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**CITY OF LABELLE
ORDINANCE 2019-02
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

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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

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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

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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.

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NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of LaBelle, Florida:

Section 1. **Recitals.** The forgoing recitals are hereby ratified and confirmed as being true and correct and hereby made a part of this Ordinance and adopted as legislative findings.

Section 2. **Adoption.** The City Commission, after a first reading by title on February 14, 2019 and duly advertised public hearings of the Local Planning Agency on February 14, 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.

Section 3. **Severability.** In the event that any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall

46 be deemed a separate, distinct and independent provision, and such holding shall not affect the
47 validity of the remaining portions of this Ordinance.

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49 **Section 4. Effective Date.** This Ordinance shall become effective in accordance
50 with Section 163.3184, F.S.

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52 **PASSED AND ADOPTED** in open session this 14th day of March 2019.

53
54 THE CITY OF LABELLE, FLORIDA

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57 By: _____
58 David A Lyons, Mayor

59 Attest:
60
61 Thomas A. Smith, Clerk-Commissioner

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64 **EXHIBIT A**

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

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

74

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

81

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

86

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

- 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

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

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160 **Planned Unit Development (PUD) Application – Required**

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

169
170 The master development plan (not a bubble plan) will include:

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

180
181 A narrative will be included that provides discussion of:

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

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

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196 **Policy 1.3.4 Commercial Land Use Category**

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

203 The Commercial Land Use Category will have a maximum Floor Area Ratio (FAR) of 1.0, to
204 encourage a greater use of the site within an urban setting.
205

206 Residential development is only allowed within a mixed-use project in the Business Professional
207 (B-1) and Business General (B-2) zoning districts as described in the Land Development Code, or
208 through the PUD rezoning process. Density will not exceed 2 6 dwelling units per acre and. New
209 development of single-family detached units is not permitted in the Commercial category. Single-
210 family homes in existence on Commercial designated parcels as of February 14, 2019 are vested
211 as legal non-conforming uses and may be improved and/or reconstructed in accordance with the
212 Land Development Code.

213
214 For the purposes of this category, residential density will be calculated based on the total project
215 acreage.

216
217 Development will provide access management plans that utilize frontage roads, alleyways, shared
218 ingress and egress and parking.

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221 **Objective 1.6 Compatibility and Neighborhood Protection**

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

234
235 **Policy 1.6.1 Locational standards**

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

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

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

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

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251 **Policy 1.6.3: Sensitive Site Design**

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

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