

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

**CITY OF LABELLE
ORDINANCE 2025-07
STATE ROAD 80 COMMERCIAL PLANNED UNIT DEVELOPMENT**

AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA, AMENDING THE CITY OF LABELLE ZONING MAP FOR A 8.91+/-ACRE PROPERTY LOCATED AT THE NORTHEAST CORNER OF SOUTH CAPTAIN HENDRY DRIVE AND STATE ROAD 80, AMENDING THE ZONING DESIGNATION FROM BUSINESS (B-2) ZONING DISTRICT TO PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT, PROVIDING FOR IDENTIFICATION OF THE SUBJECT PROPERTY; PROVIDING FOR INTENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Shree Nivash Land LLC, is the “Owner” of the real property located at the northeast corner of South Captain Hendry Drive and State Road 80, City of LaBelle, Florida, further described in Exhibit “A”, attached hereto;

WHEREAS, the Owner, filed an application to rezone the subject property to Planned Unit Development to allow for the development of a commercial project with the City’s intent for the Commercial future land use category; and

WHEREAS, after duly advertised public hearings held on July 10, 2025 before the LaBelle Local Planning Agency, and on August 14, 2025 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 “Commercial” 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:

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

1. The PUD zoning applies specifically to the ±8.91-acre subject property as legally described in Exhibit A.
2. Development shall be limited to:
 - A maximum of 35,000 square feet of retail and/or office uses;
 - A four story/45-foot-tall hotel with a maximum of 124 rooms.
3. Development shall conform to the site standards provided in Exhibit C, including:
 - Minimum building setbacks of 40 feet (north), 60 feet (west and southeast);
 - A minimum building separation of 20 feet;
 - Maximum building height of 40 feet, except the hotel which may reach 45 feet in height;
 - Maximum overall building coverage of 30 percent.
4. Landscape buffers shall be installed and maintained per the site development standards in Exhibit C and as described in the proposed conditions, including:
 - A 25-foot-wide enhanced buffer along SR 80 to include a 3-foot-tall berm, double hedgerow planted at 36 inches and maintained at 48 inches, 5 canopy trees/100 linear feet planted at 12 feet in height, 3 medium/understory trees/100 linear feet planted at 8 feet in height ;
 - 15-foot-wide buffers with an 8-foot opaque fence/wall along the north and west boundaries, to include a 3-foot-tall berm, double hedgerow planted at 36 inches and maintained at 60 inches, 5 canopy trees/100 linear feet planted at 12 feet in height, 3 medium/understory trees/100 linear feet planted at 8 feet in height. All required plantings must be on the exterior side of the wall.
 - All required plantings must be 100% native. Supplemental and decorative plantings must be "Florida Friendly" specimen per University of Florida IFAS standards.
5. The developer shall construct:
 - A minimum 315-foot northeast-bound left-turn lane;
 - A minimum 315-foot southwest-bound right-turn lane on State Road 80 at the project driveway;
 - Subject to FDOT approval and prior to issuance of the Certificate of Occupancy.
6. Vehicular access shall be limited to SR 80. A gated emergency-only access shall be provided on Captain Hendry Drive, including a Knox Box or approved equivalent for fire/emergency access.
7. A minimum 22-foot-wide stub-out shall be provided for future cross-access to the commercial parcel to the north.
8. The applicant shall install sidewalks internal to the site and provide pedestrian connections to SR 80, Captain Hendry Drive, and the adjacent northern parcel, as generally depicted in the Master Concept Plan. Minor adjustments to sidewalk alignment during construction plan review shall not require a PUD amendment.
9. Parking shall be provided in accordance with the City of LaBelle Land Development Code Section 4-85.10.
10. Internal lighting shall be shielded and designed to prevent illumination from spilling onto adjacent properties with full cut-off light fixtures.

11. The hotel shall incorporate window treatments or other screening measures on the upper two floors of the western façade to reduce visual impacts on adjacent residential areas west of Captain Hendry Drive. Rear-facing balconies on the hotel are prohibited.
12. The developer shall obtain all necessary environmental permits from applicable agencies, including SFWMD, prior to construction. All stormwater management systems shall meet City and SFWMD standards.
13. Utility services for potable water and sanitary sewer shall be provided by the City of LaBelle. The developer shall be responsible for extension of lines, and all off-site improvements shall be eligible for connection fee credits.
14. Signage shall comply with Sections 4-81.8 and 4-87.6 of the Land Development Code. A unified signage plan shall be submitted at time of site construction permitting.
15. Balconies shall not be permitted along western facade of the building.
16. Development Standards will conform for the Development Standards Table, attached as Exhibit 'C'.
17. 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. Commercial/Retail/Office uses may be developed in one (1) building, but must include at least six (6) of the ten (10) Commercial Building Design elements listed in LDC Section 4-93(c) for single-use buildings.
18. The project will be managed by the developer/property owner for maintenance of common areas, parking areas, and infrastructure within the development.
19. Dumpsters, recycling facilities and service areas must be located internal to the site and screened from all public rights-of-way by an opaque wall or fence.
20. Access to SR 80 will require a permit from the Florida Department of Transportation and this approval does not guarantee or grant access as shown on the MCP.
21. The building must be designed with an Old Florida architectural vernacular. The final architectural drawings must be presented to the City Commission at an advertised public hearing for review and approval prior to issuance of a site construction permit.
22. The stormwater management area/lake must be located on the north side of the site to maximize spatial separation between the proposed hotel building and the adjacent single-family residential dwellings.
23. The Development Order shall be valid for five (5) years from the date of approval. Horizontal construction must commence within this period or the MCP shall expire. One administrative extension may be granted for up to two (2) years. Further extensions require City Commission approval.

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

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

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

PASSED AND ADOPTED in open session this ____ day _____, 2025.

THE CITY OF LABELLE, FLORIDA

138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161

By: _____
Julie C. Wilkins, Mayor

Attest: _____
Tijauna Warner, Deputy City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Derek Rooney, City Attorney

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

EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1:

The South 168.00 feet of Lot 16, and that portion of Lots 17 and 18, lying North and West of the Right-of-Way of State Road 80, Section 7, Township 43 South, Range 19 East, Hendry County, Florida. Said lots being a portion of L.V. Hull Subdivision as recorded in Plat Book 3, Page 12, of the Public Records of Lee County, Florida and are more particularly described as follows:

Commencing at the Southeast corner of said Section 7; Thence N 88°58'50" W (bearings are based on the East line of said Section 7, being assumed to bear due North), along the South line of said Section 7, a distance of 1320.45 feet to the Prolongation of the East line of the aforementioned L.V. Hull Subdivision; Thence N 00°00'05" E, along said East line, a distance of 1436.15 feet, to the Westerly Right-of-Way of State Road 80, and the Point of Beginning of the land herein described; Thence continue N 00°00'05" E, along said East line, a distance of 151.54 feet to the Southeast corner of Lot 16; Thence continue N 00°00'05" E, along said East line, a distance of 168.00 feet; Thence N 88°58'55" W, a distance of 5007.16 feet, to the East Right-of-Way of Captain Hendry Drive; Thence S 00°00'22" E, along said East Right-of-Way, a distance of 1078.89 feet, to the Westerly right-of-way of State Road 80; Thence N 34°02'40" E, along said Right-of-Way line, a distance of 905.54 feet, to the Point of Beginning.

PARCEL 2:

A tract of land lying in the East ½ of the Southeast ¼ of Section 7, Township 43 South, Range 29 East, Hendry County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of said Section 7; Thence S 88°58'50" E (bearings are based on the East line of said Section 7, being assumed to bear due North), along the South line of said Section 7, a distance of 1320.45 feet to the Prolongation of the East line of the L.V. Hull Subdivision, as recorded in Plat Book 3, Page 12, of the Public Records of Lee County, Florida; Thence N 00°00'05" E, along said East line, a distance of 1436.15 feet, to the Westerly Right-of-Way of State Road 80, and the Point of Beginning of the land herein described; Thence continue N 00°00'05" E, along said East line, a distance of 151.54 feet, to the Southeast corner of Lot 16; thence continue N 00°00'05" E, along said East line, a distance of 168.00 feet; Thence S 34°02'40" W, along said Right-of-Way line, a distance of 381.01 feet, to the Point of Beginning.

198	
199	
200	Commercial
201	Institutional, Public, Quasi-Public – Accessory Use/Structure
202	Clubs, Lodges
203	Cultural Institutes
204	Health Care
205	Government Offices
206	Schools, Private
207	Commercial – Accessory Use/ Structure
208	Animal Sales and Services (no outdoor runs or kennels)
209	Grooming
210	Hospital/ Clinic
211	Retail Sales
212	Bowling Alleys
213	Day Care Center
214	Financial Institutions
215	Food and Beverage Sales/Establishments
216	Accessory Alcoholic Beverage Sales, On Premise (Indoor Only)
217	Food Stores
218	Restaurant
219	Wholesale Bakeries
220	Health and Fitness Clubs
221	Offices
222	General Office
223	Medical Office
224	Personal Services
225	General
226	Dry Cleaning Establishments
227	Retail Sales/ Rental Establishments (outdoor display limited to a maximum of 100 SF adjacent
228	to building)
229	Visitor Accommodations
230	Hotel/Motel limited to 124 rooms

EXHIBIT C
SITE DEVELOPMENT REGULATIONS

SITE DEVELOPMENT REGULATIONS TABLE	
Landscape Buffer Minimum	
North	15 FT
Southeast (Abutting SR80)	25 FT
West (Abutting S. Captain Hendry Dr.)	15 FT
Building Setbacks Minimum (including Accessory Structures)	
North	40 FT
Southeast (Abutting SR80)	60 FT
West (Abutting S. Captain Hendry Dr.)	60 FT
Minimum Lot Size	10,000 SF
Minimum Lot Depth	100 FT
Minimum Lot Width	100 FT
Minimum Building Separation	20FT
Minimum Floor Area Ratio (F.A.R.)	0.3
Maximum Building Height – Excluding Hotel	40 FT
Maximum Building Height – Hotel	45 FT
Minimum Open Space	+/- 116,546SF 2.67 acres (30%)
Minimum Usable Open Space	+/- 19,424SF 0.45 acres (5%)
Parking	Per LDC

*Measured from the average finish grade at the base of the structure to the midpoint of the roof

261
262
263

EXHIBIT D MASTER CONCEPT PLAN

