLICIES 1.6.1, 1.6.2 AND 1.6.3; PROVIDING FOR  
SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

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**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 the creation of an objective and policies relating to neighborhood protection and compatibility; and

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**WHEREAS**, in the exercise of its authority pursuant to Sections 163.3187 and 163.3184, 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 provide for appropriate open space standards; 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 City has determined it necessary and desirable to amend the Comprehensive Plan Future Land Use Element, to include standards for ensuring neighborhood protection and compatibility measures when evaluating new development and redevelopment proposals; 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:

1. The City Commission, after a first reading by title on March 14, 2019, duly advertised public hearing of the Local Planning Agency on March 14, 2019, and duly advertised public hearing by the City Commission on May 9, 2019, this ordinance is hereby adopted, providing for the adoption of the proposed amendment to the Future Land Use Element.

- 46 2. This ordinance shall become effective in accordance with Section 163.3184, F.S.  
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48 3. If any Court of competent jurisdiction shall determine any portion or provision of this  
49 ordinance unconstitutional or invalid, that portion shall be severed and the remainder of  
50 the ordinance shall remain in full force and effect and given its ordinary meaning.  
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52 4. The City Commission hereby directs the Deputy Clerk to forward certified copies of this  
53 adopted ordinance within seven (7) days of the effective date hereof, to the Clerk of Circuit  
54 Court of Hendry County and the County Administrator for Hendry County.  
55

56 PASSED AND ADOPTED in open session this 9<sup>th</sup> day of May, 2019.  
57

58 THE CITY OF LABELLE, FLORIDA  
59

60  
61 By: \_\_\_\_\_  
62 David A Lyons, Mayor

63 Attest:

64  
65 Thomas A. Smith, Clerk-Commissioner  
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68 **EXHIBIT A**

69

70 **Policy 1.3.2 Outlying Mixed Use Land Use Category**

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72 The Outlying Mixed Use Category is established to provide for integrated planned developments  
73 where a mixture of land uses are permitted and encouraged. The most appropriate land uses for  
74 this area will continue to be residential with neighborhood and general commercial uses permitted  
75 at locations that meet the sub-category standards as described herein. No more than 30% of the  
76 total area of the Category will be used for single use commercial development, and no more than  
77 70% will be used for single use residential development.

78

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

85

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

90

- 91 • Allowable uses in this land use category include residential, office, commercial, artist  
92 studios, personal services, transient accommodations, institutional, and recreation and  
93 parks. Uses will be integral to, oriented within and function as part of a mixed-use project.  
94 Free-standing, unrelated out-parcel type uses or strip commercial development is strongly  
95 discouraged.
- 96
- 97 • Project design should include uninterrupted pedestrian connections, internal roadway  
98 systems to reduce impacts to offsite areas, open space and recreation facilities,  
99 public/common spaces in relationship to key project uses, bicycle facilities, and an overall  
100 pedestrian friendly environment. Vehicular, pedestrian, park and open space connectivity  
101 within and with adjacent developments is considered essential in the effort of avoiding  
102 development of isolated areas of the City. Such integration will be designed so as to  
103 increase the interaction between uses, to reduce the need for automobile use within the  
104 development, as well as the reduction of off-site automobile trips attributable to the  
105 development, and to encourage the provision of shared infrastructure. Parking areas should  
106 be located internal to the development, rather than along the street frontages. Site design  
107 will discourage increased traffic through established residential neighborhoods.
- 108
- 109 • A minimum of ~~15%~~ 30% of the project acreage will remain as natural preserve, open space,  
110 lakes, park area or public space such as plazas or courtyards.
- 111

- 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

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

163  
164 **Planned Unit Development (PUD) Application – Required**  
165

166 Projects in the Outlying Mixed Use Category that require rezoning approval, must be rezoned will  
167 require approval through the Planned Unit Development (PUD) process. Projects that comply with  
168 the underlying zoning district and all applicable regulations in the Land Development Code do not  
169 require PUD rezoning. The PUD application and associated master development plan will stipulate  
170 the type and scale of uses, permitted densities and intensities, and relationships among plan  
171 components. ~~Such plan will distinguish the development from any unplanned placement of uses~~  
172 ~~on a site.~~

173

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

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

184

185 A narrative will be included that provides discussion of:

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

193

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

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200 **Policy 1.3.4 Commercial Land Use Category**

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202 The Commercial Land Use Category applies predominantly to lands located along the street  
203 frontages of State Roads 80 and 29 South. This land use category accommodates commercial,  
204 retail and office uses that are more auto oriented due to scale and typology, while respecting the  
205 pedestrian and alternative transportation modes through land development code design standards.  
206

207 The Commercial Land Use Category will have a maximum Floor Area Ratio (FAR) of 1.0, to  
208 encourage a greater use of the site within an urban setting.  
209

210 Residential development is only allowed within a mixed-use project in the Business Professional  
211 (B-1) and Business General (B-2) zoning districts as described in the Land Development Code, or  
212 through the PUD rezoning process. Density will not exceed 2 6 dwelling units per acre and. New  
213 development of single-family detached units is not permitted in the Commercial category. Single-  
214 family homes in existence on Commercial designated parcels as of May 9, 2019 are vested as legal  
215 non-conforming uses and may be improved and/or reconstructed in accordance with the Land  
216 Development Code.

217  
218 For the purposes of this category, residential density will be calculated based on the total project  
219 acreage.

220  
221 Development will provide access management plans that utilize frontage roads, alleyways, shared  
222 ingress and egress and parking.

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225 **Objective 1.6 Compatibility and Neighborhood Protection**

226  
227 The City of LaBelle’s future land use map is comprised of a range of densities, all of which can be  
228 accommodated in the appropriate areas when the following policies and standards are met. All new  
229 development and redevelopment must be compatible with existing and planned surrounding  
230 development in order to protect the City’s established residential neighborhoods and ensure a high  
231 quality of life for its residents. For the purposes of this objective, compatibility is defined as the  
232 characteristics of different uses or activities or design which allow them to be located near or  
233 adjacent to each other in harmony. Some elements affecting compatibility include the following:  
234 height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and  
235 parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean  
236 “the same as.” Rather, it refers to the sensitivity of development proposals in maintaining the  
237 character of existing development.

238  
239 **Policy 1.6.1 Locational standards**

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241 The density ranges set forth in this Element provide the general range of appropriate densities in  
242 each future land use category. Densities in the upper limits of the allowable density range will be  
243 evaluated as to the availability and proximity of the road network; centralized sewer and water  
244 services; community facilities and services such as schools, EMS, fire and police protection, and

245 other public facilities; compatibility with neighboring land uses; and any other relevant facts  
246 affecting the public health, safety, and welfare.

247

248 **Policy 1.6.2 Higher Density and Intensity Land Uses**

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250 Higher density and intensity development shall occur in urbanized areas of the City, generally near  
251 Downtown and the arterial roadway network. These developments are intended to provide for  
252 greater housing diversity, employment opportunities and a compact, mixed-use and multi-modal  
253 built environment.

254

255 **Policy 1.6.3: Sensitive Site Design**

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257 Projects must demonstrate sensitive site design to address compatibility with the surrounding  
258 neighborhood. Such design may include but is not limited to: spatial separation between existing  
259 low-density uses and proposed higher-density uses through the use of open space, buffers, setbacks;  
260 consistent lot sizes and lot coverage requirements that align with abutting developed lots;  
261 limitations on building heights; performance standards; and other appropriate conditions of  
262 approval. Projects must demonstrate the transition of proposed densities within the project to the  
263 external boundaries, where proximate to established low-density residential neighborhoods.

264