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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

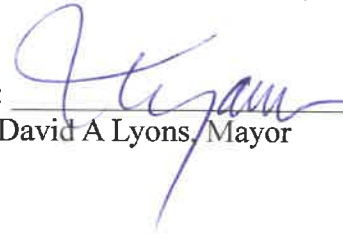
45 adopted, providing for the adoption of the proposed amendment to the Future Land Use
46 Element.

47 2. This ordinance shall become effective in accordance with Section 163.3184, F.S.
48


49 3. If any Court of competent jurisdiction shall determine any portion or provision of this
50 ordinance unconstitutional or invalid, that portion shall be severed and the remainder of
51 the ordinance shall remain in full force and effect and given its ordinary meaning.
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53 **PASSED AND ADOPTED** in open session this 9th day of May 2019.
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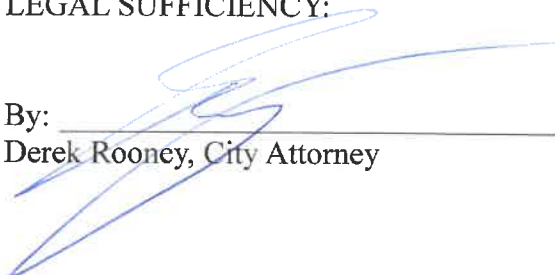
55 THE CITY OF LABELLE, FLORIDA

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58 By: 
59 David A Lyons, Mayor

60 ATTEST:

61 
62 By: _____
63 Thomas A. Smith, Clerk-Commissioner
64
65

66 APPROVED AS TO FORM AND
67 LEGAL SUFFICIENCY:

68
69
70 By: 
71 Derek Rooney, City Attorney
72
73
74

75 Vote:	AYE	NAY
76		
77 Mayor Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>
78 Commissioner Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
79 Commissioner Wilkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>
80 Commissioner Akin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
81 Commissioner Zimmerly	<input type="checkbox"/>	<input type="checkbox"/>
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84 EXHIBIT A

85
86 **Policy 1.3.2 Outlying Mixed Use Land Use Category**

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88 The Outlying Mixed Use Category is established to provide for integrated planned developments
89 where a mixture of land uses are permitted and encouraged. The most appropriate land uses for
90 this area will continue to be residential with neighborhood and general commercial uses
91 permitted at locations that meet the sub-category standards as described herein. No more than
92 30% of the total area of the Category will be used for single use commercial development, and
93 no more than 70% will be used for single use residential development.

94
95 This classification is intended to ensure development of distinctive centers or “main streets” that
96 provide a focus to surrounding neighborhoods. It encourages the development of commercial and
97 employment related uses and a variety of housing types in locations appropriate to serve as a
98 buffer or transition to lower density residential areas. All developments located within this land
99 use designation are encouraged to embrace the mixed-use concept, integrating some, if not all of
100 the residential, office, hotel, institutional and recreational elements.

101
102 A key economic development strategy is the encouragement of services within the Outlying
103 Mixed Use Category that complement those services offered within the Downtown District. An
104 important goal of this land use category is to spur growth in the City of LaBelle while
105 contributing to the revitalization of the City’s historic core.

- 106
107 • Allowable uses in this land use category include residential, office, commercial, artist stu-
108 dios, personal services, transient accommodations, institutional, and recreation and parks.
109 Uses will be integral to, oriented within and function as part of a mixed-use project. Free-
110 standing, unrelated out-parcel type uses or strip commercial development is strongly dis-
111 couraged.
- 112
113 • Project design should include uninterrupted pedestrian connections, internal roadway sys-
114 tems to reduce impacts to offsite areas, open space and recreation facilities, public/com-
115 mon spaces in relationship to key project uses, bicycle facilities, and an overall pedestrian
116 friendly environment. Vehicular, pedestrian, park and open space connectivity within and
117 with adjacent developments is considered essential in the effort of avoiding development
118 of isolated areas of the City. Such integration will be designed so as to increase the inter-
119 action between uses, to reduce the need for automobile use within the development, as
120 well as the reduction of off-site automobile trips attributable to the development, and to
121 encourage the provision of shared infrastructure. Parking areas should be located internal
122 to the development, rather than along the street frontages. Site design will discourage in-
123 creased traffic through established residential neighborhoods.
- 124
125 • A minimum of ~~15%~~ 30% of the project acreage will remain as natural preserve, open
126 space, lakes, park area or public space such as plazas or courtyards.
- 127

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

132

133 **Neighborhood Center: Parcels Up to 8 Acres**

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

146

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

148

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

161

162 **Regional Center: Parcels Greater Than or Equal to 16 Acres**

163

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

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

179

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

181

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

189

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

- 191 • The arrangement and area in acres of the land uses, parking areas, green spaces, and ve-
192 hicular and pedestrian networks;
- 193 • Sufficient information to demonstrate that the residential component(s) are integrated
194 with the other uses in the development;
- 195 • Sufficient information to demonstrate the relationship between, and compatibility of, the
196 commercial and residential uses within and adjacent to the development;
- 197 • Demonstration of vehicular and pedestrian connectivity to adjacent properties/develop-
198 ments as well as public rights-of-way, and
- 199 • An architectural concept that suggests proposed building style.

200

201 A narrative will be included that provides discussion of:

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

209

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

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215 **Policy 1.3.4 Commercial Land Use Category**

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

221

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

224

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

232

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

235

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

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239 *****

240 **Objective 1.6 Compatibility and Neighborhood Protection**

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

253

254 **Policy 1.6.1 Locational standards**

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

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

262

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

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

269

270 **Policy 1.6.3: Sensitive Site Design**

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

279