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**CITY OF LABELLE
ORDINANCE 2021-03
JACK PAUL PLANNED UNIT DEVELOPMENT AMENDMENT**

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AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING ORDINANCE 2015-01 FOR THE JACK PAUL PLANNED UNIT DEVELOPMENT; AMENDING THE MASTER CONCEPT PLAN; AMENDING THE SCHEDULE OF USES; AMENDING THE DEVELOPMENT REGULATIONS; AND AMENDING THE CONDITIONS OF APPROVAL; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, John R. Paul. is the “Owner” of real property, located west of SR 29 and south of Helms Road, City of LaBelle, Florida, further described in Exhibit “A”, attached hereto, and

WHEREAS, after duly advertised public hearings held on February 11, 2021 before the Local Planning Agency “LPA”, and public hearings on March 11, 2021 and April 8, 2021 before the City Commission; and,

WHEREAS, the City Commission for the City of LaBelle has determined that the requested Planned Unit Development amendment is in compliance with the land use designation of “South LaBelle Village, Commercial Activity Center” and approval of the amendment application will further the goals and objectives of the City of LaBelle Comprehensive Plan; and,

WHEREAS, the City Commission for the City of LaBelle has determined the amendment to conditions contained in PUD Ordinance 2015-01 will allow for appropriate use of the property and will protect the health, safety, comfort, good order, appearance, convenience and general welfare of the public with the following conditions:

1. The PUD Amendment request applied to the property is described in Exhibit ‘A’.
2. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit ‘B’.
3. Development Standards will conform to the Development Standards Table, attached as Exhibit ‘C’.
4. All development must conform to the general design of the Master Concept Plan contained in Exhibit ‘D’ and the requirements of the Land Development Code.
5. Agricultural uses may continue on the property on a parcel by parcel basis until such time that site construction permits are issued.
6. All easements, dedications or other instruments shall be granted to the City of LaBelle as necessary to ensure continued operation and maintenance of all service utilities.
7. The use of the City of LaBelle Water Treatment Plan access and drive from SR 29 shall be limited to use by Tract B located immediately adjacent to the subject drive, until such time that the internal roadway system is constructed. The property owner of this subject Tract shall enter into an agreement with the City of LaBelle regarding use and sharing of maintenance and its associated costs.

- 45 8. Site construction plans must demonstrate an internal sidewalk system to connect the
46 proposed buildings to on-site green space areas, parking, and to the external sidewalk
47 network.
48 9. Development must connect to the City's potable water and sanitary sewer system. A
49 demonstration of capacity will be required at the time of development, in addition to
50 sufficient water pressure for a hydrant system and sprinklers within the building, if required
51 by the Florida Building Code and NFPA fire prevention code.
52 10. The developer/owner or their designee, which may include a property owners association
53 (POA) must maintain common areas, parking areas, and infrastructure within the project. If
54 a POA is established, documents must be provided to the City at the time of site
55 construction plan permitting.
56 11. Open space must be provided in accordance with the Land Development Code and Exhibit
57 C.
58 12. Dumpsters, recycling facilities and service areas must be setback a minimum of 25 feet from
59 the PUD boundary and screened via an opaque wall or fence.
60 13. The following buffers must be provided on the site construction permit plans as shown on
61 the MCP:
62 a. A 15-foot-wide streetscape buffer must be provided along SR 29 in accordance with
63 the LDC, to include 5 trees per 100 linear foot.
64 b. A 5-foot-wide Type A buffer must be provided along the southern property line.
65 c. A 30-foot-wide Type E buffer with Option 1 plantings must be provided along the
66 western and northern property lines. In addition to the required plantings, the buffer
67 must include a 8-foot-tall opaque fence located on a 3-foot-tall berm.
68 14. The stormwater management lakes must be located along the western property boundary in
69 substantial compliance with the MCP. All industrial buildings and related outdoor storage or
70 use areas must be setback a minimum of 250 feet from the western property line and 100
71 feet from the northern property line.
72 15. Manufacturing of asphalt, concrete must be setback 500 feet from the western and northern
73 property lines.
74

75 NOW THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF
76 LABELLE, FLORIDA, that:

- 77
78 1. After being read by title at a public hearing on February 11, 2021 and a duly advertised
79 public hearings on February 11, 2021 and March 11, 2021, Ordinance 2021-03 is hereby
80 adopted, amending the conditions of approval for the Planned Unit Development.
81
82 2. If any Court of competent jurisdiction shall determine any portion or provision of this
83 ordinance unconstitutional or invalid, that portion shall be severed and the remainder of the
84 ordinance shall remain in full force and effect and given its ordinary meaning.
85
86 3. This ordinance shall be codified within The City of LaBelle Code and City of LaBelle Land
87 Development Code.
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89 4. This ordinance shall become effective immediately upon its adoption.

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5. Any language within the City of LaBelle Code and/or City of LaBelle Land Development Code in conflict with the language or provisions contained herein is hereby declared null and void.

PASSED AND ADOPTED in open session this 8th day of April, 2021.

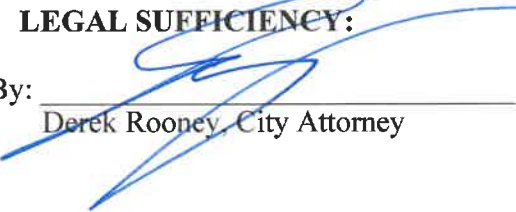
**CITY COMMISSION OF THE CITY OF LABELLE,
FLORIDA**

By: 
David A. Lyons, Mayor

ATTEST:

By: 
Thomas A. Smith, Clerk-Commissioner

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

By: 
Derek Rooney, City Attorney

Vote:	AYE	NAY
Mayor Lyons	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Wilkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Akin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Commissioner Spratt	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**EXHIBIT A
LEGAL DESCRIPTION**

LEGAL DESCRIPTION AND SKETCH (NORTH PARCEL)

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 20, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 20, TOWNSHIP 43 SOUTH, RANGE 29 EAST; THENCE SOUTH 88°46'26" WEST (BASIS FOR BEARING IS BOUNDARY MAP BY TRI-COUNTY FOR PAUL AND BERRY LAWLESS), ALONG THE NORTH LINE OF SAID SECTION 20, A DISTANCE OF 2,853.63 FEET; THENCE SOUTH 02°08'00" EAST, A DISTANCE OF 2,735.25 FEET TO A POINT ON A LINE OF PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 488, PAGE 557, OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA, AND ALSO BEING THE NORTH LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 829, PAGE 1824, OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA; THENCE SOUTH 87°49'00" WEST, ALONG AFOREMENTIONED LINE, A DISTANCE OF 164.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 87°49'00" WEST, A DISTANCE OF 725.00 FEET; THENCE SOUTH 10°30'00" EAST, A DISTANCE OF 485.31 FEET TO A POINT ON THE NORTH LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 945, PAGE 659, OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA; THENCE SOUTH 88°48'33" WEST, ALONG AFOREMENTIONED LINE, A DISTANCE OF 7.57 FEET; THENCE SOUTH 11°17'09" EAST, A DISTANCE OF 513.78 FEET; THENCE NORTH 88°00'57" EAST, A DISTANCE OF 1,209.52 FEET; THENCE SOUTH 47°01'18" EAST, A DISTANCE OF 99.96 FEET; THENCE NORTH 87°01'34" EAST, A DISTANCE OF 1,053.60 FEET TO A POINT ON THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 893, PAGE 1648, OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA; THENCE NORTH 01°41'50" WEST ALONG THE AFORMENTIONED LINE, A DISTANCE OF 16.41 FEET TO A POINT ON A LINE SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST ONE QUARTER OF SECTION 20, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA, AND ALSO BEING THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 857, PAGE 647, OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA; THENCE SOUTH 88°45'18" WEST, ALONG AFOREMENTIONED PARALLEL LINE, A DISTANCE OF 422.75 FEET; THENCE NORTH 01°18'07" WEST, A DISTANCE OF 925.00 FEET TO A POINT ON A LINE SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST ONE QUARTER OF SECTION 20, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA; THENCE NORTH 88°45'18" EAST, ALONG AFOREMENTIONED PARALLEL LINE, A DISTANCE OF 1,430.00 FEET; THENCE SOUTH 01°18'07" EAST, A DISTANCE OF 925.00 FEET TO A POINT ON A LINE SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE SOUTHEAST ONE QUARTER OF SECTION 20, TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY,

172 FLORIDA; THENCE NORTH 88°45'18" EAST, A DISTANCE OF 149.90 FEET TO A POINT
173 ON THE EAST LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK
174 893, PAGE 1648, OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA AND ALSO
175 BEING THE WEST RIGHT OF WAY LINE OF STATE ROAD 29 AS SHOWN IN FLORIDA
176 DEPARTMENT OF TRANSPORTATION MAP SECTION 0706-1022; THENCE NORTH
177 01°18'00" WEST, ALONG SAID EAST LINE, A DISTANCE OF 1,100.00 FEET TO A POINT
178 ON THE NORTH LINE OF THE SOUTHEAST ONE QUARTER OF SECTION 20, TOWNSHIP
179 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA; THENCE SOUTH 88°45'18"
180 WEST, A DISTANCE OF 2,583.27 FEET TO A POINT ON THE CENTER OF SECTION 20,
181 TOWNSHIP 43 SOUTH, RANGE 29 EAST, HENDRY COUNTY, FLORIDA AND ALSO
182 BEING THE SOUTH LINE OF A PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS
183 BOOK 853, PAGE 1482, OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA;
184 THENCE SOUTH 50°12'20" WEST ALONG THE AFOREMENTIONED LINE, A DISTANCE
185 OF 226.55 FEET TO A POINT ON A LINE OF A PARCEL OF LAND DESCRIBED IN
186 OFFICIAL RECORDS BOOK 829, PAGE 1824, OF THE PUBLIC RECORDS OF HENDRY
187 COUNTY, FLORIDA; THENCE NORTH 88°48'33" EAST, ALONG SAID LINE, A DISTANCE
188 OF 130.90 FEET; THENCE SOUTH 10°54'13" WEST, A DISTANCE OF 443.98 FEET;
189 THENCE NORTH 86°00'38" WEST, A DISTANCE OF 182.40 FEET; THENCE NORTH
190 03°48'40" WEST, A DISTANCE OF 461.83 FEET TO THE POINT OF BEGINNING.

191

192 SAID LANDS SITUATE, LYING AND BEING IN HENDRY COUNTY, FLORIDA,
193 CONTAINING 2,421,160 SQUARE FEET (55.582 ACRES) MORE OR LESS.

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195 LEGAL DESCRIPTION AND SKETCH (SOUTH PARCEL)

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198 A PARCEL OF LAND LYING IN SECTION 29, TOWNSHIP 43 SOUTH, RANGE 29 EAST,
199 HENDRY COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS
200 FOLLOWS:

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202 COMMENCING AT THE NATIONAL GEODETIC SURVEY MONUMENT, PID AJ7325
203 DESIGNATION W2, HAVING A COORDINATE OF NORTHING 861,586.47 AND EASTING
204 513,357.31, STATE PLANE COORDINATE, FLORIDA EAST ZONE NORTH AMERICAN
205 DATUM 1983(2007) FEET, AND RUN SOUTH 25°20'20" EAST, A DISTANCE OF 71.36 FEET
206 TO A POINT ON THE OLD WEST RIGHT-OF-WAY LINE OF STATE ROAD No. 29
207 (FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP SECTION 0706-
208 1022) ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 01°00'52" EAST,
209 ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 2079.17 FEET TO THE
210 BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG THE ARC OF THE CURVED
211 RIGHT-OF-WAY LINE (SAID RIGHT-OF-WAY BEING CURVED CONCAVE TO THE EAST
212 WITH A DELTA ANGLE OF 00°02'58" AND A RADIUS OF 463,999.72 FEET) A DISTANCE
213 OF 400.02 FEET TO THE END OF THIS CURVE; THENCE SOUTH 01°03'49" EAST, ALONG
214 SAID RIGHT-OF-WAY LINE, A DISTANCE OF 102.98 FEET; THENCE SOUTH 88°21'44"
215 WEST, A DISTANCE OF 2462.88 FEET; THENCE NORTH 01°00'52" WEST, A DISTANCE
216 OF

217 2724.78 FEET; THENCE NORTH 09°28'36" WEST, A DISTANCE OF 6868.40 FEET; THENCE
218 NORTH 88°54'29" EAST, A DISTANCE OF 1209.52 FEET; THENCE SOUTH 46°07'46" EAST,
219 A DISTANCE OF 99.96 FEET; THENCE NORTH 87°55'06" EAST, A DISTANCE OF 1053.60
220 FEET; THENCE NORTH 00°48'18" WEST, A DISTANCE OF 16.41 FEET TO A POINT ON
221 THE SOUTH LINE OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 857, PAGE
222 647 OF THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA THENCE NORTH
223 89°38'50" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 1157.15 FEET TO A POINT
224 ON THE OLD WEST RIGHT-OF-WAY LINE OF STATE ROAD 29; THENCE SOUTH
225 00°24'28" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1297.37
226 FEET TO THE BEGINNING OF A CURVE TO THE LEFT; THENCE ALONG THE ARC OF
227 THE CURVED RIGHT-OF-WAY LINE, (SAID RIGHT-OF-WAY BEING CURVED CONCAVE
228 TO THE EAST WITH A DELTA ANGLE OF 00°36'24" AND A RADIUS OF 69,942.81 FEET) A
229 DISTANCE OF 740.52 FEET TO THE END OF THIS CURVE; THENCE SOUTH 01°00'52"
230 EAST, A DISTANCE OF 4,320.38 FEET; THENCE SOUTH 87°42'41" WEST, A DISTANCE OF
231 565.00 FEET; THENCE SOUTH 01°00'52" EAST, A DISTANCE OF 505.00 FEET; THENCE
232 NORTH 87°42'41" EAST, A DISTANCE OF 564.96 FEET TO THE POINT OF BEGINNING.
233
234 SAID LANDS SITUATE, LYING AND BEING IN HENDRY COUNTY, FLORIDA,
235 CONTAINING 26,460,467 SQUARE FEET (607.448 ACRES) MORE OR LESS.
236

**EXHIBIT B
SCHEDULE OF USES**

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239 **Commercial**

240 Accessory Use/Structure

241 Agriculture Uses, until such time of development on a tract by tract basis

242 Amusement Facilities, Indoor

243 Animal Sales and Services, limited to grooming, animal hospital/clinic, retail sales

244 Clubs, Lodges

245 Convenience Store with Gas Pumps

246 Day Care Center, Child or Adult

247 Financial Institutions

248 Food and Beverage Sales/Establishments

249 Health Care Facilities, limited to walk-in clinics and similar

250 Government Offices

251 Schools, Private

252 Maintenance and Service Repair, indoor only, no outside storage along the SR 29 frontage

253 Offices

254 Outdoor Sales Area

255 Outdoor Storage Area, accessory only, must be screened in accordance with LDC, Appendix

256 B, Section 4-70.3. No outside storage along the SR 29 corridor frontage

257 Personal Services, General and Dry Cleaning

258 Plant Nurseries/Horticulture Sales, Retail Only

259 Private/Quasi-Public Facilities

260 Religious Assemblies/Church

261 Retail Sales/Rental Establishments, not lumberyards or heavy equipment

262 Schools, Private

263 Vehicle/Equipment Sales and Service, limited to car wash/detailing, service stations

264 Mini-Warehouse

265

266 **Industrial**

267 Accessory Use/Structure

268 Administrative Offices

269 Agriculture Uses, until such time of development on a tract by tract basis

270 Amusement Facilities, Indoor Only

271 Animal Sales/Services

272 Broadcast Studio, Commercial Radio & Television

273 Building Material Sales

274 Caretaker/Security Quarters

275 Cold Storage, Pre-Cooling, Warehouse & Processing Plant, limited to commercial packing

276 Farm Equipment, Sales, Storage, Rental or Service

277 Fences, Walls, Maximum of 10 Feet in height with outside screening per LDC Table 4-80-L6, Type

278 A, Option 2

279 Freight, Parcel & Cargo Handling Establishments

280 Food and Beverage Sales/Establishments

281 Funeral and Internment Services, including crematorium, Tracts B-H only

- 282 Government Offices
- 283 Laboratories
- 284 Maintenance and Repair Services
- 285 Manufacturing and Fabrication, including:
- 286 All Tracts:
- 287 Fabricated metal products (indoors only)
- 288 Food and kindred products
- 289 Furniture & fixtures
- 290 Leather products
- 291 Machinery (indoors only)
- 292 Measuring, analyzing & controlling instruments
- 293 Novelties, toys, signs, paper & allied products
- 294
- 295 Limited to Tracts F, G, & H:
- 296 Chemical and allied products
- 297 Concrete/asphalt
- 298 Fabricated metal products
- 299 Machinery
- 300 Primary metal industries
- 301 Rubber & plastic products
- 302 Stone, clay & concrete products
- 303 Textile mill products
- 304 Transportation equipment
- 305 Electrical machinery & equipment
- 306 Lumber & wood products
- 307 Mobile Home Dealer
- 308 Nonstore Retailers
- 309 Offices
- 310 Outdoor Sales Area
- 311 Outdoor Storage Area, must be screened in accordance with LDC, Appendix B, Section 4-70.3.
- 312 Parking Lots, Accessory, Garage, Temporary and screened per plant quantities established in LDC
- 313 Table 4-80-L6 Type B Option 2, Stand Alone
- 314 Plant Nurseries and/or Retail Horticulture
- 315 Private/Quasi-Public Facilities
- 316 Recreation Facilities, such as but not limited to shooting range (indoor only), bowling alley, skating
- 317 rink, etc.
- 318 Research and Development Services
- 319 Retail & Wholesale Sales/Rental Establishments, including heavy equipment, lumberyards,
- 320 building supplies
- 321 Salvage/Junkyards/Recycling, Tracts G & H only
- 322 Schools, Private
- 323 Tattoo Establishments
- 324 Vehicle/Equipment Sales and Service, including carwash/detailing, commercial parking facility,
- 325 fuel bulk plant, fleet fueling station, service stations, repair, auctions, storage, mobile homes,
- 326 boats

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**EXHIBIT C
 SITE DEVELOPMENT REGULATIONS**

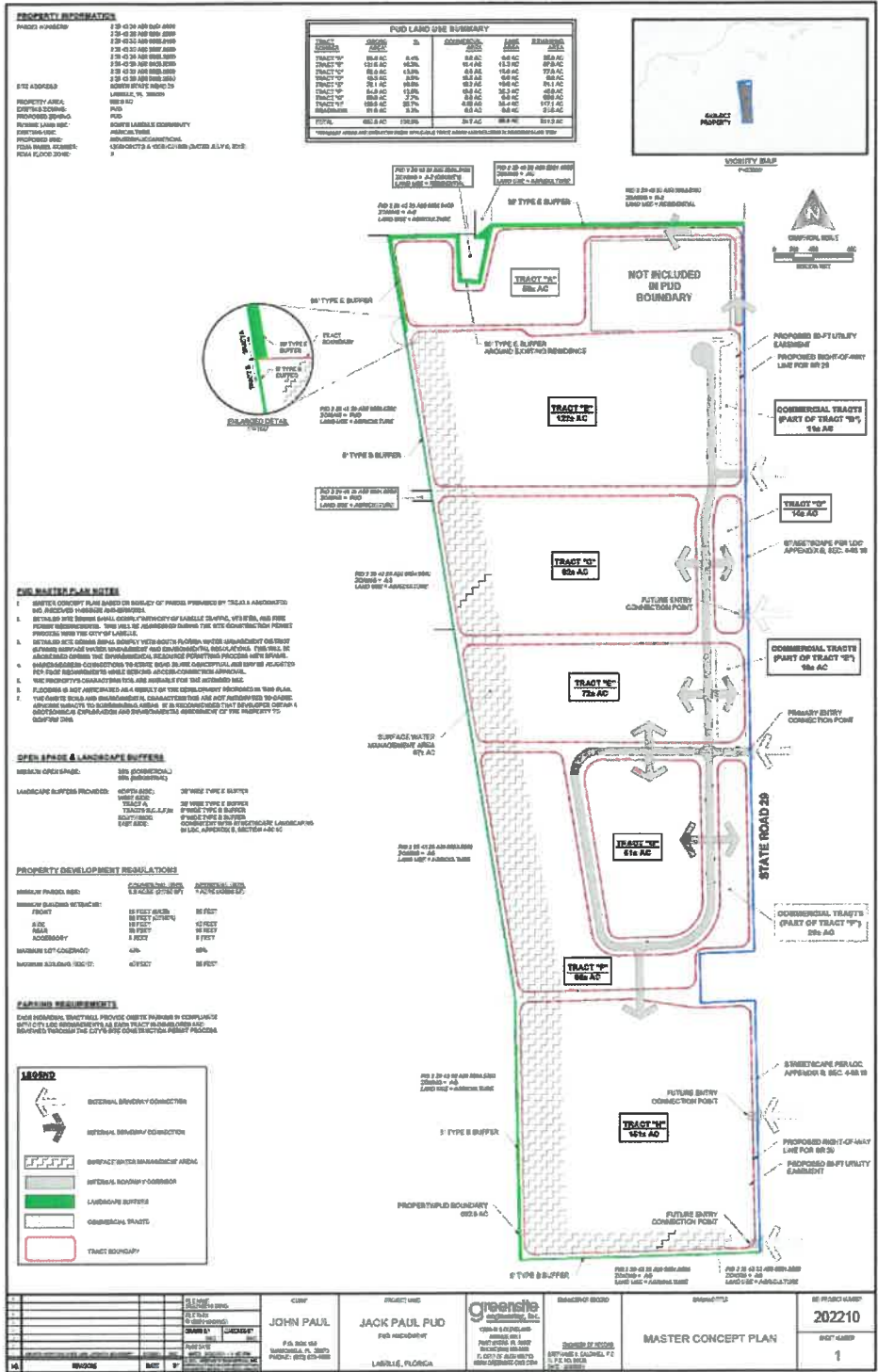
	<u>Commercial</u>	<u>Industrial</u>
Min. Open Space	30%	20%
Max. Lot Coverage	40%	60%
Max. Height	40'	55'
Min. Lot Size	10,000 s.f.	1 acre / 43, 560 s.f.
Setbacks		
Min. Lot Width	100 ft.	100 ft.
Min. Setbacks		
Front	25' (SR 29) / 20' Other	20'
Side	10'	10'
Rear	20'	15'
Accessory	5'	5'
Western Property Line	250'	250' ⁽¹⁾
Northern Property Line	50'	100'

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(1) Manufacturing of asphalt, concrete must be setback 500 feet from the western and northern property lines.

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EXHIBIT D MASTER CONCEPT PLAN (see also 11X17 attached)



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