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**ORDINANCE
NUMBER 2023-03**

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**AN ORDINANCE OF THE CITY OF LABELLE,
FLORIDA; AMENDING THE CITY OF LABELLE
LAND DEVELOPMENT CODE, CHAPTER 4,
ARTICLE V, SUPPLEMENTARY DISTRICT
REGULATIONS; AMENDING SECTION 4-85.10,
OFF-STREET PARKING, LOADING AND
UNLOADING REGULATIONS, TO AMEND
REQUIREMENTS FOR OFF-STREET PARKING;
PROVIDING FOR CODIFICATION,
SEVERABILITY, CONFLICTS AND AN EFFECTIVE
DATE.**

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RECITALS

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WHEREAS, the City of LaBelle, Florida has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida; Chapters 163 and 166; and Section 381.986 Florida Statutes; and

WHEREAS, the City Commission desires to amend the existing parking standards to ensure off-street parking spaces are properly provided to uphold the City's vision for a well-planned and functional built environment; and

WHEREAS, the City of LaBelle desires to maintain minimum regulations to ensure appropriate infrastructure is provided for new developments to ensure the protection of public health, safety and welfare; and

WHEREAS, the proposed ordinance was properly advertised and has received public hearings before the Local Planning Agency and the City Commission on March 9, 2023 and April 13, 2023; and

WHEREAS, the City finds that this Ordinance is in the interests of the public health, safety, and welfare.

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. Amendment to the City Code. Chapter 4, Article V, Supplementary Regulations of the City of LaBelle is hereby amended as set forth in Exhibit A attached hereto.

Section 3. Codification. This ordinance shall be incorporated into the City of LaBelle Land Development Code. The sections of this Ordinance can be renumbered or re-lettered

47 to the appropriate word or phrase to accomplish codification. Omissions, grammatical, and
48 typographical errors, as well as clarifications of ambiguous wording that do not affect the intent
49 of this Ordinance, may be authorized by the Mayor without need for a public hearing.

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51 **Section 4. Severability.** In the event that any portion of this Ordinance is for any
52 reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall
53 be deemed a separate, distinct and independent provision, and such holding shall not affect the
54 validity of the remaining portions of this Ordinance.

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56 **Section 5. Conflicts.** The provisions of this article shall supersede any provisions
57 of existing ordinances in conflict herewith to the extent of said conflict.

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59 **Section 6. Effective Date.** This Ordinance shall take effect immediately upon its
60 adoption by the City Commission.

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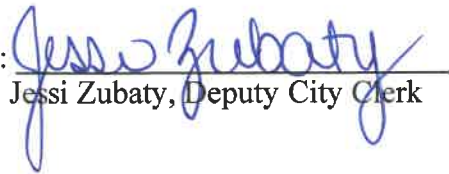
64 PASSED AND DULY ADOPTED this 4th day of May, 2023.

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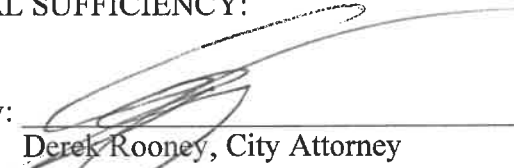
CITY COMMISSION OF THE CITY OF LABELLE,
FLORIDA

By: 
Julie C. Wilkins, Mayor

ATTEST:

By: 
Jessi Zubaty, Deputy City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: 
Derek Rooney, City Attorney

Vote:	AYE	NAY
Mayor Wilkins	<u>✓</u>	_____
Commissioner Vargas	<u>✓</u>	_____
Commissioner Ratica_	<u>✓</u>	_____
Commissioner Akin	<u>✓</u>	_____
Commissioner Spratt	<u>✓</u>	_____

EXHIBIT A

100 **Sec. 4-85.10. – Off-street parking, loading and unloading regulations**

101
 102 A. *Area and dimensions.* For the purposes of this regulation, an "off-street parking space"
 103 shall have dimensions of nine (9) feet in width and nineteen (19) feet in depth, exclusive
 104 of the area required for access drives or aisles. Up to 10% of required parking spaces
 105 may be "compact" parking spaces, with minimum dimensions of eight (8) feet in width
 106 and sixteen (16). All spaces must be clearly designated for exclusive use of compact
 107 vehicles through the use of signage and pavement identification, and clustered in the
 108 same general area of the parking lot.

109
 110 A "parallel parking space" shall have dimensions of seven (7) feet in width and nineteen
 111 (19) feet in depth. Each parking space shall have four (4) feet of additional depth for
 112 maneuvering purposes. These areas are exclusive of the area required for access drives
 113 or aisles.

114
 115 *Exclusions.* For the purpose of this section any building which is to be expanded by
 116 less than an additional thirty (30) percent of its existing size or two thousand (2,000)
 117 square feet, whichever is smaller, shall be exempt from the application of this
 118 provision. This exemption shall extend for only one (1) expansion. If there are any
 119 further expansions of the building, the provisions of this paragraph will then apply.

120 All fences and walls on each property shall be of uniform materials, design and color.
 121 Fence and walls may consist of natural wood, neutral, black or white colors.
 122 Galvanized/metallic, green and black coated chain link fences are also permitted Neon
 123 and multi-colored fences or walls are prohibited.

124
 125 B. General requirements and specifications.

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 127 1. Entrance and exits: Each parking space shall be directly accessible from a street,
 128 alley, or other public right-of-way. Except for one-family or two-family dwellings,
 129 all off-street parking facilities shall be so arranged that no automobile shall have to
 130 back into any street. No entrance and exit driveways shall be permitted closer than
 131 twenty-five (25) feet from a street intersection, and no parking area containing more
 132 than ten (10) spaces shall have more than one (1) access way to any adjacent street
 133 for every one hundred (100) total linear feet of the boundary line (adjacent to said
 134 street) with a maximum of two (2) driveways per street frontage.

135
 136 2. Adequate traffic areas for vehicles entering from or waiting to exit to adjacent
 137 streets: Each off-street parking area shall provide adequate traffic areas for vehicles
 138 entering from or waiting to exit adjacent streets and adequate storage areas for any
 139 drive-in facilities located on the premises. The traffic and storage areas provided
 140 herein shall be so designed that vehicles waiting or maneuvering in these areas will
 141 not interfere with or hinder traffic into or out of the area or vehicles pulling into or
 142 out of spaces within the area.

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Parking Stall Angle (in degrees)	Aisle Width (in feet)
30	11
45	13
50	14.5
60	16
90	22

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Aisle widths: All off-street parking areas providing four (4) or more parking spaces shall be constructed with aisle widths with the following minimum dimensions, based upon the angle of the parking stall to the access aisle.

Aisles shall be ~~twenty-two (22)~~ twenty-four (24) feet in width when not designed to serve a particular parking configuration or when designed to serve parallel parking. The minimum width for a one-way driveway aisle within the parking area shall be eleven (11) feet, and ~~twenty-two (22)~~ twenty-four (24) feet for a two-way driveway aisle.

3. *Surface material and drainage:* Except for one-family and two-family dwellings and nonpublic areas of industrial sites, all off-street parking facilities including access aisles, driveways, and maneuvering areas shall be either paved, ~~or surfaced with a hard, dustless material.~~ Such surfacing shall be maintained in good condition at all times. All off-street parking facilities shall be suitable sloped and drained. The Superintendent of Public Works may approve alternative surfaces for low-turnover parking lots, so long as they are comprised of a hard, dustless material.
4. *Location:* The following locational standards shall be used in providing required off-street parking facilities:
 - a. *Parking spaces:* Located on the same site it serves or on land within three hundred (300) feet from the site as measured along the nearest pedestrian route. Where spaces are located off-site the evidence must be provided to the Superintendent of Public Works confirming legal use of the parking spaces by the adjoining property owner.
 - b. *Loading and unloading spaces:* Located in the building or on same site as principal structure.
5. *Setbacks:* All off-street parking areas shall be set back a minimum of ten (10) feet from the front property line and two (2) feet from the side and rear property lines.

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6. *Handicap parking space requirements:* Handicap parking spaces shall be reserved and posted in all commercial and professional districts and in any other district which has a principal, accessory or conditional use of a building or structure open to the public. Handicap parking spaces shall be conveniently located with respect to main and secondary entrances, and ramps to sidewalks shall be provided and conveniently located in relationship to the handicap spaces. Handicap parking spaces shall be properly maintained to ensure that such spaces are clearly identified to the public. The required number of handicap spaces, with respect to the total number of spaces required, shall be:

- a. Zero (0) to twenty (20) required spaces: One (1) handicap space.
- b. *Twenty-one (21) to fifty (50) required spaces: Two (2) handicap spaces.*
- c. More than fifty (50) required spaces: Four (4) percent as handicap spaces.

Sec. 4-85.10.1. Exceptions or modifications.

1. *Mixed uses:* In case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately and off-street parking for use shall not be considered as providing the required off-street parking for any other use. Where a greater number is not elsewhere required in this regulation, each and every separate and individual store, office or other business shall be provided with at least one (1) off-street parking space.

Sec. 4-85.10.2. *Requirements for off-street parking.* There shall be provided at the time of construction, enlargement or increase in capacity, minimum off-street parking spaces in accordance with the following requirements: The Superintendent of Public Works or designee may determine the minimum parking requirements for a use which is not specifically referenced below.

	Type of Use	Off-Street Parking Requirements
(1)	Single-family dwelling	2 spaces per unit
(2)	Two family and multiple family dwellings	1½ spaces per unit
(3)	Dormitories, apartment hotels	1 space per unit
(4)	Mobile homes	2 spaces per unit
(5)	Transient lodgings	1 space per unit: Meeting rooms, etc., calculated as independent use for public assembly
(6)	Hospitals, convalescent homes	1 space per bed
(7)	Food stores	1 space per 200 sq. ft. of retail floor area
(8)	Furniture and appliance stores	1 space per 400 sq. ft. of retail floor area
(9)	Other retail stores of retail floor area	1 space per 200 sq. ft.
(10)	Offices and services excluding medical	1 space per 300 sq. ft. of gross floor area

(11)	Medical offices and services	1 space per 150 sq. ft. of gross floor area
(12)	Financial institutions	1 space per 200 sq. ft. of gross floor area
(13)	Personal services	1 space per 200 sq. ft. of gross floor area
(14)	Bowling alleys	1 space per 300 sq. ft. of gross floor area
(15)	Repair services	1 space per 300 sq. ft. of gross floor area
(16)	Eating and drinking establishments	1 space per 150 sq. ft. of gross floor area
(17)	Places of assembly, including churches, amusement, meeting rooms, schools	1 space per 100 sq. ft. of assembly area
(18)	Warehousing and wholesaling	1 space per 1,000 sq. ft. of gross floor area up to 10,000 sq. ft.; 1 space per 2,000 sq. ft. thereafter
(19)	Manufacturing and industrial activities	1 space per 2 employees on the largest shift

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Type of Use	Notes	Off-Street Parking Requirements
<u>RESIDENTIAL</u>		
<u>Single-family dwelling</u>		<u>2 spaces per unit</u>
<u>Two-family / Multiple-family dwellings</u>		<u>2 spaces per unit</u>
<u>Dormitories</u>		<u>1 space per unit</u>
<u>Mobile homes</u>		<u>2 spaces per unit</u>
<u>Assisted living facility</u>		<u>0.54 spaces per unit</u>
<u>Continuing Care</u>		<u>1.12 spaces per unit</u>
<u>Independent living facility</u>		<u>1 space per unit</u>
<u>Clubhouse and ancillary uses within a residential community without a golf course</u>		<u>4 spaces per 1,000 square feet of total floor area</u>
<u>Hotels/Motels/Transient lodging</u>		<u>1.2 space per unit: Ancillary uses that are open to the general public such as restaurant, bars, and Meeting rooms, etc., calculated as independent use for public assembly purposes of parking</u>
<u>COMMERCIAL/INDUSTRIAL</u>		
<u>Animal Clinics</u>		<u>5 spaces per veterinarian plus 1 space per employee</u>
<u>Animal Kennels</u>		<u>5 spaces</u>
<u>Automotive drive-in oil change establishments</u>		<u>1.5 spaces per service bay</u>
<u>Automotive repair and service (excluding drive-in oil change establishments)</u>		<u>4 spaces per service bay plus 1 space per employee</u>
<u>Bars and cocktail lounges, nightclubs</u>	<u>Note (1)</u>	<u>21 spaces per 1,000 sq. ft. of total floor area</u>

<u>Bed and breakfast</u>		<u>1.2 spaces per rental unit</u>
<u>Bowling Alleys</u>		<u>1 space per 300 sq. ft. of gross floor area</u>
<u>Car washes</u>		<u>1.5 spaces per car stall</u>
<u>Day care centers</u>	<u>Note (2)</u>	<u>2 spaces per employee</u>
<u>Flea market, Indoor</u>		<u>1 space per 100 square feet of total floor area</u>
<u>Flea market, Outdoors</u>		<u>5 spaces per rental space or booth</u>
<u>Funeral homes</u>	<u>Note (7)</u>	<u>1 space per 4 seats or 4 spaces per 250 sq. ft. of chapel area, whichever is greater</u>
<u>Golf courses</u>	<u>Note (4)</u>	<u>6 spaces per hole</u>
<u>Health and fitness clubs</u>		<u>7 spaces per 1,000 sq. ft. of total floor area</u>
<u>Hospitals, Convalescent homes</u>		<u>1 space per bed</u>
<u>Financial Institutions</u>		<u>1 space per 200 sq. ft. of gross floor area</u>
<u>Food stores</u>		<u>1 space per 200 sq. ft retail floor area</u>
<u>Furniture and appliance stores</u>		<u>1 space per 400 sq. ft retail floor area</u>
<u>Other retail stores of retail floor area</u>		<u>1 space per 200 sq. ft</u>
<u>Offices and services excluding medical</u>		<u>1 space per 300 sq. ft. of gross floor area</u>
<u>Medical offices and services</u>		<u>1 space per 150 sq. ft. of gross floor area</u>
<u>Miniature golf</u>	<u>Note (1)</u>	<u>1 space per 100 sq. ft. of total floor area</u>
<u>Personal Services</u>		<u>1 space per 200 sq. ft. of gross floor area</u>
<u>Repair services</u>		<u>1 space per 300 sq. ft. of gross floor area</u>
<u>Eating and drinking establishments</u>		<u>1 space per 150 sq. ft. of gross floor area</u>

<u>Fast food</u>		<u>13 spaces per 1000 sf of total floor area; outdoor seating area is calculated at same rate</u>
<u>Restaurant</u>		<u>14 spaces per 1,000 sf of total floor area; outdoor seating area is calculated at same rate</u>
<u>Civic</u>		
<u>Airports, landing strips and heliports</u>		<u>Determined by Superintendent of Public Works</u>
<u>Colleges, universities and trade and vocational institutions</u>	<u>Note (3)</u>	<u>1 space per employee plus student parking as the Superintendent of Public Works deems necessary</u>
<u>Public schools</u>		<u>Public schools must be in compliance with state law</u>
<u>Elementary and Middle School (Private)</u>		<u>1 space per employee & 1 space per 40 students</u>
<u>High school (Private)</u>		<u>1 space per employee & 1 space per 10 students</u>
<u>Place of worship or religious facility</u>		<u>1 space per 3 seats</u>
<u>Places of assembly, including, amusement and meeting halls</u>		<u>1 space per 100 sq. ft. of assembly area</u>
<u>Marinas and other water-oriented uses</u>	<u>Note (1)</u>	<u>By Superintendent of Public Works</u>
<u>Museums, art galleries, libraries, studios and other similar uses not covered elsewhere</u>		<u>3 spaces per 1,000 sq. ft. of total floor area</u>
<u>Recreation facilities, indoor</u>	<u>Note (1)</u>	<u>4 spaces per 1,000 sq. ft. of total floor area</u>
<u>Recreation facilities, outdoor, commercial</u>		<u>Determined by the Superintendent of Public Works</u>
<u>Tennis courts, commercial</u>	<u>Note (5)</u>	<u>3 spaces per court plus one space per 3 spectator seats</u>
<u>Industrial</u>		
<u>Wholesale, processing and warehousing establishments</u>	<u>Note (1)</u>	<u>1.25 spaces per 1,500 sq. ft. of total floor area</u>

<u>Warehousing</u>		<u>1 space per 1,000 sq. ft. of gross floor area up to 10,000 sq. ft.; 1 space per 2,000 sq. ft. thereafter</u> <u>Passenger Car: 1 space per 1,000 sq. ft. of total floor area for the first 20,000 sq. ft., plus 1 space per 2,000 sq. ft. for the second 20,000 sq. ft. to 99,999 sq. ft., plus 1 space per 5,000 sq. ft. for that portion over 100,000 sq. ft.</u> <u>Truck/Trailer: 1 space for every 5,000 sq. ft. of total floor area.</u>
<u>Mini warehouse</u>		<u>1 space for every 5,000 sq. ft. of total floor area</u>
<u>Manufacturing and industrial activities light industrial</u>		<u>1 space per 2 employees on the largest shift 1.75 spaces per 1,500 sq. ft. of total floor area</u>

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Notes:

- (1) Accessory or ancillary uses must be calculated separately and in compliance with this division.
- (2) In addition to the minimum parking requirement for day care centers, adequate and safe provisions for loading and unloading clients must be provided.
- (3) An additional one space for every six seats must be provided when public use of an auditorium or other place of assembly within the school.
- (4) Parking for a clubhouse with a restaurant will be 6 spaces per hole or 12.5 spaces per
- (5) Where occupants utilize benches, pews or other similar seating arrangements, each 24 lineal inches of seating facilities will be counted as one seat for the purpose of computing off-street parking requirements.

The inclusion of on-street parking spaces shall not be allowed in meeting the parking space requirements for the uses listed in this section: unless the site is located in the Downtown Business District.