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**CITY OF LABELLE
ORDINANCE 2020-10**

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ARBOURS AT SOUTH LABELLE VILLAGE PLANNED UNIT DEVELOPMENT

AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR A 61+/-ACRE PROPERTY LOCATED IMMEDIATELY SOUTH OF HELMS ROAD, APPROXIMATELY ½ MILE WEST OF STATE ROAD 29 FROM AGRICULTURE (AG) TO THE PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT; PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Bryan W. Paul Family, LLLP is the “Owner” of real property, located south of Helms Road and ½ mile west of SR 29, City of LaBelle, Florida, further described in Exhibit “A”, attached hereto;

WHEREAS, the City of LaBelle adopted the South LaBelle Community future land use category to allow for development of a master-planned community providing a full range of housing types, employment centers, local goods and services, and public/institutional uses; and

WHEREAS, the Owner, filed an application to rezone the subject property to Planned Unit Development to allow for the development of a multi-family residential community consistent with the City’s intent for the South LaBelle Community future land use category; and

WHEREAS, after duly advertised public hearings held on June 11, 2020 before the LaBelle Local Planning Agency “LPA”, and on July 9, 2020 and August 13, 2020 before the City Commission; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested PUD rezoning is in compliance with the future land use designation of “South LaBelle Community” and approval of the rezoning application will further the goals and objectives of the City of LaBelle Comprehensive Plan; and,

WHEREAS, the subject application and plans have been reviewed by City of LaBelle Planning Department in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

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

Section 1. The forgoing recitals are true and correct and are incorporated herein by this reference.

Section 2. The above-mentioned Planned Unit Development (PUD) is hereby amended, upon a finding that this is the most appropriate use of the property and this use will promote,

45 protect and improve the health, safety, comfort, good order, appearance, convenience and general
46 welfare of the public subject to the following conditions:

- 47
- 48 1. The Rezone request applied to the property is described in Exhibit 'A'.
- 49 2. The PUD is limited to a maximum of 400 multi-family or townhouse dwelling units.
- 50 3. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit
51 'B'.
- 52 4. Development Standards will conform to the Development Standards Table, attached as
53 Exhibit 'C'.
- 54 5. All development must conform to the general design of the Master Concept Plan contained
55 in Exhibit 'D' and the requirements of the Land Development Code.
- 56 6. All buildings (including residential and amenity structures), signage and accessory
57 structures within the development must have consistent architectural theme and color
58 palette.
- 59 7. Site construction plans must demonstrate an internal sidewalk system to connect the
60 residential buildings to on-site amenities and recreational areas, parking, and to the external
61 sidewalk network.
- 62 8. Development must connect to the City's potable water and sanitary sewer system. A
63 demonstration of capacity will be required at the time of development, in addition to
64 sufficient water pressure for a hydrant system and sprinklers within the building, if required
65 by the Florida Building Code and NFPA Fire Prevention Code.
- 66 9. The developer/owner or their designee, which may include a property owners association
67 (POA) or homeowner's association (HOA) must maintain common areas, parking areas,
68 and infrastructure within the community. If a POA/HOA is established, documents must
69 be provided to the City at the time of site construction plan permitting.
- 70 10. A minimum of 35% of the development, or 21.4+/- acres, of open space shall be provided
71 within the PUD. At minimum of 10%, or 6.1+/-acres of the site must be in the form of
72 useable open space as defined in the Land Development Code, and which may include
73 both passive and active recreational uses.
- 74 11. A minimum of 1.5 parking spaces per dwelling unit must be provided on the site
75 construction plans. This may include parking spaces in private garages and driveways for
76 townhome dwelling types. In addition, each amenity site must include a minimum of five
77 (5) parking spaces.
- 78 12. Dumpsters, recycling facilities and service areas must be setback a minimum of 25 feet
79 from the PUD boundary and screened via an opaque wall or fence.
- 80 13. A streetscape buffer must be provided along Helms Road, consisting of a 15-foot wide
81 buffer with a double hedgerow planted at 24 inches and maintained at 48 inches, two (2)
82 large trees, and two (2) medium trees per 100 linear feet.
- 83 14. Buildings in the southwest corner of the site adjacent to the 50+/-acre Paul Horticultural
84 Recycling Facility PUD must be setback a minimum of 50 feet from the PUD boundary
85 and be screened via a 30-foot wide Type "E" buffer with 8' tall opaque wall, installed prior
86 to certificate of occupancy for the first dwelling unit. This condition will be deemed void
87 if the Paul Horticultural Recycling Facility PUD is amended to require a 30-foot wide Type
88 "E" buffer on their property and a minimum setback of 500 feet from debris piles to the
89 common boundary with Arbours at South LaBelle Village.

90 15. Horizontal construction must commence within five (5) years from the date of City
91 Commission approval or the MCP will be deemed vacated. If horizontal construction has
92 commenced the PUD will be vested. If horizontal construction has not commenced within
93 five (5) years a new PUD zoning approval must be filed and approved by the City
94 Commission. A one (1) time extension of five (5) years may be submitted to the City prior
95 to vacation of the MCP for administrative approval, where Staff determines the LDC
96 regulations applicable to the development of the PUD have not substantially changed. If
97 Staff determines the LDC regulations have substantially changed since adoption of the
98 PUD, the extension must be reviewed by the City Commission during one (1) public
99 hearing.

100 16.

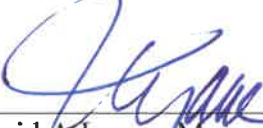
101 **Section 3. Conflict with other Ordinances.** The provisions of this article shall supersede any
102 provisions of existing ordinances in conflict herewith to the extent of said conflict.
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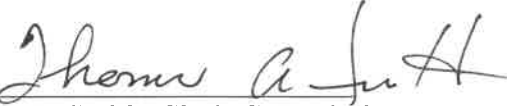
104 **Section 4. Severability.** In the event that any portion of this ordinance is for any reason held
105 invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a
106 separate, distinct and independent provision, and such holding shall not affect the validity of the
107 remaining portions of this ordinance.
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109 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its
110 adoption.
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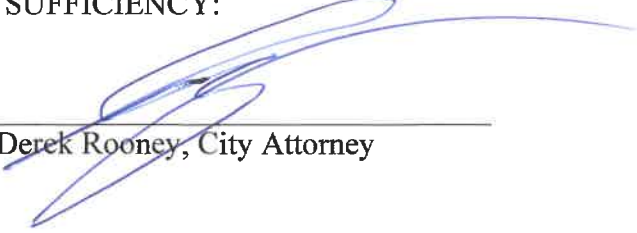
112 **PASSED AND ADOPTED** in open session this 13th day August, 2020.
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114
115 THE CITY OF LABELLE, FLORIDA

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118 By: 
119 David A Lyons, Mayor
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121 Attest: 
122 Thomas A. Smith, Clerk-Commissioner
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125 APPROVED AS TO FORM AND
126 LEGAL SUFFICIENCY:
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129 By: 
130 Derek Rooney, City Attorney
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	Vote:	AYE	NAY
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135			
136	Mayor Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>
137	Commissioner Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
138	Commissioner Wilkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>
139	Commissioner Akin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
140	Commissioner Kelley	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**EXHIBIT A
LEGAL DESCRIPTION**

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A tract or parcel of land lying in Section 20, Township 43 South, Range 29 East, City of LaBelle, Hendry County, Florida, said tract or parcel of land being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 20 run S89°39'58"W along the North line of the Northwest Quarter (NW 1/4) of said Section 20 for 1,521.69 feet to an intersection with the Easterly line of lands described in a deed recorded in Official Records Book 815, at Page 925, Hendry County Records; thence run S09°34'16"E along said Easterly line for 303.94 feet to an intersection with the Southerly right of way line of Helms Road West, (150 feet wide), as described in a deed recorded in Official Records Book 857, at Page 665, Hendry County Records and the POINT OF BEGINNING.

From said Point of Beginning run N89°39'58"E along said Southerly right of way line for 1,263.10 feet to an intersection with the Northerly prolongation of Westerly line of lands described in a deed recorded in Official Records Book 853, at Page 1482, Hendry County Records; thence run S01°14'29"E along said prolongation and continuing along said Westerly line for 2,435.21 feet to an intersection with the Easterly prolongation of Northerly line of lands described in a deed recorded in Official Records Book 763, at Page 472, Hendry County Records; thence run S88°42'31"W along said prolongation and continuing along said Northerly line and continuing along the Westerly prolongation thereof for 903.36 feet to an intersection with said Easterly line of lands described in a deed recorded in Official Records Book 815, at Page 925, Hendry County Records; thence run N09°34'16"W along said Easterly line for 2,482.19 feet to the POINT OF BEGINNING. Containing 60.77 acres, more or less.

EXHIBIT B
SCHEDULE OF USES

175	
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178	Accessory Residential Uses
179	Permitted accessory and storage buildings:
180	Children's playhouses
181	Patios
182	Gazebos
183	Private barbeque pits or pavilions
184	Noncommercial greenhouses and plant nurseries
185	Swimming pool
186	Essential services, such as but not limited to cable, fiber optic, public utilities
187	Fences and walls in accordance with LDC Chapter 4
188	Gates and gatehouses
189	Model Home/Unit
190	Recreational amenities, private, on-site
191	Residential dwellings (limited to a maximum of 400 dwelling units)
192	Multi-family dwellings
193	Townhouse dwellings
194	Signs in accordance with LDC Chapter 4
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**EXHIBIT C
SITE DEVELOPMENT REGULATIONS**

	Multi-Family	Townhomes	Amenity/Clubhouse
Min. Lot Size	N/A	1,500 SF	10,000 SF
Min. Depth	N/A	100'	100'
Min. Width	N/A	15'	100'
Maximum Height ⁽¹⁾	55 ¹ / ₄ stories	35 ¹ / ₂ stories	35 ¹ / ₂ stories
Maximum Lot Coverage	60%	60%	40%
Minimum Unit Size	800 SF	1,200 SF	N/A
BUILDING SETBACKS			
Street/Front (Helms Rd)	25'	25'	25'
Street/Front (Internal)	20'	25'	20'
Side	20'	7.5 ¹ / ₀ '	20'
Rear (Principal)	20'	10'	20'
Rear (Accessory)	10'	5'	5'
Waterbody	20'	20'	20'
Minimum Building Separation	½ Building Height	15'	15'

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1. Multi-family buildings must be setback from the PUD perimeter a distance equal to the building height, as defined in the LDC.

EXHIBIT D MASTER CONCEPT PLAN

