

45 **Section 2.** The above-mentioned Planned Unit Development (PUD) is hereby amended,
46 upon a finding that this is the most appropriate use of the property and this use will promote,
47 protect and improve the health, safety, comfort, good order, appearance, convenience and general
48 welfare of the public subject to the following conditions:
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- 50 1. The Rezone request applied to the property is described in Exhibit ‘A’.
- 51 2. The PUD is limited to a maximum of 335 dwelling units, limited to 110 single-family and
52 225 multi-family or townhouse dwelling units.
- 53 3. Allowable uses shall be limited to those listed in the Schedule of Uses, attached as Exhibit
54 ‘B’.
- 55 4. Development Standards will conform to the Development Standards Table, attached as
56 Exhibit ‘C’.
- 57 5. All development must conform to the general design of the Master Concept Plan contained
58 in Exhibit ‘D’ and the requirements of the Land Development Code.
- 59 6. All buildings (including residential and any recreational amenity structures), signage and
60 accessory structures within the development must have consistent architectural theme and
61 color palette.
- 62 7. Site construction plans must demonstrate an internal sidewalk system to connect the
63 residential buildings to on-site amenities and recreational areas, parking, and to the external
64 sidewalk network.
- 65 8. A 5-foot wide sidewalk must be installed along the Martin Luther King Jr. Blvd. frontage.
- 66 9. Residential buildings must be located a minimum of 100 feet from the City Wastewater
67 Treatment Facility to the east of the project.
- 68 10. Development must connect to the City’s potable water and sanitary sewer system. A
69 demonstration of capacity will be required at the time of development, in addition to
70 sufficient water pressure for a hydrant system and sprinklers within the building, if required
71 by the Florida Building Code and NFPA fire prevention code.
- 72 11. The requirement for traffic signals and/or turn lanes at the project entrances will be
73 evaluated at the time of site construction permit review.
- 74 12. The developer shall be required to obtain all necessary local, state, and federal permits for
75 development prior to construction activities, including local site construction plan permit,
76 plat (if applicable), and building permits.
- 77 13. The developer/owner or their designee, which may include a property owners association
78 (POA) or homeowner’s association (HOA) must maintain common areas, parking areas,
79 and infrastructure within the community. If a POA/HOA is established, documents must
80 be provided to the City at the time of site construction plan permitting.
- 81 14. A minimum of 30% of the development, or 16.8+/- acres, of open space shall be provided
82 within the PUD. A minimum of 5 acres must be usable open space, which may include
83 active and passive recreation areas.
- 84 15. Parking for residential dwelling unit shall be provided in accordance with the Land
85 Development Code. In addition, any common residential recreation area on the site must
86 include a minimum of three (3) parking spaces including one (1) ADA space.
- 87 16. Dumpsters, recycling facilities and service areas must be located a minimum of 25 feet
88 from the PUD perimeter and be screened via an opaque wall, fence or enclosure that is a
89 minimum 6-feet in height.

- 90 17. The three (3) building areas located at the south of the PUD must be setback a minimum
91 of 50 feet from the PUD boundary.
- 92 18. An enhanced 25-foot right-of-way buffer must be provided on the Dr. Martin Luther King
93 Jr. Blvd. frontage. The buffer must include a double-staggered hedgerow, two (2) large
94 trees, and two (2) medium trees per per 100 linear feet. The double-staggered hedgerow
95 must be 36-inches at time of planting and maintained at 48 inches.
- 96 19. 25-foot wide buffers must be provided along the southern, northern, and eastern boundaries
97 of the PUD. The buffer must include a double-staggered hedgerow, and three (3) large trees
98 per 100 linear feet. The double-staggered hedgerow must be 36-inches at time of planting
99 and maintained at 48 inches.
- 100 20. A 50-foot wide buffer must be provided where the project abuts the City wastewater
101 treatment plan in the area shown on the Master Concept Plan. The buffer must include an
102 8-foot tall opaque wall or fence and five (5) large medium trees per 100 linear feet.
- 103 21. The site construction plan permits must demonstrate one (1) covered bus stop for school-
104 age children at one (1) of the project entrances on Dr. Martin Luther King, Jr. Blvd.
- 105 22. The PUD Master Concept Plan will remain valid for not more than five (5) years from the
106 date of City Commission approval. Horizontal construction must commence within five
107 (5) years or the MCP will be deemed vacated. Upon such time a new PUD zoning approval
108 must be filed and approved by the City Commission. A one (1) time extension two (2)
109 years may be submitted to the City prior to vacation of the MCP.

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

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

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119 **Section 5. Effective Date.** This Ordinance shall become effective immediately upon its
120 adoption.

124 **PASSED AND ADOPTED** in open session this _____ day _____, 2024.

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THE CITY OF LABELLE, FLORIDA

By: _____
Julie C. Wilkins, Mayor

Attest: _____
Tijauna Warner, MMC, Deputy City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Derek Rooney, City Attorney

Vote:	AYE	NAY
Mayor Wilkins	_____	_____
Commissioner Akin	_____	_____
Commissioner Ratica	_____	_____
Commissioner Spratt	_____	_____
Commissioner Vargas	_____	_____

**EXHIBIT A
LEGAL DESCRIPTION**

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157 PARCEL 1 (O.R.B. 800, PG. 326)
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159 COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST 1/4 OF THE
160 NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST, IN LABELLE,
161 HENDRY COUNTY, FLORIDA. AND RUN NORTH 89 DEGREES 34 MINUTES 30
162 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTHEAST 1/4-NORTHWEST 1/4,
163 33 FEET TO THE EAST RIGHT OF WAY LINE OF STATE ROAD S731 AND POINT OF
164 BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE NORTH 0
165 DEGREES 48 MINUTES 20 SECONDS WEST, ALONG SAID EAST RIGHT OF WAY LINE,
166 1950.9 FEET; THENCE NORTH 89 DEGREES 12 MINUTES 30 SECONDS EAST 375.4 FEET;
167 THENCE SOUTH 23 DEGREES 33 MINUTES 40 SECONDS EAST, 237 FEET; THENCE
168 SOUTH 0 DEGREES 59 MINUTES EAST, 411.01 FEET; THENCE NORTH 89 DEGREES 12
169 MINUTES 30 SECONDS EAST 87.64 FEET; THENCE SOUTH 0 DEGREES 50 MINUTES 30
170 SECONDS EAST, 658.4 FEET; THENCE SOUTH 55 DEGREES 46 MINUTES WEST, 65.22
171 FEET; THENCE SOUTH 38 DEGREES 12 MINUTES EAST, 1107.55 FEET; THENCE SOUTH
172 39 DEGREES 19 MINUTES EAST, 78.31 FEET; THENCE SOUTH 28 DEGREES 25
173 MINUTES EAST, 139.66 FEET; THENCE SOUTH 24 DEGREES 25 MINUTES EAST, 296.88
174 FEET; THENCE SOUTH 89 DEGREES 08 MINUTES 30 SECONDS WEST, 1406.7 FEET TO
175 THE EAST R/W LINE OF STATE ROAD S731; THENCE NORTH 0 DEGREES 50 MINUTES
176 WEST, ALONG SAID EAST R/W LINE, 709.5 FEET TO THE POINT OF BEGINNING.
177 CONTAINING 46.0 ACRES AND SUBJECT TO A STATE ROAD DEPARTMENT
178 DRAINAGE EASEMENT AS RECORDED IN DEED BOOK 18, PAGE 564, PUBLIC
179 RECORDS OF HENDRY COUNTY, FLORIDA.

180 AND

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182 PARCEL 2 (O.R.B. 645, PG. 120)
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184 A PARCEL OF LAND IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 8,
185 TOWNSHIP 43 SOUTH, RANGE 29 EAST, BEING MORE PARTICULARLY DESCRIBED
186 AS FOLLOWS:

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188 COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE
189 NORTHWEST 1/4 OF SAID SECTION 8 AND RUN S 89°12'30 W, ALONG THE SOUTH
190 LINE OF W.T. MADDOX'S FIRST ADDITION TO BELMONT, AS RECORDED IN PLAT
191 BOOK 3, PAGE 8, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA, (SAID LINE
192 ALSO BEING THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE NORTHWEST 1/4),
193 A DISTANCE OF 685.08 FEET TO THE WESTERLY RIGHT OF WAY LINE OF A FIFTY
194 (50) FOOT WIDE STREET AND THE POINT OF BEGINNING OF THE PARCEL OF LAND
195 HEREIN DESCRIBED; THENCE S 00°59'16" E, ALONG SAID WESTERLY RIGHT OF WAY
196 LINE A DISTANCE OF 257.88 FEET; THENCE S 38°13'13" E, CONTINUING ALONG SAID
197 WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 308.45 FEET TO THE SOUTHERLY
198 RIGHT OF WAY LINE OF A STATE ROAD DEPARTMENT DITCH EASEMENT AS

199 MAINTAINED, AND OCCUPIED AND MONUMENTED AND THE NORTHEASTERLY
200 CORNER OF THE CITY OF LABELLE SEWER PLANT PROPERTY; THENCE S 55°43'11"
201 W, ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND THE NORTHERLY LINE OF
202 THE CITY OF LABELLE SEWER PLANT PROPERTY, A DISTANCE OF 281.96 FEET TO
203 THE EAST LINE OF A CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS
204 BOOK 139, PAGE 304, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA; THENCE N
205 00°49'47" W, ALONG THE EAST LINE OF SAID PARCEL OF LAND DESCRIBED IN
206 OFFICIAL RECORDS BOOK 139, PAGE 304, A DISTANCE OF 658.40 FEET TO THE
207 SOUTH LINE OF SAID W.T. MADDOX'S FIRST ADDITION TO BELMONT; THENCE N
208 89°12'30" E, ALONG THE SOUTH LINE OF SAID W.T. MADDOX'S FIRST ADDITION TO
209 BELMONT, A DISTANCE OF 47.25 FEET TO THE POINT OF BEGINNING. SUBJECT TO
210 A STATE ROAD DEPARTMENT DRAINAGE DITCH EASEMENT AS RECORDED IN
211 DEED BOOK 18, PAGE 564, PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

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214 PARCEL 3 (O.R.B. 746, PG. 174)

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216 BEGINNING 709 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST 1/4
217 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 29 EAST,
218 HENDRY COUNTY, FLORIDA; THENCE RUN EAST 730.10 FEET; THENCE RUN SOUTH
219 122.95 FEET; THENCE RUN WEST 200 FEET; THENCE SOUTH 125.00 FEET; THENCE
220 RUN EAST 150 FEET; THENCE RUN SOUTH 375 FEET; THENCE RUN WEST 570 FEET;
221 THENCE RUN NORTH 500 FEET; THENCE RUN WEST 110 FEET; THENCE RUN NORTH
222 130 FEET TO THE POINT OF BEGINNING.

223 AND

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225 PARCEL 4 (O.R.B. 746, PG. 172)

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227 LOT 1, BLOCK 12, W.T. MADDOX'S FIRST ADDITION TO ENGLEWOOD TERRACE,
228 ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 107, OF
229 THE PUBLIC RECORDS OF HENDRY COUNTY, FLORIDA.

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EXHIBIT B
SCHEDULE OF USES

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237	Residential Accessory Structures
238	Residential Dwelling Units
239	North of Primary Entrance:
240	Single-Family Detached
241	Single-Family Attached
242	Duplex
243	Triplex
244	Quadraplex
245	Townhouse
246	South of Primary Entrance:
247	Single-Family Detached
248	Single-Family Attached
249	Duplex
250	Triplex
251	Quadraplex
252	Townhouse
253	Multi-Family
254	Essential services, such as but not limited to cable, fiber optic, public utilities
255	Fences and walls in accordance with LDC Chapter 4
256	Gates and gatehouses
257	Model Home/Unit
258	Recreational amenities, private, on-site
259	Community Structures, including but not limited to clubhouse, pool
260	Playgrounds
261	Signs per Chapter 4 of LDC
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**EXHIBIT C
SITE DEVELOPMENT REGULATIONS**

	Single-Family Detached	Single-Family Attached	Duplex	Townhouse	Triplex Quadplex	Multi-Family	Amenity/ Clubhouse
Min. Lot Size	5,000 SF	1,950 SF	5,000 SF/ building	1,600 SF	N/A	N/A	10,000 SF
Min. Depth	100'	65'	100'	100'	N/A	N/A	N/A
Min. Width	50'	30'	50'	16'	N/A	N/A	N/A
Max. Height ⁽¹⁾	35'	35'	35'	35'	35'	45'	35'
Max. Lot Coverage	50%	65%	65%	70%	70%	70%	50%
Min. Unit Size	1,200 SF	800 SF	800 SF	800 SF	750 SF	750 SF	N/A
BUILDING SETBACKS							
Martin Luther King Jr. Blvd.	25'	25'	25'	25'	25'	25'	25'
Street/Front(1)	20'	20'	20'	20'	20'	20'	20'
Side	6'	0'/7.5'	0'/7.5'	0'/7.5'	½ Building Height	½ Building Height	½ Building Height
Rear (Principal)	15'	15'	10'	10'	10'	10'	10'
Rear (Accessory)	5'	5'	5'	5'	5'	5'	5'
Waterbody	25'	25'	25'	25'	25'	25'	25'
PUD Perimeter Setbacks (2)	25'	25'	25'	25'	25'	25'	25'

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- (1) Secondary front yards on corner lots may be reduced to 15 feet.
 (2) Residential buildings must be setback a minimum of 100 feet from the shared property line with the City wastewater treatment facility, and 50 feet from the southern property line.

