

**ORDINANCE
NUMBER 2026-07**

**AN ORDINANCE OF THE CITY OF LABELLE, FLORIDA;
AMENDING CHAPTER 4, ARTICLE V, SECTION 4-82 OF
THE CITY OF LABELLE LAND DEVELOPMENT CODE,
AMENDING USES REQUIRING SPECIAL EXCEPTION
APPROVAL IN THE STATE ROAD 80 OVERLAY
DISTRICT; PROVIDING FOR CODIFICATION,
SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.**

RECITALS

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 has adopted design standards for the State Road 80 corridor to ensure development along this gateway upholds the City’s vision for a well-planned and attractive built environment; and

WHEREAS, the City Commission recognizes the need for regulations intended to provide economic development and entrepreneurial opportunities for applicable businesses and landowners, while ensuring a compatible land use pattern, and high-quality development; and

WHEREAS, the City of LaBelle desires to maintain minimum regulations and public review for certain intensive commercial uses through the special exception process, 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 on March 12, 2026 and the City Commission on April 9, 2026 and May 14, 2026; 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 IV, District Regulations of the City of LaBelle is hereby amended with the following provisions:

47 **Sec. 4-82. - State Road 80 Overlay District**

48
49 4-82.1. *Purpose and intent.* The purpose and intent of the State Road 80 Overlay District
50 code is to:

- 51
52 (1) Guide future growth and redevelopment along SR 80 in a manner that maintains and
53 enhances the sense of place and aesthetic/visual quality of the corridor, makes efficient
54 use of public infrastructure, protects existing neighborhoods, and balances automobile-
55 oriented development patterns with multi-modal transportation choices.
56 (2) Prevent the expansion of a “strip” commercial development pattern, and create a
57 physically attractive, and functionally integrated built environment through cohesive
58 and complimentary site development and design standards provided for herein.
59

60 4-82.2. *Applicability.*

- 61
62 (1) The State Road 80 Overlay District all property with frontage on the SR 80 right-of-
63 way.
64 (2) Provisions of this subsection shall apply to all development and redevelopment (as
65 defined in 4-80.9.2.) of property with frontage on SR 80.
66 (3) Existing PUDs may voluntarily bring a master concept plan into compliance with the
67 regulations contained in this section administratively. Uses that are prohibited, or
68 subject to special exception approval (in accordance with subsection 4-82.4), and are
69 approved as part of an existing PUD, must comply with this section unless subject to a
70 building permit approval.
71 (4) If a parcel is in one or more overlay districts, the more restrictive overlay standards
72 shall apply.
73

74 4-82.3. *Permitted uses.* Uses within the State Road 80 Overlay District shall be permitted
75 in accordance with the underlying zoning district, except as provided for herein.
76

77 4-82.3.1. *Special exception approval required.* The following uses require Special
78 Exception approval:
79

- 80 A. Auto repair
81 B. Animal Sales and Services
82 C. Bus station/depot
83 D. Car washes
84 E. Convenience Stores with Gas Pumps
85 F. Food and Beverage Sales/Establishments: Bars, Night clubs
86 G. Fast Food Restaurants
87 H. Gas stations
88 I. Institutional Housing
89 J. Laboratories
90 K. Maintenance and Repair Services
91 L. Mini-warehouse
92 M. Outdoor Sales Area

- N. ~~Retail—Sales/Rental—Establishments~~ Heavy Equipment, Lumberyards, Building Supplies
- O. Pawnshops
- P. Vehicle/Equipment Sales and Service

4-82.3.2. *Approval criteria.* The following criteria will be utilized to evaluate special exception requests in the State Road 80 Overlay District in addition to criteria established in Section 4-41:

- A. Consistency with the intent of the State Road 80 Overlay District in protecting and enhancing viewsheds from SR 80 and other public roadways.
- B. The request addresses the balance between auto-oriented design and multi-modal access, particularly pedestrian access, through enhanced design standards.
- C. The site design standards incorporate innovative techniques to address the project's visual impact on the SR 80 corridor and demonstrate enhancements to the minimum standards.
- D. The request demonstrates compliance with the locational criteria set forth in the Comprehensive Plan, relating the siting of intensive uses in areas with direct access to arterials roadways, connection to public utilities and infrastructure, and mitigation of impacts to residential neighborhoods.
- E. Conditions exist which warrant the proposed use, including but not limited to demonstrated market demand and minimum spatial separation of 500 feet from a similar use.
- F. The request will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
- G. The request will be compatible with existing or planned uses.
- H. The request will not cause damage, hazard, nuisance or other detriment to persons or property.
- I. The request will protect, conserve or preserve environmentally critical areas and natural resources.
- J. The request is consistent with the goals, objectives, policies and intent of the LaBelle Comprehensive Plan.
- K. The request is in compliance with all general zoning provisions, supplemental regulations and performance standards pertaining to the use set forth in this chapter.

4-82.3.3 *Prohibited uses.* The following uses are prohibited within the SR 80 Overlay District:

- A. Agricultural uses specified in Section 4-77 (a) and (c)
- B. Contractor, construction, or equipment yard
- C. Manufacturing and Fabrication
- D. Off-site advertising signs
- E. Outdoor storage (principal or accessory use)
- F. Salvage/Junkyards/Recycling

- G. Sanitary land fill
- H. Toxic waste site
- I. Wholesale warehouse, processing or storage establishments
- J. Vehicle/Equipment Sales and Service – Mobile Homes
- K. Uses similar in character to any of the above uses

4-82.4. *Development Standards.*

(1) *State Road 80 Right-of-Way Buffer.* Developments on property included in the overlay must provide the following buffer adjacent to the SR 80 right-of-way:

- A. *Standards.* The SR 80 right-of-way landscape buffer shall be a minimum of fifteen feet (15') in width with five (5) trees per 100 linear feet and shrubs to form a hedge row. Clustering of trees and plant material is encouraged to promote healthy growth of vegetation, screen parking areas from public view, and generally uphold the view corridors along SR 80. The buffer must be designed in a manner that does not block signage.
- B. *Required trees.* The required trees and palms shall be clustered in double rows with a minimum of three (3) trees per cluster.
 - 1) The maximum spacing between canopy trees and/or palm clusters is fifty feet (50').
 - 2) Canopy/shade trees shall be planted a minimum of thirty feet (30') on center within a cluster.
 - 3) Palms shall be planted in staggered heights, a minimum of three (3) palms per cluster, spaced at a maximum of eight feet (8') on center, with a minimum of three feet (3') in difference in height between each tree.
- C. *Height.* All canopy trees must be a minimum of twelve feet (12') in height and palms a minimum eight feet (8') at the time of installation. Shrubs must be a minimum of two feet (2') in height at time of installation.
- D. *Required hedges.* A hedge row provides a reduction in ambient light from parking and drive isles of these uses along SR 80. The shrubs installed to form a hedge row must be planted and be maintained so as to form a 36-inch high continuous visual screen within one (1) year after time of planting.
- E. *Pedestrian access.* The buffer must be designed in a manner that facilitates pedestrian access to the development. Where perimeter fences and walls are incorporated into the perimeter buffer design of the site, the pedestrian access point(s) must be visible from the adjacent rights-of-way.
- F. *Building location.* Where buildings are located a maximum of twenty-five feet (25') from the SR 80 right-of-way line an alternative buffer may be permitted through submitting a landscape betterment plan.

(2) *Off-street parking screening.* An enhanced right-of-way buffer will be required where off-street parking areas abut SR 80 and exceed one (1) double row of parking, including the drive aisle. The buffer shall meet the minimum requirements of this subsection and Section 40-80.10 with the following changes along the entire length of the landscape buffer:

- A. The buffer width increases to twenty-five feet (25') in width.
- B. The tree requirements shall be increased to 6 trees per one hundred lineal feet (100').
- C. The hedge row becomes a double staggered row.
- D. Additionally, an undulating berm with a maximum slope of 3:1 a minimum average height of two feet (2') shall be constructed.

4-82.5. *Parking and circulation.*

(1) *Vehicular interconnections required.* Developments are required to provide vehicular, interconnections to the adjacent property, regardless of existing or proposed land use, unless one of the following criteria are met:

- A. It is not physically possible to provide the interconnection.
- B. The cost associated with the shared access or interconnection is unreasonable. For this application unreasonable will be considered when the cost exceeds the cost of a typical local road section or is above ten percent (10%) of the value of the improvements being made to the development.
- C. The location of environmentally sensitive lands, either on-site or off-site precludes it and mitigation is not possible.
- D. The abutting use is found to be incompatible with the existing or proposed use.
- E. All developments required to provide interconnections to existing and future developments must dedicate sufficient right-of-way or easement for all required roads, sidewalks, and bike lanes. Bike lane and sidewalk interconnections must be constructed concurrently with the required vehicular interconnection.

(2) *Pedestrian interconnections required.* Sidewalks and crosswalks must be provided to separate pedestrians from vehicular traffic both internal and external to the site. Pedestrians will only share pavement with vehicular traffic in marked crosswalks.

- A. Sidewalks must be a minimum of five feet wide.
- B. Sidewalks and crosswalks must be provided internal to the site and connect pedestrians from parking areas to all principle building(s), including outparcels.
- C. External sidewalk connections must be provided at a ratio of one (1) sidewalk for each vehicular entrance to a project. Drive aisles leading to main entrances must provide a sidewalk on one (1) side of the drive aisle, at a minimum.
- D. Internal sidewalks must connect to external sidewalk infrastructure on adjacent properties.

4-82.6. *Signage.*

(1) *Signage restrictions.* Signage for properties within the SR 80 Overlay District will be restricted as follows in addition to the criteria established in Section 4-81:

- 230 A. *Prohibition on pole signs.* To maintain and enhances the sense of place and
231 aesthetic/visual quality of the corridor, pole signs will not be permitted. All
232 signs must be freestanding/ground mounted or monument signs.
233 B. *Height.* The maximum height of the freestanding/monument and ground
234 mounted signs are restricted to ten feet (10').
235

236 **Section 3. Codification.** This ordinance shall be incorporated into the City of
237 LaBelle Land Development Code. The sections of this Ordinance can be renumbered or re-lettered
238 to the appropriate word or phrase to accomplish codification. Omissions, grammatical, and
239 typographical errors, as well as clarifications of ambiguous wording that do not affect the intent of
240 this Ordinance, may be authorized by the Mayor without need for a public hearing.
241

242 **Section 4. Severability.** In the event that any portion of this Ordinance is for any
243 reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall
244 be deemed a separate, distinct and independent provision, and such holding shall not affect the
245 validity of the remaining portions of this Ordinance.
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247 **Section 5. Conflicts.** The provisions of this article shall supersede any provisions
248 of existing ordinances in conflict herewith to the extent of said conflict.
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250 **Section 6. Effective Date.** This Ordinance shall take effect immediately upon its
251 adoption by the City Commission.
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PASSED AND DULY ADOPTED this ____ day of _____, 2026.

CITY COMMISSION OF THE CITY OF LABELLE,
FLORIDA

By: _____
Julie C. Wilkins, Mayor

ATTEST:

By: _____
Tijauna L. Warner, MPA, MMC, Deputy City Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: _____
Derek Rooney, City Attorney

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