

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13

**CITY OF LABELLE  
ORDINANCE 2023-06  
RIDGDILL PLANNED UNIT DEVELOPMENT**

14  
15  
16  
17  
18  
19  
20  
21  
22

**AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR A 30+/-ACRE PROPERTY LOCATED IMMEDIATELY SOUTH OF STATE ROAD 80, APPROXIMATELY ½ MILE NORTH OF HELMS ROAD; AMENDING THE ZONING DISTRICT FROM UNINCORPORATED HENDRY COUNTY GENERAL AGRICULTURE (A-2) 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.**

23  
24  
25  
26

**WHEREAS**, RCP Commercial Investments Inc. is the “Owner” of the real property located south of State Road 80 and ½ mile north of Helms Road, City of LaBelle, Florida, further described in Exhibit “A”, attached hereto;

27  
28  
29  
30  
31  
32  
33  
34

**WHEREAS**, the Owner, filed an application to rezone the subject property to Planned Unit Development to allow for the development options of a single use residential development or a mixed-use development consistent with the City’s intent for the Outlying Mixed Use future land use category; and

35  
36  
37  
38  
39  
40

**WHEREAS**, after duly advertised public hearings held on April 13, 2023 before the LaBelle Local Planning Agency, and on June 14, 2023 before the City Commission; and,

41  
42  
43  
44  
45

**WHEREAS**, the City Commission for the City of LaBelle has determined that the requested PUD rezoning is in compliance with the annexation and future land use designation of “Outlying Mixed Use” and approval of the PUD 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 adopted, upon a finding that this is the most appropriate use of the property and this use will promote, protect and improve the health, safety, comfort, good order, appearance, convenience and general welfare of the public subject to the following conditions:

46 **BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF LABELLE,**  
47 **FLORIDA, that:**  
48

- 49 1. The PUD Amendment request applied to the property is described in Exhibit 'A'.
- 50 2. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit  
51 'B'.
- 52 3. Development Standards will conform to the Development Standards Table, attached as  
53 Exhibit 'C'.
- 54 4. 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 5. If Alternate A is pursued at the time of site construction permitting, the maximum number  
57 of dwelling units will be limited to 180.
- 58 6. If Alternate B is pursued at the time of site construction permitting, the maximum dwelling  
59 units will be limited to 150 with 55,000 square feet of commercial.
- 60 7. Development must connect to the City's potable water and sanitary sewer system. A  
61 demonstration of capacity will be required at the time of site construction permitting,  
62 including demonstration of a hydrant system to provide adequate and continuous water  
63 flow for firefighting purposes.
- 64 8. Site construction plans must demonstrate an internal sidewalk system to connect the  
65 proposed buildings to on-site green space areas, parking, and to the external sidewalk  
66 network.
- 67 9. The project will provide parking spaces in accordance with the Land Development Code  
68 for both residential and non-residential uses.
- 69 10. Access to SR 80 will require a permit from the Florida Department of Transportation and  
70 this approval does not guarantee or grant access as shown on the MCP.
- 71 11. Prior to site construction permit approval, interconnections must be provided to the  
72 abutting property to the east.
- 73 12. A Master Signage Plan shall be provided in accordance with the Land Development Code  
74 if Alternate B plan is pursued at the time of site construction permitting to ensure cohesive  
75 and consistent signage design for both residential and non-residential component.
- 76 13. A consistent Old Florida architectural vernacular must be applied to all residential and  
77 non-residential buildings. All commercial buildings shall adhere to the following design  
78 standards:
  - 79 a. Old Florida vernacular to be displayed through inclusion of elements including but  
80 not limited to: front porches, covered corridors, walkways, pitched and/ or metal  
81 roofs, shutters, and paneled siding.
  - 82 b. Roof overhangs are required on all commercial buildings.
  - 83 c. If flat roofs are used, they are to be enclosed from State Road 80 view by parapets,  
84 mansards or a combination of the two.
  - 85 d. Facade treatments are to be provided in accordance with LDC 4-91(b)(2).
  - 86 e. Exterior building colors to be derived from earth tones with subtle hues of primary  
87 building color.
  - 88 f. Structures shall reflect similar architectural features such as style, materials, details,  
89 and color.

- 90 g. For mini-storage, the building must comply with commercial design standards.  
91 Windows, (real or false) shall be placed along at least 50 percent of the facade  
92 facing State Road 80. Windows shall be recessed or shall project at least one-half  
93 inch and shall include prominent sills, shutters, stucco reliefs or other such forms  
94 of framing. Building plantings shall be increased by 25% above LDC Section  
95 4.80.13.
- 96 14. All residential buildings shall adhere to the Old Florida vernacular architectural style  
97 compatible with design standards identified for commercial buildings through inclusion  
98 of a minimum of three (3) of the following elements: front porches, pitched and/ or metal  
99 roofs, shutters, gabled rooflines, and paneled siding.
- 100 15. The developer/owner or their designee, which may include a property owners association  
101 (POA) must maintain common areas, parking areas, and infrastructure within the project.  
102 If a POA is established, documents must be provided to the City at the time of site  
103 construction plan permitting.
- 104 16. Open space must be provided in accordance with the Land Development Code and Exhibit  
105 C. A minimum of 2.99 acres of useable open space must be provided for dedicated passive  
106 and active recreational space for residents. These areas must be exclusive of perimeter  
107 buffers, stormwater lakes/ponds, detentions areas.
- 108 17. Dumpsters, recycling facilities and service areas must be setback a minimum of 25 feet  
109 from the PUD boundary and screened via an opaque wall or fence.
- 110 18. The following buffers must be provided on the site construction permit plans as shown on  
111 the MCP:
- 112 a. A 15-foot-wide streetscape buffer must be provided along SR 80 and must comply  
113 with the State Road 80 Overlay found in the City's LDC.
- 114 b. A 25-foot-wide streetscape buffer must be provided along SR 80 and must comply  
115 with the State Road 80 Overlay found in the City's LDC with five (5) trees per one  
116 hundred (100) linear feet and shrubs to form a hedge row, should the uses of  
117 convenience stores and/or fast food be pursued at site construction permitting.
- 118 c. A 30-foot-wide streetscape buffer must be provided along SR 80 and must comply  
119 with the State Road 80 Overlay found in the City's LDC with six (6) trees per one  
120 hundred (100) linear feet and shrubs to form a hedge row, should the use of mini-  
121 warehouse or maintenance/repair uses be pursued at site construction permitting.
- 122 d. A 15-foot-wide Type B buffer must be provided along the eastern boundary.
- 123 e. A 10-foot-wide Type A buffer must be provided along all remaining boundaries.
- 124 f. A minimum 15-foot-wide Type B Buffer must be provided internal to the  
125 development when commercial uses are adjacent to residential uses.
- 126 19. Outdoor storage is prohibited.
- 127 20. The PUD Master Concept Plan will remain valid for not more than five (5) years from the  
128 date of City Commission approval. Horizontal construction must commence within five  
129 (5) years or the MCP will be deemed vacated. Upon such time a new PUD zoning approval  
130 must be filed and approved by the City Commission. A one (1) time extension of two (2)  
131 years may be submitted to the City prior to vacation of the MCP and approved  
132 administratively. All other extensions require City Commission approval.  
133

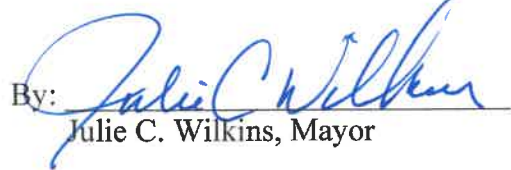
134 **Section 3. Conflict with other Ordinances.** The provisions of this article shall supersede any  
135 provisions of existing ordinances in conflict herewith to the extent of said conflict.

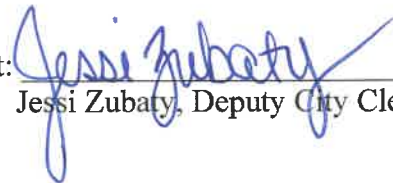
136 **Section 4. Severability.** In the event that any portion of this ordinance is for any reason held  
137 invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a  
138 separate, distinct and independent provision, and such holding shall not affect the validity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

141 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its  
142 adoption.

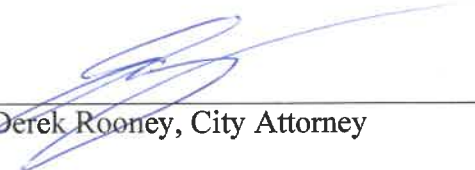
144  
145 **PASSED AND ADOPTED** in open session this 8<sup>th</sup> day June, 2023.

148 THE CITY OF LABELLE, FLORIDA

149  
150  
151 By:   
152 Julie C. Wilkins, Mayor

153  
154 Attest:   
155 Jessi Zubaty, Deputy City Clerk

157 APPROVED AS TO FORM AND  
158 LEGAL SUFFICIENCY:

159  
160  
161 By:   
162 Derek Rooney, City Attorney

165 Vote:	165 AYE	165 NAY
167 Mayor Wilkins	<input checked="" type="checkbox"/>	_____
168 Commissioner Vargas	<input checked="" type="checkbox"/>	_____
169 Commissioner Ratica	<input checked="" type="checkbox"/>	_____
170 Commissioner Akin	<input checked="" type="checkbox"/>	_____
171 Commissioner Spratt	<input checked="" type="checkbox"/>	_____

180  
181  
182  
183  
184  
185  
186  
187  
188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217  
218  
219  
220  
221  
222  
223  
224

**EXHIBIT A  
LEGAL DESCRIPTION**

PART OF LANDS DESCRIBED IN O.R. BOOK 348, PAGE 560, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA, BEING IN SECTION 13, TOWNSHIP 43 SOUTH, RANGE 28 EAST, HENDRY COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 13, THENCE;
1. NORTH 01'03'14" WEST, 16.85 FEET, ALONG THE EAST LINE OF SAID SECTION 13 TO THE CENTERLINE OF A CANAL, THENCE;
  2. NORTH 10'50'58" WEST, 1851.14 FEET, ALONG SAID CANAL CENTERLINE, THENCE;
  3. NORTH 40'50'37" WEST, 55.38 FEET, TO THE EXISTING SOUTH RIGHT WAY LINE OF STATE ROAD 80, THENCE;
  4. SOUTH 49'51'58" WEST, 1534.85 FEET, ALONG SAID SOUTH RIGHT OF WAY LINE OF STATE ROAD 80, THENCE;
  5. SOUTH 02'02'44" EAST, 311.73 FEET, THENCE;
  6. NORTH 88'02'00" EAST, 1163.21 FEET, THENCE;
  7. SOUTH 02'02'44" EAST, 629.89 FEET, TO THE SOUTH LINE OF SAID SECTION 13, THENCE;
  8. NORTH 87'50' 41" EAST, 362.55 FEET, ALONG SAID SOUTH LINE OF SECTION 13 TO THE POINT OF BEGINNING.

CONTAINING A COMPUTED AREA OF 29. 99 ACRES OF LAND.

225  
226  
227  
228  
229  
230  
231  
232  
233  
234  
235  
236  
237  
238  
239  
240  
241  
242  
243  
244  
245  
246  
247  
248

**EXHIBIT B  
SCHEDULE OF USES**

**ALTERNATE A**

**Residential**

- Accessory Use/Structure
- Dwelling Types
  - Single Family Detached
  - Two-Family Attached
  - Townhouse
  - Multi-Family
- Essential Services
- Excavation, Water Retention
- Fences
- Gates and Gatehouses
- Home Occupation
- Model Home and Model Display Center
- Recreational Facilities (private on-site)
- Signs
- Temporary Uses, limited to construction trailers at the time of development and Sales Center

**ALTERNATE B**

**Commercial**

- Accessory Use/Structure
- Animal Sales and Services (no outdoor dog runs and/or outdoor kennels)
- Pet Kennel and Veterinary Clinic
  - Grooming
  - Animal Hospital/Clinic
- Retail Sales
- Convenience Stores
  - Without Gas Pumps
- Day Care, Child Care Center
- Financial Institutions
- Food and Beverage Sales/Establishments
  - Accessory Alcoholic Beverage Sales, On-Premise
  - Alcoholic Beverage Establishment
  - Bars
  - Liquor Stores
  - Restaurants

268	Clubs/lodges
269	Wholesale bakeries
270	Funeral and Internment Services, excluding Crematorium
271	Hotels/Motels (Visitor Accommodations)
272	Laboratories
273	Maintenance and Repair Services (indoor only)
274	Mini-Warehouse
275	Personal Services
276	Dry Cleaning Establishments
277	Research and Development Services
278	Retail Sales/Rental Establishments
279	General
280	
281	<u>Institutional, Public, Quasi-Public</u>
282	Accessory Use/Structure
283	Clubs, Lodges
284	Cultural Institutions
285	Health Care
286	Hospital, Walk-in Clinics and Similar Uses, Home Health Care
287	Government Offices
288	Institutional Housing
289	Family Care Home
290	Group Care Home
291	Park and Recreation Facilities
292	Private/Quasi-Public Facilities
293	Religious Assemblies/Church
294	Schools, Public or Private
295	City of LaBelle Utilities
296	<u>Residential</u>
297	Accessory Use/Structure
298	Dwelling Types
299	Single Family Detached
300	Two-Family Attached
301	Townhouse
302	Multi-Family
303	Essential Services
304	Excavation, Water Retention
305	Fences
306	Gates and Gatehouses
307	Home Occupation
308	Model Home and Model Display Center
309	Recreational Facilities (private on-site)
310	Signs
311	Temporary Uses, limited to construction trailers at the time of development and Sales Center

312  
 313  
 314  
 315  
 316  
 317  
 318

**EXHIBIT C  
 SITE DEVELOPMENT REGULATIONS**

**Development Regulations – Alternative A**

	Single Family	Two-Family Attached (3)	Townhouse	Multi-Family
Min. Lot Area				
Min. Lot Width	42'	30'	20'	100'
Min. Lot Depth	100'	100'	100'	100'
Max Lot Coverage	65%	80%	80%	45%
Max Number of Habitable Floors	2	2	2	3
Minimum Setbacks:				
Front				
Front (Non-Garage)	15'	15'	15'	N/A
Side	5'	0'/5' (1)	0'/5' (1)	7'
Rear (Accessory)	5'	5'	5'	5'
Rear (Principal)	10'	10'	10'	10'
Water				
Building Separation	10'	14'	14'	14'

319  
 320  
 321  
 322  
 323  
 324  
 325  
 326

Notes:

1. Zero foot setback applies to internal shared lot line.
2. 23' minimum setback to sidewalk.
3. Two-family attached means a single, freestanding, conventional building designed as two dwelling units attached by a common wall or roof, but wherein each unit is located on a separate lot under separate ownership.



327 **Development Regulations – Alternative B**

328

	Single Family	Two-Family Attached (3)	Townhouse	Multi-Family	Commercial (4)
Min. Lot Area	4200 SF	3000 SF	2000 SF	N/A	See B-3 Zoning District
Min. Lot Width	42'	30'	20'	100'	
Min. Lot Depth	100'	100'	100'	100'	
Max Lot Coverage	65%	80%	80%	45%	
Max Number of Habitable Floors	2	2	2	3	
Minimum Setbacks:					
Front	20(2)	20(2)	20(2)	20'	
Front (Non-Garage)	15'	15'	15'	N/A	
Side	5'	0'/5' (1)	0'/5' (1)	7'	
Rear(Accessory)	5'	5'	5'	5'	
Rear(Principal)	10'	10'	10'	10'	
Water	20'	20'	20'	20'	
Building Separation	10'	14'	14'	14'	

Notes:

329  
330  
331  
332  
333  
334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352

1. Zero foot setback applies to internal shared lot line.
2. 23' minimum setback to sidewalk.
3. Two-family attached means a single, freestanding, conventional building designed as two dwelling units attached by a common wall or roof, but wherein each unit is located on a separate lot under separate ownership.
4. State Road 80 setbacks for certain uses:
  - a. Convenience Stores = 50' setback
  - b. Fast Food Restaurants = 50' setback
  - c. Maintenance and Repair Services (indoor only) = 60' setback
  - d. Mini-Warehouse = 30' setback

